In *The Review of Policy Research*, Vol. 27, Iss. 5, Sept. 2010, 681 - 689.

II. A Historical Mandate for Expanding Broadband Internet Infrastructure[1]

Eric Thomas Weber, The University of Mississippi

Introduction

In his article, "The Press, Post Office, and Flow of News in the Early Republic," Richard B. Kielbowicz explains that the history of the Post Office is a curious one. Critics of government wanted a Post Office so that their publications could be widely accessible, reporting to all about the inefficiencies of government. The Federalists also wanted a Post Office, given its help in maintaining a centralized government. In this sense, then, a United States Post Office was widely accepted and desired, despite the costs of implementation. At base, Kielbowicz argues that the development of a free press was itself a crucial goal in the justification and creation of the Post Office.

Today, technology, increasing costs of transportation, and environmental considerations are moving newspapers to the electronic realm (Alterman 2008). In the present paper, I will argue that the reasons why the United States' founders wanted government postal offices and roads are today reasons to want expanded broadband Internet infrastructure. People currently can electronically send letters, read the news, pay bills, access government services and tools, receive emergency messages and broadcasts, watch videos of presidential addresses, and more, all through the Internet. As I will show in what follows, figures as important as George Washington, Thomas Jefferson, James Madison, and others all thought that the free flow of information should be maximized for the sake of a virtuous democracy, one in which people are as free as possible to learn about public concerns, the actions of government, and the avenues available for addressing their problems.[2]

The argument I present is important because of how difficult it can be to justify public expenditure. Among the first motivations that the American revolutionaries and founders had for seeking independence as a nation was the rejection of taxes. Taxes on the colonists were levied not simply for the purposes of governing the colonists, but for the benefit of England. The fact that colonists were not represented in government added fuel to the fire against unjust taxation. Still today, many Americans conceive of the national spirit as calling for the minimization of government. Government is considered a necessary evil, one to be kept small.

Some twentieth century scholars, such as Milton Friedman, believed the evil of having to take money from people without their considered and explicit consent comes to nullify and even outweigh the positive consequences of government spending. Libertarians carry the spirit of the revolutionaries forward as a guiding principle for American government.

With the anti-tax spirit in mind, critics of new government spending frequently ask how legislators intend to pay for their proposed programs. Given the challenge of securing public funds in a way that many citizens accept willingly, few expenditures escape the dilemma of how funding will be secured. In general, most universally accepted spending hinges upon the obvious necessity of the spending for the basic operations of government. For instance, military spending in the United States is enormous, yet is rarely criticized as a form of expenditure among even the greatest advocates for smaller government. After all, without national independence and security, other social efforts would be impossible. Similarly, for the sake

of our form of government, a free press was deemed necessary. To distribute both government communications and the news to citizens and government offices, it was clear early on that government would have to support a Post Office. Surely industry could be helpful where there is the greatest benefit to private interests. In low-population regions, however, industry simply does not have enough incentive on its own. Nevertheless, government and democracy require the free flow of information.

The critics of the Post Office emphasize economic and moral concerns. The former challenged the monopolization of mail services and the latter disapproved of the mailing of pornography and other materials deemed immoral and undeserving of government support. Challengers for my argument for expanded broadband Internet access based on postal provisions in the Constitution will likely raise these questions as well. Before addressing these concerns, I will review the U.S. Constitution's remarkably brief statement about Congress's permission to establish a Post Office. Then, I will lay out some key arguments that the founders advanced to justify the need for the maximally free flow of political information. Finally, I will offer some initial responses to anticipated criticisms of my argument.

The Constitution, the Post Office, and Today's Postal Roads

Article I, Section 8 of the U.S. *Constitution* proclaims Congress's power to raise taxes and perform certain duties. It states:

> *The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; . . . To establish Post Offices and post Roads;*

Although the details listed here are sparse, the Constitution is unambiguous about Congress's power create the infrastructure necessary for the conveyance of letters and newspapers.

