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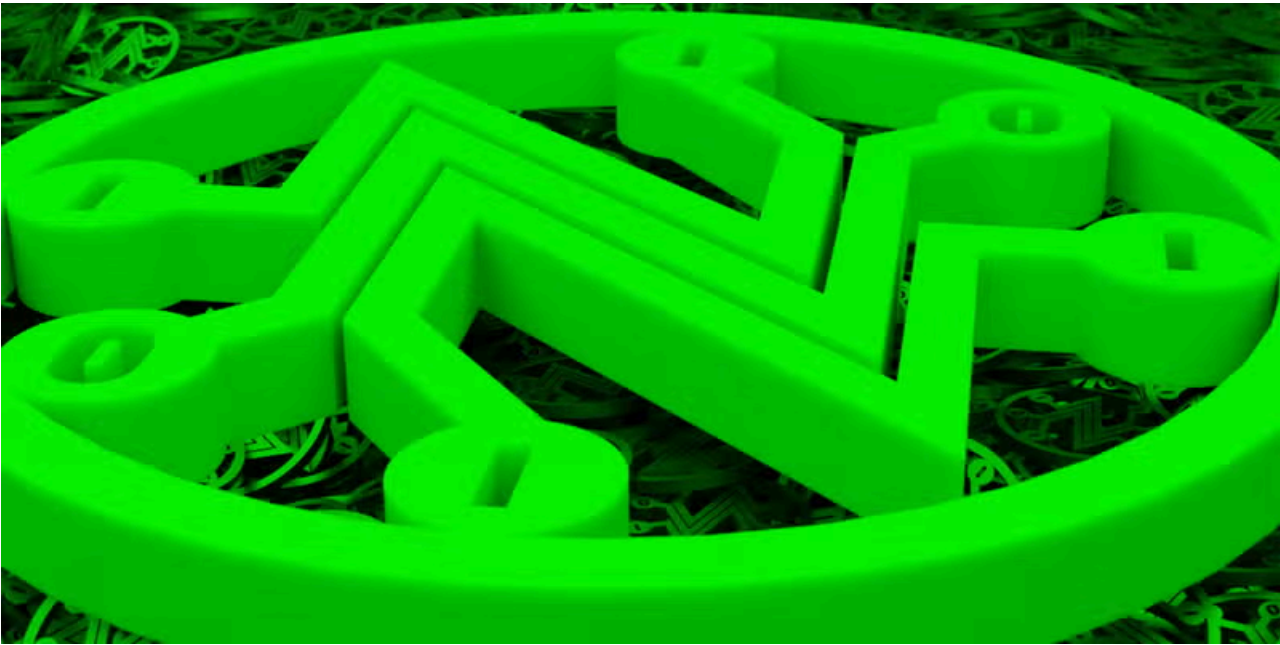
How net neutrality defined a decade of internet activism

The war for the soul of the internet raged on.



Andrew Wyrich

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Jason Reed/The Daily Dot

In 2014, the future of net neutrality was up in the air.

The Federal Communications Commission (FCC) was debating the best way to move forward with an issue of paramount importance to internet users, and activists decided they needed to make their voices heard.

Their actions wound up inspiring millions.

The FCC had just recently been told that its 2010 Open Internet Order, which in the eyes of many activists [did not go far enough](#) in ensuring net neutrality protections, [could not go forward](#) because it did not classify broadband providers as “common carriers.”

In a city where policy is made by a faceless few, a massive push from a staggering amount of websites, organizations, and activists set the agenda, pushing the FCC into creating what they believed was a stronger order, while simultaneously showing a glimpse of what was possible in terms of internet activism.

In September 2014, major websites launched the “[Internet Slowdown Day](#)” where participating websites [put up a “loading” symbol](#) (but didn’t actually slow down their sites) and asked internet users to email Congress, file comments to the FCC, and show support for net neutrality. Major companies like Netflix and Reddit joined in. Ultimately, more than 2 million people participated in the calls to action, according to Battle for the Net.

The White House [said](#) nearly 4 million comments were made on the FCC’s website at the time.

A month after Slowdown Day, President Barack Obama [released a video](#) where he said he specifically supported the FCC to classify internet service providers (ISPs) under Title II of the Communications Act—thus classifying broadband providers as “common carriers”—something activists had wanted the FCC to do in the first place.

And in February 2015, a new Open Internet Order was passed by the FCC, solidifying net neutrality.

Unfortunately, it was a victory the internet would have to keep on fighting for.

