

Lesson 11

Freedom of Speech – Chapter 3

CSC 301

Part 5 – Net Neutrality

Spring 2018

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Course Notes:

- Much of the material in the slides comes from the books and their associated support materials, below as well as many of the references at the class web site

Baase, Sara and Henry, Timothy, A Gift of Fire: Social, Legal, and Ethical Issues for Computing Technology (5th Edition) Pearson, March 9, 2017, ISBN-13: 978-0134615271

Quinn, Michael, Ethics for the Information Age (7th Edition), Pearson, Feb. 21, 2016, ISBN-13 978-0134296548

Lesson Goals

- Defining net neutrality
- Understanding the issues
- Pros and cons of net neutrality

Net Neutrality

What Is Net Neutrality

- True Net Neutrality says that all Internet traffic should be treated exactly the same
- Net Neutrality describes
 - How telephone and cable companies interact with the broadband customers
 - How they set charges for services
 - If they can charge premium fees for higher rates of access to some services
- Do we have truly free speech if some people can pay more to speak or communicate more quickly over the Internet?
- The Telecommunications Act of 1996 is inconsistent with net neutrality in that it states
 - “It is the policy of the U.S. ... to preserve the vibrant and competitive free market that presently exists for the Internet and other computer services, unfettered by Federal or State regulation”

The Two Basic Issues

- Does different content warrant different treatment based on
 - The content
 - The category of content
 - The provider of the content
 - The “need for speed”
- Can the communications companies and networks provide different levels of speed or priority at different price levels to
 - Content providers (in particular for movies) and gaming
 - Individual subscribers
- Why should communications companies be different from other companies that provide premium services
 - FEDEX
 - Express lanes on highways
 - Large quantity discounts
 - Guaranteed prioritization during shortage – hospitals and electricity

Three Sides of Net Neutrality

Three Sides to Net Neutrality

Powerful players are lining up on both sides of the issue, whereas others still hope for compromise. Here's a partial sampling.

IN FAVOR

Large, Internet-based companies

Amazon.com, eBay, Google, Microsoft, Yahoo

Consumer/civil liberties groups

American Civil Liberties Union, Consumers Union, Free Press, Public Knowledge

Special-interest groups

American Library Association, Christian Coalition of America, Computer Professionals for Social Responsibility, Gun Owners of America, MoveOn.org, TechNet

Internet pioneers

Vinton Cerf, Tim Berners-Lee, Lawrence Lessig, Craig Newmark

MIDDLE GROUND

The Center for Democracy and a group led by New Yorkers for Fair Use Technology have both proposed rules that would allow a separate tier of service for products such as television over IP, while treating all public Internet content equally.

The Information Technology and Innovation Foundation would allow broadband providers to offer exclusive, high-speed services, but it would also guarantee a level of broadband service without paying new fees.

OPPOSED

Large broadband providers

AT&T, BellSouth, Comcast, Verizon

Network equipment providers

Alcatel, Cisco, Corning, Qualcomm, 3M

Free-market think tanks

Center for Individual Freedom, Competitive Enterprise Institute, Progress and Freedom Foundation

Special-interest groups

American Conservative Union, Citizens Against Government Waste, National Association of Manufacturers, National Black Chamber of Commerce, National Coalition on Black Civic Participation

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NET NEUTRALITY

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ALL BITS ARE CREATED EQUAL

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It's not just a good idea,
It Ought to be the LAW.

Kurt Griffith (c)2006 KG/FRS

Pros of Net Neutrality (1)

- Network neutrality prohibits ISPs providing and/or charging online services such as XBox Live, PlayStation Plus, Skype, and Netflix for "fast lanes".
 - These extra costs for "fast lanes" are problematic because they can make the services more expensive for Internet users and also may prevent small companies from receiving the network bandwidth and speed necessary to compete with the big companies who have the budget to reach agreements with ISPs
 - Interestingly many companies that are not telecommunications providers, including Amazon, Netflix and Google, amongst others argue for net-neutrality
 - They worry about telecommunications providers that are also content providers skewing the net in their favor
- Net neutrality avoids discrimination among users ensuring similar access to information for people of different socio-economic status.
 - Telecoms that are also content providers can bias networks in their favor
 - Without neutrality, high-speed Internet for entertainment could be prioritized over education.
 - ISPs could change premium fees ("pay-to-play") to enjoy special access to public libraries, benefiting the richest people.

Pros of Net Neutrality (2)

- Network neutrality helps to promote freedom of choice, as ISPs cannot obstruct or incentivize particular contents or sites over others
- Anti-blocking and anti-discrimination rules prevent the ISPs from arbitrarily deciding to limit access or promote some type of content.
 - The role of ISPs is to only "transport" data to the users that have paid for delivery, and therefore they should not shape content consumption patterns.
- Net neutrality promotes a level playing field for competing companies.
- There is not enough competition available in the network provider industry to avoid the temptations and abuses of near monopolies
- See *“How the FCC's Net Neutrality Plan Breaks With 50 Years of History | WIRED.pdf”* in the references

**KEEP THE
INTERNET FREE**



**#STOP
INTERNET
REGULATION**

Tell the FCC: **Stop the Federal Takeover of the Internet!**

Cons of Net Neutrality (1)

- Regulation imposing net neutrality would limit new business ideas and concepts and could be considered contrary to free market rules.
- Sponsored content and “pay-to-play” schemes may go against the net neutrality spirit, but they can help companies improve the overall service they offer.
 - Heavier Internet users may be charged more.
 - On-line heavy use game players can absorb tremendous amounts of bandwidth – is that really neutral
 - With that extra money ISPs could increase the bandwidth for all Internet users.
- Thanks to sponsorships some mobile telecom operators may offer free Internet Access to some contents.
 - This may enable those who don't have data contracts on their smartphones to surf some areas in the Internet for free.
 - Similarly, it would reduce the consumption of other users' data allotments.

Cons of Net Neutrality (2)

- Regulation for net neutrality may limit the tools of governments and ISPs to fight against online “piracy”.
 - Material infringing copyright laws will be easily shared using P2P software. ISPs or governments won't be able to block or filter these types of content, if net neutrality is fully respected.
 - Net neutrality rules make it more difficult to monitor and control controversial adult content.
- Some defenders of net neutrality question government intervention. For them it should emerge organically or naturally but not imposed through laws.
 - What harm is there in the current system requiring new regulations?
 - Are we creating a new claim right?
- Even the government has created first carpool and then paid express lanes on the freeways for those who want to go faster
- See *“Net neutrality/ what are the best arguments for Ajit Pai and the Federal Communication Commission's .pdf”* in the references

In Conclusion

- We are protected in our right to free speech from government interference
- With the rise of the Internet whole new areas for free speech have arisen
 - Do we have the right to demand free space to publish our thoughts?
 - Can the government, which is needed to prevent chaos on the Internet, regulate or enforce free access?
 - When you are dealing with a world-wide resource, how do these various cultures and governments create the most equitable system?
 - What is a crime on the Internet? Leaking, pornography, bullying
.....
 - Who enforces the rules? The content or infrastructure providers, the government, a quasi government regulating body ...