Today, many media are available for communicating news expeditiously. I argue in this paper for broadband infrastructure since radio, television, and telephones can each be transmitted with the help of Internet connectivity. Thus, should the government decide to expand broadband Internet access, it would also lay the foundation for expanded telephone, radio, and television connectivity in locations where these are unavailable or prohibitively expensive. Consider that in the populous and comparatively wealthy state of California, one town received telephone service for the first time in 2008 (Norris and Siegel 2008), a testament to the fact that industry lacks the incentive on its own to maximize the avenues of political communication with regard to more remote regions. Expanded broadband Internet access would serve several purposes.

The Founders, the Press, and the Post Office

It is commonly believed that larger government involves tyranny and European social tendencies that at least many Americans do not wish to emulate. As such, it is important to consider some founding American voices in evaluating the arguments I present here. I then end this section with reference to the postal service of the

Confederate States, which also took the postal services to be vital public goods. I do this given the Confederates' general desire to avoid the federal, centralized control that the Union represented.

A crucial revolutionary leader, George Washington, wrote in an address to be delivered before Congress that "I need not say how satisfactory it would be, to gratify the useful curiosity of our citizens by the conveyance of News Papers and periodical Publications in the public vehicles without expence."[3] Washington believed so thoroughly in the "importance of facilitating the circulation of political intelligence and information" that he advocated against charging newspapers a fee for their delivery (Richardson 1897–1917, I, 120).

Aside from Washington, James Madison was another great advocate for expansive postal service for the purpose of rapid, cheap, and evenly priced postage for the dissemination of political information and news. In a 1792 letter, he explained his view that "In such an [sic.] one [government] as ours, where members are so far removed from the eye of their constituents, an easy and prompt circulation of public proceedings is peculiarly essential" (Madison 1792). The argument for substantial and quick transmission of public information has several parts. First, a populace ignorant of public problems could not participate as meaningfully in government as one that is informed. At minimum, then, information should be maximally available to allow for a more informed public. Also, if public officials act against the public interest, but without the dissemination of public proceedings, citizens would not know of their actions. Thus, the demand for transparency and accountability in government calls for the greatest dissemination of information possible.

Lesser known figures articulated the arguments for enhancing the free flow of information also. Massachusetts Congressman Shearajashub Bourne argued that "Newspapers contained general information, and ought to come to the subscribers in all parts of the Union on the same terms" (Annals of Congress 1791, 285). Bourne's fellow Congressman Elbridge Gerry of Massachusetts supported what Kielbowicz (1983) called the "unencumbered flow of information throughout the body politic" (258). Congressman Gerry wrote

> *That wherever information is freely circulated, there slavery cannot exist; or if it does, it will vanish as soon as information has been generally diffused . . . However firmly liberty may be established in any country, it cannot long subsist if the channels of information be stopped; instead, therefore, of taking any steps that might tend to prevent the diffusion of political information, the House ought to adopt measures by which the information, contained in any one paper within the United States, might immediately spread from one extremity of the continent to the other; thus the whole body of the citizens will be enabled to see and guard against any evil that may threaten them. (Annals of Congress 1791, 289).*

At the time that Gerry was writing, Congressmen could not have imagined the amazing rapidity of the flow of information that is possible today. As Gerry calls for it, today we can in fact "immediately spread [information] from one extremity of the continent to the other," far faster than ever before imagined (ibid.).

It must be noted that the great debate in Congress was less over matters of whether or not to have a Post Office than about how much to charge for it. It was largely taken for granted that it would be necessary to have such an office and postal roads. Consider the analogous development of the highway system in the United

States, established in part for reasons of military defense, yet used for countless purposes beyond. In the case of the postal service, the matter of how to set the costs of services was crucial, however. In cities, private companies had a large and consolidated market for the delivery of letters and newspapers. As such, newspapers from cities had a great advantage over newspapers from rural communities. Also, while private companies would deliver mail affordably within highly populated areas, small communities were ignored altogether or might have to pay great sums of money to have their post delivered to them. Each of these issues was considered in the development of the Post Office, including economic matters of freedom and competition (Rogers 1916, Rich 1924, Kelly 1932, Kielbowicz 1983).

