

Net Neutrality: Ethical Battle for a Neutral Internet

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ABSTRACT

Net neutrality is the principle that internet service providers should treat all data on the internet equally, without favoring or blocking specific websites or services. This paper examines the benefits and potential consequences of net neutrality and discusses ethical and global issues. Net neutrality levels the playing ground for businesses, enables startups and small enterprises to compete with established ones, and protects free speech online. The repeal of net neutrality could lead internet service providers to charge websites and content providers a premium for faster delivery of data which would create a two-tiered internet. It could, also, lead to censorship and the suppression of views. As the internet continues to evolve, it is important to consider the consequences of repealing net neutrality and to ensure that the internet remains an open and accessible platform for all.

Keywords

Net neutrality, internet service providers, competition, innovation, free speech, censorship, internet two-tiered internet, open internet.

1. INTRODUCTION

The internet has evolved into an essential platform for communication, commerce, education, and entertainment, becoming deeply ingrained in modern society [1]. The principle of net neutrality, which advocates equal treatment of all internet data by internet service providers, has been a contentious topic for over a decade [2]. This principle ensures that internet service providers do not discriminate against certain content or websites, allowing users unrestricted access to information and services online [3].

Advocates of net neutrality support fostering a free and open internet, promoting innovation, and ensuring equitable access to information for all users, irrespective of their socioeconomic background or geographic location [4, 5]. They argue that net neutrality is crucial for maintaining a level playing field for businesses, enabling startups and small companies to compete with larger corporations on equal footing [6]. Without net neutrality, internet service providers could create "fast lanes" that prioritize certain content or websites, potentially stifling competition and limiting consumer choice [7]. Those who oppose net neutrality argue that it impedes innovation and discourages investment in broadband infrastructure [8]. They state that allowing internet service providers to offer differentiated services and charge a premium for faster speeds could encourage them to upgrade their networks and provide enhanced internet experiences for users [9]. They argue that net neutrality regulations are excessive and place an undue burden on internet service providers, hindering the growth and evolution of the internet [10].

The debate over net neutrality extends beyond economic considerations, examining ethical and legal domains as well [11]. The Federal Communications Commission (FCC) has grappled with net neutrality regulations, with varying

approaches under different administrations [12]. The legal landscape of net neutrality remains unsettled, with ongoing discussions about the appropriate level of regulation and the role of government in overseeing internet access [13].

This paper discusses net neutrality debate, exploring the multifaceted arguments for and against it, as well as the ethical implications that lie at its core. Potential consequences of upholding or repealing net neutrality regulations will be examined, considering the impact on various stakeholders, including internet service providers, content providers, and end-users. Additionally, the ethical dimensions of net neutrality will be discussed, and its role in promoting fairness, equality, and access to information.

By examining the economic, legal, and ethical factors surrounding net neutrality, this paper seeks to contribute to a better understanding of this critical issue and its potential ramifications for the future of internet neutrality regulations.

2. BACKGROUND

2.1 The Genesis of Net Neutrality

The concept of net neutrality has its roots in the early 2000s. Tim Wu, a law professor at Columbia University coined the term and laid the groundwork for the net neutrality debate in 2003 [6]. Wu argued that internet service providers should treat all data equally, ensuring a level playing field for all internet users and content providers [6]. This sparked a contentious debate, with Christopher Yoo emerging as a prominent opponent of net neutrality, arguing that it could stifle innovation and investment in broadband infrastructure [14].

2.2 The Evolving Landscape of Net Neutrality in the US

The United States has witnessed a fluctuating regulatory landscape concerning net neutrality. The Federal Communications Commission (FCC) initially announced its "Open Internet" rules in 2010, marking a significant step towards a neutral internet [12]. However, the legal and regulatory power struggle continued, with the FCC's authority over internet regulation being challenged in courts and Congress [12]. In 2014, President Obama urged the FCC to reclassify internet access as a telecommunications service under Title II of the Communications Act, granting the agency greater regulatory power [15]. The FCC adopted Obama's plan in 2015, imposing strict net neutrality rules on both fixed and mobile Internet service providers [9]. However, the regulatory pendulum swung back in 2017 when the FCC, under the leadership of Ajit Pai, repealed the Obama-era net neutrality rules [16]. This move faced significant backlash, with petitions for rehearing filed by various organizations and states [16]. The legal battle continued with the US Court of Appeals ruling that the FCC could not preempt states from enacting their own net neutrality laws [17]. Despite efforts to reinstate net neutrality protections, the Senate, under Republican control, did not act on a House bill that would have restored the Obama-era rules [18].

