

Public Policy Pressures in Internet Regulation

November 2007

Malcolm Hutty

One View of the Internet

- The Internet is an empowering infrastructure
- Its virtue lies in the way it enables users to be creative, to come up with new ways to do interesting and useful things

Another View of the Internet

- The Internet is a place where much harm is done, as well as good
- It's become a key part of our society, and so it can't be left as the 'Wild West'
- Vulnerable people should be protected the same online as they are offline
- The Internet needs to respect the norms of our society, the same as everything else

Some Really Bad Stereotypes

“Free & Empower”

The kind of
Words used
by
'Net heads'

“Control & Protect”

The kind of
Words used
by
'Bell heads'

Some Really Bad Stereotypes

“Free & Empower”

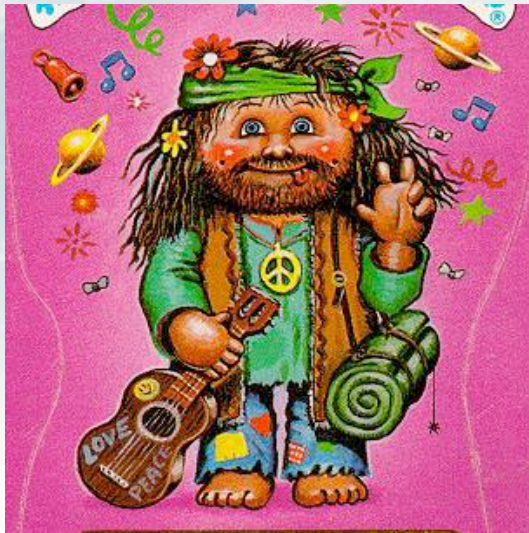


“Control & Protect”



Some Really Bad Stereotypes

“Free & Empower”



“Control & Protect”



“OK, that’s really not helping!”

Introducing Prometheus!

- Prometheus is our new stereotype (label)
- Greek mythology: he stole fire from the Gods and gave it to mankind



Introducing the Olympians!



- The Olympians are our opposite stereotype (label)
- Greek mythology: the Gods on Mount Olympus

Promethean views (1)

- The Internet is empowering:
 - “Users”, not “consumers”
 - Creativity, innovation
- The Internet is a simple network:
 - Intelligence added by users at the network edges, not by network provider in the core
 - Permits new services “without permission”



Promethean views (2)

The Internet is not tangible:

- It is not a thing, just a ***technology***
- It does not act, ***users*** do
- It is not responsible, ***users*** are



Olympian views (1)

- The Internet was experimental, but is now essential
- The Internet is good, but also does much harm
- The Internet was wild, but must now conform, so that good may flourish and harm may be suppressed
- A regulated Internet as part of a regulated society



Olympian View (2)

- If necessary, technology must adapt to accept regulation
- The technology to protect may not yet be perfect (it never is), but it should be developed and deployed progressively.
 - *“We must do what we can”*
- Network providers must accept their responsibilities as well as the benefits



Promethean Characteristics & Views

- Optimistic about social benefits of technology
- Pessimistic about political action
- Believe Olympians don't understand technology or how technological progress works
 - In particular, believe Olympians do not consider opportunity cost of regulation

Olympian Characteristics & Views

- Olympians believe Prometheans are:
 - politically naïve
 - Irresponsibly blasé about harm caused by introducing technology



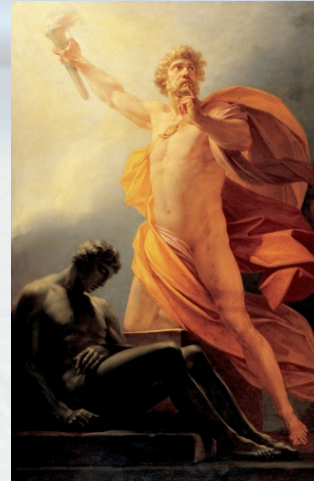
Olympian Characteristics & Views

- Olympians believe:
 - **Everybody** must conform to political reality
 - Legitimate government interest **must** be respected
 - Companies and individuals **are** susceptible to regulation
 - Everything doesn't have to be done at once; they can work progressively



Summary

For those that want progressive control, regulation doesn't have to achieve its policy goals overnight



Those that value the innovation, creativity & freedom the Internet offers above all, need to recognise that others value security and prefer to protect what already exists

Conclusion

- If we want the regulatory environment to reflect our world view, we need to persuade people to *hold* our world view
- This means engaging in discussion not just about the detail of particular regulations, but also the *fundamental values* the regulatory environment should support



Public Policy Pressures in Internet Regulation

November 2007

Malcolm Hutty

malcolm@linx.net

<http://publicaffairs.linx.net/>