Different concerns arose about rural news sources. On the one hand, where newspapers from large cities were more expensive to ship to rural communities, rural news outlets were more competitive, given the lower costs of delivery. On the other hand, rural newspapers had a drastically limited market, given that their papers could not be delivered cheaply to the cities. Representative Robert Barnwell of South Carolina wrote that "country papers are important on many accounts, and ought to be encouraged" (Annals of Congress 1791, 285). As Kielbowicz (1983) explained, "Structuring postage rates to make newspapers from distant locations more expensive insulated rural publications from ruinous competition, many policymakers believed" (259). Therefore, postage rates that were graduated according to distance traveled, rather than being the same everywhere, were seen as impediments to competition, not as a proper reflection of free market principles. Current arguments over postage rates also raise these issues.

So far the authors listed here fit mostly on the side of the Federalists. The Republicans at the time favored low postage rates as well. According to Kielbowicz (1983),

> Republican editors predicted that a 'tax' of once cent or more would curtail newspaper circulation among all but the wealthy. This would have the effect of permitting only the 'rich and BETTER SORT' to monitor and criticize the affairs of government (263, citing Stewart 1969, 460–463)[4]

Here we see the fact that even anti-federalists were supportive of the initiative to maximize the free flow of political information. After all, anti-federalist newspapers wanted maximal distribution of their critiques of government, made as affordable as possible so that the poor as well as the wealthy could learn about and participate in government.

In closing the present section, it is worth noting that even the Confederacy had its own postal service, documented in Dietz (1929). In a time that Dietz called the "Stampless Period," he explains that some of the most "interesting, and withal valuable, privately prepared substitutes for stamps appeared" (29). The Confederate states had great need for the postal service and designed and employed a great variety of colorful stamps, many of which were labeled "Confederate States of America." It was obvious to the Confederate states also that public postal services were a dire necessity. According to Dietz, "On March 6, 1861, John Henninger Reagan, of Texas, was appointed Postmaster-General of the Confederate States." Dietz ends his prologue concerning the start of the Civil War and the development of the Postal Service of the Confederate States, writing that "strange as it may seem,

tomes have been written on every phase of that epoch, yet none have attempted to rescue from oblivion the records of the *most essential department of a civilized government* [the postal service] and preserve for posterity the story of at least one success unmatched by any other modern state" (2).[5]

Concerning postage rates and differential costs, initial debates in the Confederate States called for differential postage rates when mail would travel more than three hundred miles. On February 21st of 1861, however, "Mr. Crawford moved to strike from the first section" of the postage bill the language which differentiated postage costs. The motion carried (Dietz 1969, 357). Thus, even in the Confederate States, the value of the affordable flow of information was deemed crucial and postage was kept at an even price, despite differences in distance that mail was to travel.

As we will see in what follows, critics today still challenge the limitations on competition in postal services, which would lead to varied postal rates. The Federalists, the anti-federalists, and even the leaders of the Confederate States believed that it is important for a society to level the costs of transmitting information for the sake of the public good. At the time, information was transported on paper primarily, and thus newspapers were the focus of the debate. It is by analogy of these arguments that I will defend the need for the equivalent of postal roads for today's immediate free flow of information—broadband Internet infrastructure.

Analogous Fiscal and Moral Challenges

My aim in this paper has been so far to show the historical arguments and precedents available in the United States for expanding and maximizing the avenues and practices which enable the free flow of information. I am not arguing that Internet access must be offered for free to everyone. Rather, I would point out the fact that the remote locations in America are provided Internet access currently only with the help of satellite Internet providers. Satellite providers are among the most expensive kinds of connections, while yielding some of the lowest connection speeds in the high-speed category. My own experience in small town Illinois demonstrated yet another relatively rich state that did not have widespread access to the Internet just a few miles outside of town. The alternatives that the private sector offered were decidedly inferior in quality and more expensive, the same sort of circumstance as mail carrying in the early republic. Mail took longer to arrive and was more costly to transport to smaller areas in early America. The arguments I have presented imply a similar call for the free flow of information today via the Internet. As I have noted, more and more newspapers are closing their doors due to the costs of publication and the faltering economy (Alterman 2008). The remaining newspaper businesses in operation are those which distribute their publications to large audiences and those that are moving to exclusive publication online. A further reason to expand broadband Internet infrastructure is the increasing dependence of local governments on online resources, such as for licenses of various kinds, electronic communications, and more.