The “Internet Slowdown Day” was just one of several key moments in the fight for net neutrality over the past decade. Over the past 10 years, net neutrality has gone from more-or-less relatively obscure term into a full-blown political activism juggernaut, responsible for creating some of the largest mobilizations online.

Along the way, officials in Washington, D.C. have argued over, passed rules, repealed those same ones, and argued about them again—all while the basic principles of the idea have amassed large public support.

That public support almost entirely rests on the shoulders of internet rights and advocacy groups that have pushed for the issue throughout all of the hills and valleys the last decade has had.

“I think net neutrality has clearly been one of the most talked-about policy debates of, I think the century not just the decade, if you added up just in terms of raw numbers of people who expressed their opinions on this issue... internet policy issues are sort of everyone policy issues in way that is sort of new and different,” Evan Greer, the deputy director of Fight for the Future, told the Daily Dot. “While its obviously an ongoing battle, the history of net neutrality over the last decade is a story that shows how the internet enables grassroots power to take on traditional power and win ... When started this fight, every single thing we said we had to start with ‘this is what net neutrality is,’ because nobody knew what it was. Now everyone knows what it is, and everyone knows that they like it.”



Early activism (2010-2015)

The term “network neutrality” was coined by professor Tim Wu in 2002, and while there were several important moments for the issue ahead of 2010, a decision from the U.S. Court of Appeals for the D.C. Circuit kicked the decade-long fight for net neutrality into motion.

The 2010 Open Internet Order [enshrined](#) some of the major tenants of net neutrality including blocking the slowing down of websites, however, but it also did not block paid prioritization. The lack of strong protections, as activists wanted, led to [much criticism of the order](#).

However, in 2014, the U.S. Court of Appeals for the D.C. Circuit vacated the 2010 Open Internet Order after the agency was sued by Verizon, essentially sending the FCC back to the drawing board.

That first iteration was not met well with many open internet advocates, who said it did not go far enough. Many advocates preferred the FCC use its authority under [Title II of the Communications Act](#), which would place ISPs under a more strict regulatory umbrella. It was around this time that Battle for the Net, a coalition of public interest and internet rights groups, was formed, acting as a hub for the activism that would come.

This divide in ideas led to “Internet Slowdown Day,” which would provide a blueprint for online activism moving forward.

Around the same time as the Slowdown Day, internet activists [actually camped out near the FCC building](#), mixing old-school activism with the newer idea of organizing around websites and online calls to action. The FCC’s [website crashed](#) amid the flood of comments coming from people—which [studies showed overwhelmingly supported](#) Title II protections.

“Internet Slowdown Day was one of those big moments in the history of internet activism,” Mark Stanley, the director of communications at Demand Progress, said. “You had millions of people taking action on that day, contacting lawmakers. It was one of these moments where the activism was so massive that lawmakers couldn’t help but take notice. It was immensely influential... It was really one of the initial moments that showed just how massive the grassroots energy was behind this. Since then we’ve seen a steady drumbeat of grassroots and momentum, but I think that was one of the really big initial moments.”

The massive online protest’s ability to raise awareness was one of its major successes.

“In 2013 and 2014, I think all of the DC insider folks, even ones that were totally on our side, were like ‘You can’t get Title II net neutrality.’ ... Really what shifted that was organizing and activism,” Greer said, adding: “[Internet Slowdown Day] was definitely a turning point... It was the moment that we put some fear into the hearts of lawmakers in Congress ... I think the sheer volume of phone calls and emails we sent on that day scared the living hell out of a bunch of members of Congress.”

The 2015 Open Internet Order, at the time a major victory, would only be on the books for a few years, setting up an yet another intense bout between the incoming Republican-controlled FCC, activists, and now lawmakers, who would take a more vocal role in supporting the issue than they had in the past.

READ MORE:

- [FCC to replace comment system that got spammed during net neutrality fight](#)
- [‘After Net Neutrality’ book explores history, activism and offers an idea for the future](#)
- [House Republican at the center of net neutrality debate announces retirement](#)
- [Ajit Pai is unhappy states are bucking his agency’s net neutrality repeal](#)



The fight to keep net neutrality (2016-2017)

The election of Donald Trump created uncertainty for the future of net neutrality. That uncertainty became a growing fear for activists when it was announced that Ajit Pai, a former Verizon lawyer [appointed](#) as a commissioner to the FCC by Obama, was [named](#) the head of the agency. Pai predicted that net neutrality's "[days are numbered](#)," ahead of taking the head spot at the agency in 2016.