2.3 Ethical Dimensions of Net Neutrality

The net neutrality debate extends beyond legal and economic considerations, raising fundamental ethical questions about fairness, equality, and access to information. Proponents of net neutrality argue that it is essential for preserving a democratic and inclusive internet, where all users have equal opportunities to access and share information [19]. They express concerns that repealing net neutrality could lead to censorship, discrimination against marginalized communities, and the creation of a tiered internet where only the wealthy can afford premium access [19].

Opponents of net neutrality, while acknowledging the importance of ethical considerations, argue that a more nuanced approach is needed. They contend that absolute net neutrality may not always be the most ethical solution, as it could hinder innovation and the development of specialized services, such as telemedicine, that require prioritized access to bandwidth [20]. They advocate alternative ethical frameworks, such as Information Ethics and Internet Diversity, which emphasize the value of information and the importance of promoting a diverse and inclusive infosphere [21].

2.4 The Global Perspective

The net neutrality debate is not confined to the United States; it is a global issue with varying approaches and perspectives across different countries. The European Union, for instance, adopted strict net neutrality rules in 2015, following a similar path to the Obama-era regulations in the US [22]. However, the implementation and enforcement of net neutrality regulations differ significantly across countries, reflecting diverse cultural, economic, and political contexts [23].

The net neutrality debate continues to evolve, with ongoing discussions about the appropriate balance between regulation and market freedom. The future of net neutrality remains uncertain, with potential implications for innovation, competition, and access to information in the digital age. As the internet becomes increasingly central to our lives, the ethical and societal implications of net neutrality will only become more pronounced.

3. NET NEUTRALITY: BENEFITS AND THE POTENTIAL CONSEQUENCES

In the digital age, the internet has become an vital tool for communication, commerce, education, and social interaction. The principle of net neutrality, which suggests that internet service providers should treat all data on the internet equally, has been a subject of intense debate [4]. Proponents of net neutrality argue that it is essential for maintaining an open and competitive internet, while opponents contend that it stifles innovation and investment [22].

3.1 Benefits of Net Neutrality

Net neutrality fosters a level playing field for businesses, enabling startups and small enterprises to compete with established giants. Without net neutrality [20], Internet service providers could prioritize traffic from their own services or those of their partners, effectively discriminating against smaller competitors. This would restrain innovation and limit consumer choice, as startups and small businesses would find it challenging to gain visibility and reach their target audience. Furthermore, net neutrality is crucial for protecting free online speech. By ensuring that all data is treated equally, net neutrality prevents internet service providers from censoring content or discriminating against specific viewpoints [24]. This is particularly important in countries with repressive regimes,

where the internet is often the only platform for citizens to access uncensored information and express their opinions freely.

3.2 Potential Negative Consequences of Repealing Net Neutrality

The repeal of net neutrality could have far-reaching negative consequences [25]. One of the most significant concerns is the creation of internet “fast lanes”, where Internet service providers could charge websites and content providers a premium for faster delivery of their data. This would create a two-tiered internet, where wealthy companies and individuals would have access to faster and more reliable internet experience, while smaller businesses and ordinary users would be downgraded to a slower and potentially congested internet.

Moreover, the repeal of net neutrality could lead to censorship and the suppression of dissenting voices. Internet service providers could block or throttle access to websites or content that they deem objectionable or that compete with their own services. This would have a chilling effect on free speech and limit the diversity of viewpoints available online [7].