The American Enterprise Institute has for thirty years published criticisms of the postal service's monopolizing policies and limitations on private enterprise in the

areas of postal letter delivery. Scholars representing the AEI argue against practices that stray from free market tendencies and principles (Sidak and Spulber 1996). Criticisms of the mail beyond those from the AEI have come from the moral angle. Those who would question the mail service for transporting pornographic and other offensive materials would likely challenge also the use of public moneys to support Internet infrastructure that might also be used for such purposes (Fuller 2003, 98). I will reply to both these arguments briefly to show the overwhelming value of maximally expanding the country's capabilities in the most advanced systems of contemporary communication—the Internet.

Haldi (1974) and Sidak and Spulber (1996) have been critics of the monopoly that the Post Office holds on the mailing of traditional letters. Haldi with the help of Joseph Johnston, Jr., points out the similar and troubling history in the United Kingdom of exclusivity provisions for mail carrying (4). Critics commonly argue that the freedom of carrying letters should not be abridged. Why limit their freedom? According to their theory, prices will drop with increased competition. The simple answer was evident already to the founders, however. Mail services within municipalities could become cheaper, and over long distances, prices would become prohibitive. Consider once again the fact that even in California phone service became available in 2008 (Norris and Siegel 2008). Telephones are primarily a means of private communication, not a mechanism for distributing news, however. If you allow private companies to perform letter carrying within cities and to lower prices, the public provision of mail service would lose the revenue necessary to keep costs low for all. In sum, the forces of competition do not lower prices everywhere. They would substantially increase the cost of mailing letters and packages to any rural location not proximal to a large municipality. The public benefit of allowing competition in this sphere would be localized and the detriment would be widespread for rural communities. Also, since so much commerce occurs from a distance today, the more costly flow of goods and of bills and payments would be a disincentive to commerce, as the founders argued. Finally, the fact of special mail services, such as Federal Express and U.P.S., is a clear indicator that competitors of a kind are available today, thus the label "monopoly" must be quite narrowly considered.

By analogy, consider also that there are security companies that the U.S. government employs in war. The fact of having a public military is a monopoly on a number of militaristic industries and could be said to involve unfair advantages to government offices over private competitors. The value of a government-run military is as best I can tell uncontested, however, even if occasional private companies and services are employed with government funds. The overwhelming value of certain public services and goods is not reasonable to leave to the mercy of market fluctuations. For, if a private company is run on the basis of maximizing profits, military protection could be bought at high enough a price to turn our forces against us. Government monopoly in matters of security and the basic functions of our society must not be at the mercy of vacillating profit incentives.

In an AEI forum called "The U.S. Postal System: Can It Deliver?" four discussants contributed to a published dialogue on postal policy, moderated by John Charles Daly (1978). In it, Congressman Trent Lott contributed an important set of considerations for proposals like mine. He said that

> *The private sector in this country is very innovative, and it is moving into this electronic communication and telecommunications area aggressively. Since there is some movement in that direction, the postal service, and the government in general, should study whether or not to become involved. But just because the business community has come up with some new things, we should not think that the postal service or the federal government must get into this business. (28–29)*

Already in 1978, former Congressman and now former Senator Lott had the foresight to wonder whether the Post Office and the federal government should get involved in electronic communications. In this AEI forum, Lott represented a fairly moderate point of view. At the same time, he holds to the belief that the expansion of government is not inherently a good thing and is something to avoid where not beneficial, a reasonable view. He could not have foreseen, however, just how ubiquitous and fundamental electronic communications would become. He has always been a strong representative of his small, mostly rural state, in which the arguments for Post Offices are especially relevant. The population of his state of Mississippi is quite spread out over an agricultural and poor region. Thus, if mail were to cost more for rural persons who are also generally poorer than the nation's average citizen, regular competitive markets for postal services would render the costs of rural mail inaccessible to many citizens.