Trump himself had even [commented on the issue in 2014](#), calling net neutrality a "top-down power grab."

When it became clear that Pai would look to undo the 2015 Open Internet Order, it meant that activists would once again have to mobilize—and as several of them told the Daily Dot, awareness about the issue was key yet again.

As Pai began preparing to repeal the order, activists once again tried to rally the internet ([as did John Oliver](#)).

The "[Internet Wide Day of Action To Save Net Neutrality](#)" saw more than 125,000 websites, organizations, and internet users voice their support for the issue, and the online protest led to more than 2 million comments being left on the FCC's public comment page.

"What we've seen with net neutrality is, we've had these massive days of action along the way and each time we've seen hundreds of thousands or millions of people take action. What's really been amazing of these days of action is that the organizers behind them, like my group Demand Progress, has been able to use digital tools and the internet to basically fight for open internet principals," Stanley, of Demand Progress, said. "It's been amazing that we've been able to make it as easy and seamless as possible to contact their lawmakers and make their voices heard on this. Each time the scale has been massive... I think these have all opened policymakers and lawmakers eyes to just how passionate the public is about this."

Meanwhile, Matt Wood the vice president of policy and general counsel at Free Press, said that the last decade has shown a "power to build" awareness "of a relatively wonky technology issue." He also stressed that there has been an enormous shift in D.C. in terms of being aware of the issue.

The 2015 Open Internet Order was praised by a number of lawmakers (and even current presidential candidates), something they may not have understood just a few years ago.

"I think overall it's been a remarkable success... in terms of shifting the political debate inside of D.C.," Wood said.

Amid this new push by activists, the groups also began to frame net neutrality as [a more personal issue for internet users](#)—including [social justice](#), [racial justice](#), and [community organizing groups](#).

"One study from Stanford University found that nearly 100% of the comments that were real did not want the agency to repeal net neutrality."

"It initially was seen as a kind of an issue about competition, an issue about how we're going to organize the digital economy, whether there would be room for the next Facebook or Google in the absence of net neutrality. It was an issue which, I think, was a concern of techies," David Elliot Berman, the co-author of *After Net Neutrality: A New Deal For The Digital Age*, told the Daily Dot. "I think increasingly we're seeing a swing in the activism, from that kind of more middle class, more tech-oriented crowd whose main concern about net neutrality is their ability to do file sharing and market-based considerations to a more diverse coalition of people who see net neutrality as part of a racial justice agenda, part of an economic justice agenda, rather than something that is just about traffic management or innovation."

The online protests were once again [followed up by several in-person protests](#), including having an "overnight vigil" outside of the FCC's headquarters the night before the FCC was to vote on the future of the rules.

Again, millions of comments were left on the FCC's public comment page, however many were [later found to be fraudulent](#), including people using the names of [dead people](#) and [members of Congress](#).

One study from Stanford University found that [nearly 100% of the comments](#) that were real did not want the agency to repeal net neutrality. The fake comments have been [under intense scrutiny](#) since then, and Pai has [been under fire](#) for initially saying that the FCC was subjected to a distributed denial of service (DDoS) attack, a claim [he later backtracked](#) from and blamed on "[inaccurate information](#)."

Despite the enormous push—yet again—from all corners of the internet, the FCC voted to repeal the 2015 Open Internet Order by a party-line vote.

The repeal went into effect in June 2018, and since then there has been a debate in Congress about the best way to move forward.



Repeal and (hopeful) replace (2018-2019)

Almost immediately after the FCC's repeal, lawmakers announced they intended to try and stop it from ever taking shape—and the next two years would be marked by a number of attempts to reverse the decision.

The day of the FCC's vote, Sen. Edward Markey (D-Mass.) said that he and 15 other senators [planned to introduce](#) a [Congressional Review Act](#) (CRA) resolution, an act that gives Congress the ability to overturn a federal agency's decision.

But the way forward had been shown before. A [number of pushes online](#) asked for internet users to support the CRA effort, including "Operation: One More Vote," which directed pressure toward Republicans to sign onto the CRA in the Senate.

In April 2018, the CRA resolution [was officially filed](#), setting the stage for a vote in the Senate in May. Ultimately, three Republican [senators broke ranks with the rest of their party](#) and voted with Democrats to pass the CRA in the Senate 52-47. Sen. Joe Kennedy (R-La.), Sen. Susan Collins (R-Maine), and Sen. Lisa Murkowski (R-Alaska) were the three Republicans who voted in favor of the CRA.

