

The Curious Case of the Lack of Balance in the Winseck/Pooley Rebuttal

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I sincerely appreciate the *International Journal of Communication (IJOC)* allowing me to post a response to the “Reply” prepared by Professors Dwayne Winseck and Jefferson D. Pooley, although I disagree with the *IJoC’s* decision to allow the professors to distort CALinnovates’ mission and objectives over differences on the right approach to net neutrality.

I certainly welcome a substantive debate about whether indeed there has been a lack of economic analysis at the FCC, in particular in its so-called net neutrality discussions about the Open Internet Order. That is an important and useful debate that will either lead to necessary changes in the order or validate its conclusions.

Instead, the Winseck/Pooley rebuttal devotes inordinate time casting aspersions on CALinnovates, its focus, and its motivations. How very Trump-like of them to focus on insinuations rather than on the substance of a debate.

So, as an exercise, I thought I’d utilize the approach that the professors used in their rebuttal in my response—to demonstrate how information can be cherry-picked and isolated in inaccurate and unfair ways.

I’d start by bringing up issues that could seek to undermine Professor Pooley, but that would be taking something out of context and would not be accurate or fair. But that is exactly what the professors have done by holding back the full account of outgoing FCC Chief Economist Tim Brennan’s statement that his employer was an “economics-free zone” when discussing how the Open Internet Order came to be. Yes, Mr. Brennan said it wasn’t intended to “slap the FCC” (2016, p. 1) and the fact that it gained prominence was met by him with “regret and chagrin” (2016, p. 1).

But here is what the professors left out: Mr. Brennan said about the Open Internet Order, “A fair amount of the economics was wrong, unsupported, or irrelevant.” Perhaps they omitted that because it didn’t back their agenda. That meant what they wrote was not accurate or fair.

Which gets me to the next way I’d follow their approach: by questioning whether their associations influence their agenda and writing. For example, Professor Winseck was designated the chief

blogger for the 2011 Canadian Election by OpenMedia.ca,¹ a group that has a clear agenda to retain the [Open Internet Order](#) as constituted.² I would suggest that Professor Winseck's association with such an advocacy group raises questions about whether he's criticizing CALinnovates because of his association as chief blogger in 2011 with OpenMedia.ca, a group that has a clear agenda to keep Net Neutrality in place as it is.³ But that wouldn't be fair, because Professor Winseck has clearly stated other items of focus, including exploring the concentration of media.

But that is exactly what the professors did in the rebuttal: To portray CALinnovates as a one-trick pony on net neutrality, they purposefully left out all the other work it does on, for example, the sharing economy, changes in transportation, the challenges with music royalties, and a new era in medical devices, to name a few. Perhaps they omitted this detail because it got in the way of trying to cast CALinnovates in a bad light. That wasn't fair.

The truth is that an advocacy group such as CALinnovates both attracts members based on its positions and takes input from members on its positions. I'm guessing the same is true for professors, even if they are loath to admit it.

Finally, I'd look to find previous work they have done with partners and try to spin it into a big conspiracy, even if that's a thin reed. But that's exactly what the professors did in trying to connect CALinnovates and Cisco (and myself, having once worked with Cisco and now advising CALinnovates) in some nexus about net neutrality. Here's where that breaks down: Do you know when I found out Cisco had *once* been a member of CALinnovates? When I read the Winseck/Pooley rebuttal. Up until then, I had never had a substantive discussion connecting CALinnovates to Cisco.

I could offer more examples, but I'll stop there. I leave this with an observation: If this approach is what stands for academic discourse nowadays, that is disheartening. It seems that the professors have learned at the knee of Donald Trump that attack and insinuation drowns out substantive debate. I hope, for all our sakes, we get back to a true debate over the important issues facing us.

References

Brennan, T. (2016, June 28). Is the Open Internet Order an "economics-free" zone? *The Free State Foundation. Perspectives from FSF Scholars, 11*(22), 1-4. Retrieved from http://www.freestatefoundation.org/images/Is_the_Open_Internet_Order_an_Economics_Free_Zone_062816.pdf

¹ See <https://openmedia.org/en/introducing-dwayne-winseck>

² See <https://act.openmedia.org/defendtheinternet>

³ See <https://act.openmedia.org/internetfightsback> that show a clear connection between Openmedia.ca, where Professor Winseck was designated as a blogger, and the organization's interest on net neutrality.