What net neutrality is (and isn't), Mark Buell

There are few Internet policy issues as divisive as net neutrality, neither are there many issues that apparently elicit such passion. At the root of the debate is, in my opinion, not necessarily the principles of net neutrality; rather, I believe it is in the mechanism used to enforce it.

While there is no single interpretation of what net neutrality is, there are certain accepted principles set forth by Timothy Wu (who coined the term in 2003) that are widely accepted. This includes the principle that all traffic on the Internet should be treated equally or 'neutrally' by Internet Service Providers (ISPs) without blocking, throttling or discriminating against a competitor's content or services.
Over the years, almost all participants in the Internet ecosystem—from civil society and public advocates to the largest Silicon Valley tech companies to ISPs themselves—have come around to agreeing with this general version of these principles.

The Internet Society published a policy brief on net neutrality in 2015. In this brief, we outline how openness is a fundamental value that has contributed to the success of the Internet, both in the U.S. and around the world. We have always supported the values of a truly global and open Internet based on transparency, access and choice.
Simply put, the Internet Society believes net neutrality means that ISPs should ensure Internet users have unhampered access to the legal content they want. We believe these principles should lead the way for the Internet's continued growth and success globally. Further, we firmly believe that a multistakeholder process is the best way to develop the policy tools needed to preserve the open Internet in the future.
When the FCC voted on the Open Internet Order in 2015, we were concerned about whether an outdated statute like Title II was the right vehicle to preserve these core principles. At the same time, we knew that after a long and, at times, tortured proceeding, the U.S. Internet market needed a stable legal foundation, of which net neutrality is a part, that would generate the confidence to support growth, investment, competition, and opportunity. With the latest announcement from the FCC, the U.S. is once again faced with instability and lack of regulatory certainty. On the one hand, we have consensus on the principles, but on the other we have no clarity on how or if they will be enforced.

The time has come to put this issue to rest. What is needed is an approach to the open Internet that upholds the core Internet principles, provides market stability, a solution

that puts consumers at the center, and creates opportunity for the future. Indeed, if we can learn anything from the net neutrality debate in the U.S. over the past decade, it is that a multistakeholder approach is urgently needed. We can no longer rely on traditional regulatory processes to develop solutions that can keep pace with the technologies of the future.

For this reason, I hope that the U.S. government can take a more sustainable approach to net neutrality; one that upholds the principles that are rooted in the Internet Society's core values of a global and open Internet. Americans need clarity in this debate. By adopting a multistakeholder approach to develop a clear, sustainable and fair legal framework for net neutrality – one that reflects the dynamic nature of the Internet – we can finally achieve that stability that is so needed.

Should the U.S. government choose to adopt such an approach, I would look forward to participating in a meaningful multistakeholder process, along with diverse stakeholders, to seek consensus on an enduring framework that will continue the success of the global Internet for generations to come.