



THE LAWYER'S BOOKSHELF

REVIEWED BY PAUL M. SCHWARTZ

You Say You Want a Revolution: A Story of Information Age Politics

By Reed E. Hundt. Yale University Press, 2000, New Haven, Conn. 226 pages. \$25.

Reed E. Hundt was the chairman of the Federal Communications Commission during the critical period of enactment of the Telecommunications Act of 1996. *You Say You Want a Revolution* is essential reading for understanding the role of telecommunications law in our information age.

The central accomplishment of the book is its depiction of the furious competition among telecommunication industries to obtain favorable laws and regulation from politicians and administrators. Public choice theory calls such behavior "rent seeking," and Hundt's book provides over 200 pages worth of examples of such activity. The major political players in Hundt's account are broadcasters, cable companies, and telephone companies (AT&T and local Bell companies). During Hundt's stint at the FCC, the emerging Internet industries were at the periphery of competition for favorable regulation, but they are now firmly part of the process. Everyone wants something from the FCC or other regulators in Washington, D.C., and this something should not only help them, but, if possible, hurt their competitors. As Hundt dryly comments, "No one scruples about asking government to regulate for their advantage. That is called pro-business regulation."

Hundt describes how telecommunications companies ceaselessly try to obtain regulation to tilt the playing field in their direction. Hundt also offers a devastating account of the past role of the FCC, whose "characteristic if unwitting historical purpose," in his view, has been to have "precluded vigorous competition, discouraged innovation, handed out wealth to a few, denied price competition to the many, hampered the creation of national businesses, and guaranteed that the United States would lag in promoting new technology." The Telecommunications Act of 1996 sought to change this behavior, however, by deregulating the relevant industries and stimulating competitive markets for telecommunications.

The act's path to deregulation and competition was via pages of statutory details, followed by FCC rules. Hundt's

vision for the FCC consisted of it encouraging both the interconnection of new entrants into telephony at wholesale rates and the wiring of school rooms for Internet access. He pressured broadcast networks to provide high-quality children's programming. Broadcast networks were a particular nemesis. In retrospect, the networks might have put their energy to more productive use by preparing for the approaching Internet tidal wave rather than fighting against Hundt's "kidvid" proposals.

Among its delights, *You Say You Want A Revolution* is studded with accounts of Hundt's encounters with Clint Eastwood, George Lucas and Steven Spielberg, as well as quotations from W.H. Auden, Ralph Waldo Emerson, Wallace Stevens, and, believe it or not, Jimi Hendrix. It also has a priceless account of its author's visit to a media consultant, a graduate of the Yale Drama School, who instructs Hundt on how to make "cogent television appearances," articulate an agenda for the media and, perhaps most importantly, wear the right ties on television.

Hundt's careful account persuades the reader that the passage of the act is a climactic moment in the construction of the information age. But he leaves one surprise for the chapter immediately after the act's enactment: "Chance of a Lifetime," begins with a long quotation from the film "Caddyshack." In the passage, Bill Murray's character, Carl Spackler, describes caddying for the Dalai Lama in Tibet. At the end of the caddying, Carl pressures the Dalai Lama for a tip, "Hey, how about a little something, you know, for the effort, you know." Though the Dalai Lama refuses to give him money, he promises the gift of "total consciousness" on Carl's deathbed. As Murray's character sums up: "So I got that goin' for me, which is nice."

For Hundt, this speech offers an ironic comment on his stint as FCC commissioner. While he views Washington as a place where gratitude as well as most other rewards are virtually nonexistent, his time as a public servant allowed him to exercise his social consciousness. Hundt now has publication of this excellent book going for him as well.

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