Net Neutrality

The principle of net neutrality is the idea that the Internet should be open and transparent, and that there should not be any policy or mechanism that gives certain Internet traffic priority over others. Net neutrality is a social and economic issue as well as a technological one. Much of the debate boils down to consumers versus commercial enterprises, which include Internet service providers (ISPs) such as Comcast and Verizon, and businesses that provide content through the Internet, such as Google and Netflix. The question then becomes which of the two sides should be prioritized. Previous net neutrality laws in the United States, specifically the Obama-era rules in 2015, classified broadband Internet as a common carrier which prevented ISPs from blocking, slowing down access, or charging consumers more for certain content, but these rules were reversed in 2018. However, The internet is so ingrained into public life, and so essential, that a common carrier status is justified. As such, ISPs should not be allowed to independently decide whether to slow down or speed up legal traffic on their networks.

In 2015, the FCC categorized the broadband Internet service as a common carrier under Title II of the Communications Act. A network becomes a "public" or "common carrier" network when it becomes ingrained into public life. In current times, the Internet is used for everything from work to communication to entertainment. It is also used as a platform for bringing attention to social issues, and is a source of valuable information. When a network has moved from innovation to critical infrastructure upon which rely for daily life, it has become the "public
network," and the Internet has arguably become that. Therefore, we should strive for as open of an Internet as possible.

While net neutrality may be the ideal to some, reality does not exactly align, and data on the Internet is not actually treated equally due to the sheer amount of traffic on the modern day Internet and the limitations in bandwidth. For example, in the 1990s, the IETF revised its networking standards to allow for a mechanism called differentiated services, or DiffServ, for managing Internet traffic by classifying traffic by priority and subjecting different classes to different treatment. The 6-bit class code is put in the DS field of the IP packet header. With DiffServ, time-sensitive communications such as video or voice conferencing would get higher priority for low-latency, as opposed to bulk file-transfers which are not as sensitive to delays. Some traffic, specifically illegal content, may even be throttled to protect minors and discourage production of questionable content. These are reasonable non-net neutral limitations.

The goal should not be one hundred percent true net neutrality, but rather make it so that all lawful content delivered through broadband Internet receive the same expected treatment. That is to say similar types of content should receive similar treatment regardless of ISP. However, clear rules and guidelines need to be set to avoid abuse. In the case of DiffServ, content providers should not be able to misuse high priority class codes. Classification can get contentious since there can be variation within classes. For example, two separate instant messaging applications can both be classified the same way, but have different functionality that may make one service more time-sensitive than the other. In addition, an application may have functions that qualify them for multiple classes, so the criteria for these classification decisions also need to be clear.
Major arguments against net neutrality come from a desire for a more competitive ISP marketplace. Currently in the United States, many locations have what are essentially regional monopolies where their choices for ISPs are limited to just a few or even only one. This is partly due to how costly it is to install the necessary infrastructure to deliver high speed internet service. Giving ISPs more freedom could increase competition, and with more competition, there would be more choices for consumers. ISPs who do not practice net neutrality to a satisfactory degree would be less desirable to consumers, and would be weeded out by competition. This angle would be beneficial to ISPs because they would be less restricted by net neutrality regulations, and consumers as well because they could possibly have more choices and more say.

However, in the current landscape, if large ISPs, like Comcast, were to take advantage of their customers there would be no alternatives for consumers to turn to. The repeal of the 2015 FCC net neutrality legislation did away with rules against ISPs slowing down access to content, blocking content, allowing paid prioritization, and prioritizing their own content. The only restriction is that ISPs need to publicly inform their customers about their practices. This creates a risky environment where ISPs could potentially exploit their customers as long as they are informed. Large businesses who have the funds to afford making deals with ISPs for faster services would have a significant advantage over smaller businesses and new enterprises, which would be anti-competitive.