The next category of criticism of the Post Office has been on religious and moral grounds. First among these is the holiness of the Sabbath. Post Offices are closed on Sundays. A question would arise, therefore, about the maintenance of Internet utilities on Sunday, given that the Internet is live at all times. I should specify that my argument is primarily about infrastructure for broadband Internet. I am not addressing how the service would be administered, although it is an important consideration to address in a future paper. At the least, we could suggest that if it were desirable to have closed public offices of Internet maintenance on Sundays, maintenance on those days could be outsourced, avoiding the problem. Another answer could arise by analogy to the military or the police force. Their offices do not close entirely on Sundays. For more on these debates, Wayne E. Fuller's (2003) *Morality and the Mail in Nineteenth-Century America* offers an extensive analysis of the matters of the separation of Church and state in the context of mail services.

A further controversy once concerned "impure literature" and "immoral mail," which were disseminated through the Post Office (Fuller 2003). Evangelical Christians argued that activities that should be considered unacceptable were facilitated with the aid of the mail service. Similar challenges could be raised for Internet infrastructure provided through government initiatives. Several replies to such arguments could be offered. First, the protection of the freedom of speech in America could also be called a facilitation of immoral activity and baseness, yet is protected except in rare instances of grave and immediate danger. Second, it is true that mail deliverers may have been offended by the things they have had to carry to their destinations. This challenge would not be applicable to the matter of public infrastructure for Internet access. Public employees would not be forced to see what they are transmitting. Plus, were illicit activities enabled through Internet connectivity, they would be no more illegal simply due to the Internet component. For instance, bombs sent through the mail would be no worse than those sent via U.P.S. Thus, this challenge is not a great one to overcome.

Conclusion

At a time of economic recession, Americans are looking into the ways that the great number of unemployed persons could be put to work on projects and infrastructure developments that will have a beneficial and lasting impact on the American economy, jobs, education, and the environment. Infrastructure development of Internet access in America would encourage literacy, given that one has to read to use a computer. It would encourage also the purchase of more computers, which would stimulate electronics commerce. It would train citizens in the use of computers, enhancing job skills and enabling access to powerful tools for using public services as well as for finding job listings. Enhanced Internet connectivity would also allow greater access to news services online, which would mean greater distribution of news and possibly a reduction in the printing of physical newspapers, which might mean more environmentally friendly practices. More of the country would have infrastructure necessary for business, too, which would allow and entice more businesses to move to rural areas where taxes are lower and land is cheaper. Arguments against the costs of running Internet access depend upon the methods used to do so. Despite increases in the postage rate, given the increased costs of fuel, the mail is still remarkably cheap. How we go about delivering Internet services analogously would have to be considered carefully, but the expansion of infrastructure is prohibitive to private industry for so many rural communities that, like highways and power grids, government would have to step in to achieve a strong, maximized broadband Internet infrastructure. In this paper, I hope to have shown that there are many resources in American history available for calling for the maximal expansion of immediate, free-flowing political information, enabling a more accountable and responsive government to the needs of American citizens.

Notes

1 I am grateful to Annie Davis Weber for her suggested revision of my title, which I adopted for the final version of the paper.

2 Although I do not cite him in the present paper, Benjamin Franklin played a vital role in the creation of the United States Postal Service. The U.S.P.S. created a stamp in honor of his 300th birthday in 2006. Their press release wrote, "Benjamin Franklin was vital to the organization of the American postal system, serving as postmaster of Philadelphia and a Deputy Postmaster for the American colonies before being appointed Postmaster General by the Continental Congress in 1775. He marked postage-free letters with his unique personal signature: 'B. Free Franklin'" (U.S.P.S. 2006).

3 In this paper, I am deeply indebted to the excellent scholarship of Richard B. Kielbowicz who collected the statements of the founders that I cite in the present paper (Kielbowicz 1983).

