

Rebalancing the Internet Imbalance of a 25-Year Utopian Policy Experiment

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The Internet is now less a technological revolution and more of an unravelling, 25-year-old utopian policy experiment of freedom-without-responsibility.

There is no question that the Internet's many technological innovations have been a phenomenal success given that everyone everywhere conducts everything over the Internet.

However, the Internet has also been a 25-year utopian policy experiment, and many of the Internet's foundational utopian [premises](#) – i.e., a borderless, permissionless commons, open to everything and everyone, with no central or sovereign authority — have been unravelling or have largely collapsed.

In the 1990's, the nascent Internet was viewed as a separate, virtual global dimension, ripe for utopian exceptions and experimentation.

Now that the Internet is mature and integrated into the physical life, work and play of everyone. The average Internet user no longer thinks of the Internet as a separate dimension, but as a taken-for-granted, integrated part of everything.

Rebalancing the Internet imbalance

Should people be protecting the Internet, or should the Internet be protecting people?

That question encapsulates the Internet imbalance problem and Internet rebalancing solution.

The Internet imbalance is the disruptive duel of ongoing, opposing online-offline value systems of governance and economics.

Think of it as disruption disrupted.

The Internet may be the grandest social experiment in world history.

First hypothesis: no government is better than government.

Are people better off overall without, or with, sovereign rules, rights and restraints?

Consider the copious evidence of a robust rebalancing of the Internet imbalance.

In 2013, the Snowden NSA leaks revealed ubiquitous NSA Internet surveillance and shattered any credibility that the U.S. had abroad in advocating for an Internet free of government interference.

That reality broadly catalyzed what I call the "Internet Reset," the geopolitical secular change from an ungoverned global Wild West Internet to more governed national Internets, since most nations and the EU have established more sovereign authority, rules and control over the Internet that traverses their borders.

Evidently, the utopian borderless Internet has become a more sovereign-ized "[splinternet](#)" with a multitude of evident sovereign authorities, restrictions, and limits.

Consider the EU's Single Digital Market, [strategy](#), [laws](#) and [policies](#); Britain's [duty of care](#) Internet [policy](#); China's [Great Firewall](#), cyber-sovereignty [policy](#), "reinvention of the Internet [proposal](#)," and Belt and Road [Initiative](#) involving several dozen nations; Russia's independent "[unplugged](#)" Internet

sovereignty [law/policy](#); India's India-first Internet [policy](#); and 21 [countries](#) shutting down their Internet last year.

A G7 Task Force has created anti-terrorism and anti-money-laundering [accountability](#) to Facebook-Libra's permissionless cryptocurrency. The Five Eyes are [demanding](#) Internet platforms to provide law enforcement access to encrypted networks. 140 countries via the OECD are [negotiating](#) a new international digital tax system to address Internet platform tax unaccountability.

America's [bipartisan](#) Techlash has been a rebalancing process in seeking Internet platform accountability in a wide variety of ways.

Congress overwhelmingly [amended](#) America's only Internet law, Section 230, to combat online sex trafficking of children. The DOJ has [recommended](#) legislative changes to Section 230 to increase incentives to deter online harms and illicit activities. An administration Executive [Order](#) has the Executive Branch and independent agencies reviewing Section 230. Multiple bipartisan [bills](#) have been introduced in Congress to address a variety of Internet unaccountability problems, e.g., privacy and data security; and social media [addiction](#), [manipulation](#), election interference and [polarization](#).

The DOJ is in the process of an antitrust [review](#) of the market-leading online platforms. The DOJ, FTC and most State AGs are [preparing](#) antitrust cases against Internet platforms. And a bipartisan House [investigation](#) of Digital Markets is considering changes in antitrust law.

Another big U.S. disruption of the utopian Internet is the [tech decoupling](#) of the U.S. and China. The FBI has designated the [China Espionage Threat](#) online as a top national security risk. The FCC in a 5-0 vote [designated](#) China's Huawei and ZTE Internet technology companies as national security threats.

An executive order [banned](#) China's popular video-sharing mobile app, Tik Tok, as a national security risk given the amount of private data the app collects on Americans. To mitigate the national security concerns, President Trump [approved](#) in concept, a proposed deal that would have Oracle and Walmart have a controlling ownership stake and contractual roles that would enable them to protect Americans privacy and data security on Tik Tok. The deal awaits final approval by both the U.S. and China.

Not surprisingly, the results of this utopian social experiment's first hypothesis that no government is better than government has been consistently rejected most everywhere, as most sovereign governments are in the process of applying rules and restraints to their Internet.

Second hypothesis: a propertyless-commons is better than a free-market.

Are people economically better off without, or with, economic perimeters, properties, permissions, protections, payments and profits?

In 1997, the U.S. Government's new "[Framework for Global Electronic Commerce](#)" created a private-sector led, public commons with minimal government oversight or accountability – a de facto virtual geopolitical economic system of freedom-without-responsibility, i.e., a commons driven by self-interest with minimal obligation to respect or protect the interests of others.

In 1997, it is no coincidence that the Business Roundtable of top corporate CEOs [redefined](#) the purpose of a corporation from the then customer-driven, other-oriented, rules-based, market capitalism of the 20th century to the emerging Internet-driven, self-interested, no-rules era of "shareholder-primacy" capitalism.

In 2019, after 22 years of Internet results and years of intensifying techlash against Internet freedom-without-responsibility, it also is not a coincidence that the Business Roundtable in 2019 again “[redefined](#) the purpose of a corporation,” and “[outlined](#) a modern standard for corporate responsibility.”

This time it would undo its 1997 change and [restore](#) a pre-1997, pre-internet, freedom-with-responsibility, purpose of a corporation in committing “to deliver value to all of their” stakeholders — customers, employees, suppliers, communities and shareholders – “for the future success of our companies, our communities and our country,” i.e., “stakeholder capitalism.”

If the Business Roundtable’s [redefinition](#) of the purpose of a corporation, from shareholder-primacy capitalism to stakeholder capitalism, is a good proxy of results, this utopian social experiment’s second hypothesis that a propertyless-commons is better than a free-market, has been rejected for not serving “essential” stakeholders and not producing “a free-market that serves all Americans.”

Internet disruption disrupted.

Overall, this 25-year experiment has shown that the Wild West internet Imbalance of freedom-without-responsibility has become the de facto freedom-to-harm others with impunity and to take away others’ privacy, security, dignity, identity and property without their knowledge or consent.

Moreover, everyone now has Internet trust concerns, because on the Internet no one is safe or protected from purposeful harms like deception; nothing is safe or private; and everywhere users question the trustworthiness of Internet content and intermediaries.

This Internet imbalance is the result of America prioritizing people protecting the Internet rather than the Internet protecting people, because America is the only country that protects Internet platforms from people, but not people from platforms.

In a nutshell, the last several years of the techlash has been rebalancing the online-offline, internet Imbalance away from the disruptive disorder of freedom-without-responsibility, minimal government and a public commons, towards the more constructive calm of freedom-with-responsibility and rules-based government and markets.

The rebalancing of the Internet imbalance is happening just as Newton’s third law of motion would predict: “for every action, there is an equal and opposite reaction,” i.e., disruption disrupted.

Lastly, if the failure of this utopian policy experiment was its implicit freedom-without-responsibility organizing principle, what’s the solution?

It is restoring a duty of care for Internet platforms like everyone else already has. That’s freedom-with-responsibility. That’s the Golden Rule of treating others as one wants to be treated. That Internet imbalance rebalancing would keep all that is right with the Internet, while fixing all that is wrong.

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