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Net Neutrality Will Limit Religious Freedom

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Article Commentary

"The new FCC policy grows the size of government and attempts to redefine the identity of religious institutions, this time in the name of 'neutrality.'"

Nicholas G. Hahn III is editor of RealClearReligion.org. In this viewpoint, Hahn describes the United States Conference of Catholic Bishops' praise for the FCC's approval of the Open Internet Order in February of 2015. Hahn argues that the church's support of net neutrality is misguided, stating that regulations imposed by the Open Internet Order and similar orders will make it more difficult for religious organizations to operate freely. Hahn posits that competition in the ISP marketplace is not something that the expertise of a bishop should influence, and that religious leaders engaging in political decisions is a potentially dangerous turn of events.

As you read, consider the following questions:

1. What act does the FCC's Open Internet Order apply to the Internet, according to Hahn?
2. What warnings does the author give regarding the future of net neutrality and its effects on religious organizations?
3. Should religious leaders be involved in major political decisions? Why or why not?

When the Federal Communications Commission approved the Open Internet Order last month [February 2015], it was an unlikely assault on religious liberty. But America's religious leaders didn't say so. As it turns out, men and women of the cloth gave "net neutrality" a blessing.

The FCC's order applies the Communications Act of 1934 to the Internet, redefining service providers as telecommunications. This grants government bureaucrats the power to centrally control broadband in a heavy-handed attempt to ensure "neutral" access. In a March 3 [2015] speech defending the policy, FCC Chairman Tom Wheeler told the Mobile World Congress that "there needs to be a referee with a yardstick, or a meter stick here, that it's just and reasonable."

Support from Religious Leadership

The United States Conference of Catholic Bishops should know a thing or two about what's just, but they weren't ones to argue with Mr. Wheeler. In a statement issued after the FCC vote last month, bishops called the policy "a welcome move" and reminded the faithful that bishops have "long supported open Internet, where neither the telephone or cable company providing access can tamper with access by consumers to any legal website or other web content."

"Open Internet," as prelates prefer to call it, proved to be an ecumenical issue. Political activists from the United Church of Christ followed suit and accepted money from George Soros' Open Society Foundation and the Ford Foundation to form a lobbying group called "Faithful Internet." It called "net neutrality" an "urgent civil rights issue of our generation." Without a government takeover of Internet service providers, Faithful Internet worries, "faith leaders cannot effectively help their communities organize politically, access health care, vote, start businesses, or express themselves."

Misplaced Concerns

Setting aside for now the problematic notion that faith leaders are also political organizers, these ministers seem to have misplaced their concern over Internet access. When it comes to Internet service providers, consumers have plenty of choices. In addition [to] various cable companies, Internet users might also access content via DSL, satellite, fiber or an assortment of mobile providers. The government, as commissioner Ajit Pai put it, is trying to fix a problem "that doesn't exist."

These spiritual shepherds don't appear to anticipate the religious liberty problem that may come sooner than expected. If clerics believe federal bureaucrats only seek to regulate access, it seems they haven't read the fine print. The Competitive Enterprise

Institute's Clyde Wayne Crews Jr. warns in a March 3 *Forbes* post that "Extensive regulation of content is all a question of when, not if." In an October 2009 FCC Notice of Proposed Rulemaking, the government indicates its interest in "phrasing one or more of the Internet openness principles as obligations of other entities, in addition to providers of broadband Internet access service."

Government bureaucrats would then have authority to regulate what pastors ("other entities") preach online. It all seems to fit with the Obama administration's watering down of religious freedom to "freedom of worship." Look no further than the Affordable Care Act's contraception mandate that seeks to re-evaluate how churches qualify as "religious"; or the National Labor Relations Board's fight for unions at Catholic colleges and whether the schools fit its narrow definition of "religious education."

The faith-based groups who back "net neutrality" worry that a cable company might slow down the speed of a church website it doesn't like. But before the new FCC policy, that church could ditch that cable company for satellite or DSL. Now, if something goes awry, churches are stuck pleading their case to federal bureaucrats. Like in 2011, when the FCC suddenly began lifting closed captioning exemptions for small- to mid-sized churches.

Internet an Important Tool for Believers

The public square is going digital, and believers are using the Internet to their advantage. The faithful are logging on to inform and evangelize, for online communion, confession and even exorcism. The World Wide Web is especially useful to believers in repressive states (and even some European countries) that already censor online content. It was St. Teresa Benedicta of the Cross, a Jewish philosopher turned Roman Catholic nun, who was martyred in an Auschwitz gas chamber and was prophetic in saying, "The world does not need what you have, but who you are." The new FCC policy grows the size of government and attempts to redefine the identity of religious institutions, this time in the name of "neutrality."

Which brings us back to some faith leaders' peculiar aversion to staying politically neutral. As a policy matter, the new FCC order is convoluted for even the seasoned technology expert—perhaps because the 332-page policy wasn't even made public before the vote. Whether or not there should be competition in the Internet service provider marketplace—which the FCC seeks to eliminate—it isn't an issue of faith and morals, and certainly not the expertise of a bishop.

Pope Francis frequently encourages his brother bishops to be pastoral, and eschew politics. During a visit to Seoul in August 2014, the pontiff said that priests "are not state altar boys but they are pastors." Just last month, the pope told Ukrainian bishops that they "are not called to give a direct answer" to political questions.

Pope Francis may do well to give similar advice to American religious leaders when he lands stateside later this year. The Internet might be freer for it.

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