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What would a pro-innovation political platform look like?

By David Post

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Nice piece by Larry Downes on a <u>what a pro-innovation political platform would look like</u>. I particularly liked this shout-out to my favorite provision of federal law, Section 230 of the Telecommunications Reform Act of 1996:

The Innovation Platform embraced by the Clinton Administration and continued well into the George W. Bush era recognized both the profound economic, social and political potential of connected computing as well as the likelihood that its promise would never be fulfilled without leaving it to the entrepreneurs, engineers, investors and consumers to define. It is no exaggeration to say that if not for the light-touch regulatory framework established at the outset of the commercial Internet's emergence, the digital revolution we already take for granted would have never happened.

To pick one small but revealing example, Section 230 of the 1996 Communications Act can probably be credited more than any other policy decision with securing America's continuing dominance in Internet products and services.

That simple provision immunizes third parties—including Web sites and Internet service providers — from being treated as publishers of content posted by their users, keeping them from becoming the targets of endless defamation lawsuits.

It's hard to imagine multi-billion dollar social media powerhouses including Google, Facebook, Twitter and Reddit thriving without such protection. Which is why it's no surprise that none of them, or nearly any other major content or social media company, were launched outside the U.S., where the opposite legal rules largely apply.

I've never felt that Section 230 has received the credit it deserves for the emergence of wide swaths of the Internet economy – though <u>not for lack of trying on my part</u> (along with some likeminded law profs, see <u>here</u>).

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