Contents

Series Editor's Introduction ix Acknowledgments xiii

Introduction: Network Neutrality, Media Reform, and Neoliberalism 1

Network Neutrality's Common Narrative 12
Ghosts of Former Debates and Conspicuous Absences 21
Digital Capitalism Settling In 25
Approach 29
Chapter Breakdown 45

1 Knowledge and the Neoliberal Thought Collective: Viewing Network Neutrality through the Appropriate Lens 51

Conduit and Content: Liberalization and a Long-Contested Realm 52
The Quandary of Network Neutrality 56
Rethinking Regulatory Process 65
Discourse and Views "from Below" 70
Reconsidering How We Tell the Story of Network Neutrality 77
Knowledge, and Its Material Buttress 83
The Uses of Economic Theory 96
Tim Wu's Contribution, Revisited 100

Open Access: Nascent Moves to Counter Cable Giant Power in the Late 1990s 105

From Dial-Up to the Possibility of Cable Broadband 108

The FCC Explores Its Options 113

Portland, Oregon: The "Mouse That Roared" 121

Finding a Space between Capitals: Constructing a Conceptual Frame 133

The Wildfire Spreads 147

3 Knowing the Net, 1: At a Relative Apex 151

Consumer Advocates on the Move 153
Expanding Their Purview 162
AT&T Sets Its Sights on MediaOne 166
The FCC Attempts to Thwart Local Efforts and Consumer Arguments 174
Advocates at an Apex 181

4 Knowing the Net, 2: The FCC Decides in Cable's Favor 183

From Vague Directive to the Core 188

AOL Buys a Wire of Its Own 195

Advocate Frustration at the FCC 201

Wearing Down, Ramping Up 208

Localities Lose the Issue 210

A Double-Edged Sword: The Ninth Circuit Decides 213

AOL Time Warner as Ambiguous Consolation Prize 219

The Powell FCC Takes Over 227

Conclusion 231

5 Erasures and Emergences: Net Neutrality's Ambivalent Emergence 237

Media Reform and Broadband Politics 238

Setting the Tone: Developing on the "One Monopoly Profit" Principle 242

Wu Sketches Out Net Neutrality 246

The Trap, Tripped 251

Brandeisian Populism and Economic Efficiency 255

Two Sides, One Coin 265

Conclusion 269

6 Advocates, Regulators, and the Ersatz: Defeat Snatched from the Jaws of Victory 273

Institution Building and Expansion 277
Meeting the Ersatz 284
Shifting Terrain 294
Wrenching Defeat from the Jaws of Victory 304
The Perils of Access 313
Conclusion 317

7 The Shifting Political Economics of Net Neutrality: A Continuum, Not a Break 321

The Engines of Production Rev Again 323
Shifting Dynamics of Resistance 330
Activism Led, Capital Followed: The Cultural Labor of Network
Neutrality 338
Continuity across Seeming Transformations 347
Conclusion 349

8 Knowledge, Access, and the Currents Flowing Beneath 353

The Issue of Universal Service 355

Newly Emergent Value Subjects: An Industry View 359

Shifts in the Political Economy of Access 364

Considering Platforms 372

Emergent Trends 387

The Dimensions Missed on All Sides 392

Conclusion 401

9 Net Neutrality as Wrecking Ball 405

A Suggestion, and a Warning, Is Offered 407
Dismantling the Administrative State 411
Hearkening Back to the Future 417
Epistemic Battles, Redux 419
Activism in a Void 428
The Order 435
Hypercharged Neoliberalism 440

Conclusion 445

Interregnum 445 Ambivalence in Teleology 447 Neoliberal Sincerity 451 Rational Responses as Traps 453 Three Questions 460

Notes 463 References 471 Index 519