Despite the win in the Senate, the Republican-controlled House of Representatives [never took up the CRA](#) for a vote, despite a series of [online](#) (and [in-person](#)) [activists trying to push for it](#).

"It's interesting, the more that we talk about this, the higher our level of understanding of how crucial these protections are. I think there's real value though in the fact that this is something where everyone can find a reason why this affects them," Greer, of Fight for the Future, said. "One of the things that has been really powerful about it that it's an issue where we've been able to engage large numbers of people who think of themselves as apolitical... there's something about it where people are literally like 'I don't want my ISP to tell me what videos I can watch, or play games.' I think there's something that's incredibly powerful about that personal connection that people have to using the internet, whatever they use it for."

But instead of undoing the repeal, a new way to restore net neutrality soon rose up in the wake of the 2018 midterm elections: [the Save the Internet Act was unveiled in March 2019](#).

The bill would essentially restore the 2015 Open Internet Order by codifying it. The bill has near-unanimous support among Democrats—and even some 2020 Democratic hopefuls have voiced their support for it. But it wasn't just Washington that supported the bill: Thousands of people tuned in to live streams of fairly mundane hearings in the House and its markup before it eventually passed through the House of Representatives in April.

However, since then it has stalled in the Senate after Senate Majority Leader Mitch McConnell called it "dead on arrival." There have also been two attempts by Democratic senators to force a vote on the bill, both of which were blocked by Sen. Roger Wicker (R-Miss.). If the bill were eventually voted on, and it was to pass in the Senate, President Donald Trump would have to sign off on it before it became law.

Wicker [has argued in favor](#) of [\(and pushed for\)](#) a compromise bill, one that would likely go back to [what has been at the heart of the debate since the beginning](#): Whether or not to classify ISPs under Title II of the Communications Act.

As all of this was going on, a legal challenge from net neutrality supporters [arguing over the legality of the FCC's repeal](#) was heard by the United States Court of Appeals District of Columbia Circuit.

The court released its decision in February, and largely upheld the FCC's repeal—somewhat of a defeat for those hoping the court would overturn the repeal—but it also opened the door for states to enact their own laws in the absence of one at the federal level.

READ MORE:

- [Will states create the federal net neutrality standard?](#)
- [Net neutrality advocates say to remain wary of 'bad legislation' in wake of court's decision](#)
- [Will net neutrality enter the 2020 debate after court ruling?](#)
- [Wicker, Sinema push their working group after net neutrality ruling](#)



The next decade of net neutrality

It's been a roller coaster of wins and defeats in the past year for net neutrality advocates. But despite the back-and-forth nature of the FCC and its policies, many advocates told the Daily Dot they believe the activism surrounding the issue gives it momentum in going forward.

Berman, the co-author of *After Net Neutrality*, said the policy during the last decade has him feeling like "we're almost running around in circles," but the political climate around net neutrality is more encouraging.

"The issue increasingly is a popular—even populist—issue rather than one that is the concern of techies and certain parts of the business community... We're seeing new coalitions that are forming around net neutrality ... I think these new frameworks, new ways of looking at net neutrality, and the really diverse coalitions that are more explicitly political than the old ones, I think are what is most promising about the politics of net neutrality at this current moment."

Wood said he still believes strong net neutrality protections on a federal level is the ultimate goal—even as states may push the issue forward in the wake of October's court decision.

"I think non-discrimination on communication networks is part of the suite of nondiscrimination rights everybody should have," Wood said. "So while we're happy to see the states moving, and think it's crucial especially right now, I would rather that we have a strong protection for everybody in the country rather than people in California have different rights than people in Mississippi."

That more diverse group of people supporting net neutrality will be key moving forward, Stanley said.

"When people think about this issue, they think about it in extremely personal ways, because so many of us use the internet for these things that are personally important to us or have deep meaning in our daily lives," Stanley, of Demand Progress, said. "I think that has always come across in the activism. You see people have this passion and have this energy on this issue, it's for a variety of different issues, but at the end of the day people understand this to be an issue about being able to connect and communicate freely and be able to do it in a way where monopolistic telecom corporations aren't able to dictate what they can read and access and how they communicate online, and that's just something I think they understand as being an issue fundamentally about the public interest versus special interests in Washington."

READ MORE:

- [Ed Markey says net neutrality court decision makes passing Save the Internet Act 'imperative'](#)
- [Court upholds most of FCC's net neutrality repeal—but state laws can't be blocked](#)
- [Advocates ask 2020 candidates to pledge to restore net neutrality](#)
- [These 2020 Dems promise an FCC that will restore net neutrality](#)

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