4 The word "tax" was used rhetorically. In fact the one cent cost would be a charge or service fee for those who wanted to use the mail service. This differs from a tax, since one could abstain from using the mail service. A private company charging a corresponding fee would not be said to be taxing its customers, but rather charging them for services rendered.

5 Emphasis added.

Bibliography

Alterman, Eric. (March 31, 2008). Out of Print: The Death and Life of American Newspaper. *The New Yorker*.

American Enterprise Institute for Public Policy Research. (July 23rd, 1976). *U.S. Postal Service: Reorganization Proposals*. Washington, D.C.: American Enterprise Institute for Public Policy Research.

Annals of Congress, 2nd Congress, 1st Session, Post Office Bill, 284–298. URL: http://lcweb2.loc.gov/ammem/amlaw/lwac.html

U.S. Constitution, Art. I, § 8. URL: http://www.archives.gov/exhibits/charters/constitution_transcript.html

Daly, J. C. (Moderator), Bolger, W. F., Geller, H., LaPenta, Jr., J. J., and Lott, T. (October 12, 1978). *The U.S. Postal System: Can It Deliver?* (AEI Forums). Washington, D.C.: The American Enterprise Institute for Public Policy Research.

Dietz, A. (1929). *The Postal Service of the Confederate States of America*. Richmond, VA: The Press of the Dietz Printing Company.

Fuller, W. E. (2003). *Morality and the Mail in Nineteenth-Century America*. Urbana, IL: University of Illinois Press.

Haldi, J. (1974). *Postal Monopoly: An Assessment of the Private Express Statutes*. Washington, D.C.: The American Enterprise Institute for Public Policy Research.

Kelly, C. (1932). *United States Postal Policy*. New York: D. Appleton and Company.

Kielbowicz, R. B. (1983). The Press, Post Office, and Flow of News in the Early Republic. *Journal of the Early Republic*, *3*(3), 255–280.

Madison, J. (December 6, 1792). Letter to Edmund Pendleton, in *Letters and Other Writings of James Madison, Fourth President of the United States, 1769–1793, Volume I* (4 Volumes). Philadelphia, PA: J. B. Lippincott and Company. Available in full online here: http://books.google.com/books?id=pdZ2AAAAMAAJ

Norris, M. and Siegel, R. (January 10th, 2008). [Interview with Ms. Cathy Morgan of Iowa Hill, CA, on *All Things Considered*]. Remote California Town to Finally Get Phone Service. Retrieved July 12, 2009, from NPR Web site: http://www.npr.org/templates/transcript/transcript.php?storyId=17999026

Rich, W. E. (1924). *The History of the United States Post Office to the Year 1829* (Harvard Economic Studies, Volume XXVII). Cambridge, MA: Harvard University Press.

Richardson, J. D. (ed.). *A Compilation of the Messages and Papers of the Presidents, 1789–1897* (20 volumes), Washington, D.C.: Bureau of National Literature and Art.

Rogers, L. (1916). *The Postal Powers of Congress: A Study in Constitutional Expansion* (Johns Hopkins University Studies in Historical and Political Science, Series XXIV, Number 2). Baltimore, MD: The Johns Hopkins Press.

Sidak, J. G. and Spulber, D. F. (1996). *Protecting Competition from the Postal Monopoly*. Washington, D.C.: The American Enterprise Institute Press.

Smith, W. F. (ed.). (1964). *The Story of the Pony Express*. San Rafael, CA: Pony Express History and Art Gallery.

Stewart, D. H. (1969). *The Opposition Press of the Federalist Period*. Albany, NY: State University of New York Press.

U.S.P.S. (January 17, 2006). U.S. Postal Service Commemorates Benjamin Franklin's 300th Birthday by Issuing Educational Stamps this Spring. *Stamp News Release No. 06-004*, URL: http://www.usps.com/communications/news/stamps/2006/sr06_004.htm.

Washington, G. (April, 1789). Proposed Address to Congress, in Fitzpatrick, J. C. (ed), *The Writings of George Washington, Volume XXX* (39 Volumes), 305, Washington, D.C. Available in electronic format, URL: http://etext.virginia.edu/washington/fitzpatrick/