Net neutrality is a complex issue with significant implications for the future of the internet [17]. While proponents argue that it is essential for promoting competition, innovation, and free speech online, opponents contend that it stifles investment and hinders the development of new technologies. As the internet continues to evolve and play an increasingly important role in our lives, it is crucial to carefully consider the potential consequences of repealing net neutrality and to ensure that the internet remains an open and accessible platform for all [26].

4. ARGUMENTS AGAINST NET NEUTRALITY

While net neutrality has gained significant support, there are also compelling arguments against it. Critics argue that net neutrality regulations stifle innovation, discourage investment in broadband infrastructure, and ultimately harm consumers [27].

4.1 Stifling Innovation and Investment

Opponents of net neutrality contend that it discourages investment in broadband infrastructure by limiting the ability of internet service providers to generate revenue from their networks [2]. They argue that net neutrality prevents internet service providers from charging premium prices for faster delivery of data, which reduces their incentive to invest in upgrading and expanding their networks. This, in turn, could lead to slower internet speeds and limited access to broadband services, particularly in rural and underserved areas [28].

Furthermore, critics argue that net neutrality stifles innovation by preventing internet service providers from experimenting with new pricing models and service offerings. They contend that net neutrality regulations create a “one-size-fits-all” approach to internet access, which limits the ability of internet service providers to tailor their services to the specific needs of different users [29]. This could restrain the development of new and innovative internet applications and services.

4.2 Potential Benefits of Repealing Net Neutrality

The repeal of net neutrality could lead to increased competition among internet service providers, as they would be free to differentiate their services based on price, speed, and other factors. This could lead to lower prices for consumers, as internet service providers compete for market share.

Additionally, it could incentivize internet service providers to invest in upgrading and expanding their networks, as they would be able to generate additional revenue from premium services.

Moreover, the repeal of net neutrality could foster innovation by allowing internet service providers to experiment with new pricing models and service offerings. This could lead to the development of new and innovative internet applications and services, as internet service providers would be free to tailor their services to the specific needs of different users.

The debate over net neutrality is complex and multifaceted. While proponents argue that it is essential for protecting an open and competitive internet, opponents contend that it stifles innovation and investment. As the internet continues to evolve and plays an increasingly important role in our lives, it is crucial to carefully consider the potential consequences of both net neutrality and its repeal. The optimal solution may lie in finding a balance between the two extremes, ensuring that the internet remains an open and accessible platform for all while also encouraging investment and innovation.

5. ETHICAL CONSIDERATIONS

The net neutrality debate is not just a technical or economic one; it is deeply intertwined with ethical considerations. Examining these ethical implications requires an understanding of fairness, equality, access to information, and the different ethical frameworks that can be applied.

5.1 Fairness and Equality

At its core, net neutrality is about fairness. Proponents argue that all internet traffic should be treated equally, regardless of its source, content, or destination. This ensures that individuals and smaller entities have the same opportunities to access and disseminate information as larger corporations [26]. Without net neutrality, internet service providers could prioritize traffic from their own services or those of higher-paying customers, creating an uneven playing field that disadvantages smaller businesses and individual users.

This potential for discrimination raises concerns about equality. A tiered internet, where access and speed are determined by ability to pay, could intensify existing social and economic inequalities [11]. Some communities that already face barriers to accessing information and resources, could be further disadvantaged by a system that prioritizes those who can afford to pay more.

5.2 Access to Information

The internet has become an essential tool for accessing information, participating in public discourse, and exercising freedom of expression [21, 30]. Net neutrality is crucial for ensuring that all individuals have equal access to this vital resource. Without it, internet service providers could block or throttle access to certain websites or content, limiting the diversity of viewpoints available online and hindering flow of information.

This control over access to information raises concerns about censorship and the potential for internet service providers to abuse their power [31, 29]. A lack of net neutrality could enable internet service providers to shape online discourse, favoring certain viewpoints over others, and potentially limiting access to information that is critical of their business practices or those of their partners.

5.3 Ethical Frameworks

Several ethical frameworks can be applied to the net neutrality

debate. Utilitarianism focuses on maximizing overall happiness and well-being. It could support net neutrality as it promotes a more equitable and accessible internet for all. Deontology, which emphasizes moral duties and rights, could also support net neutrality as it protects the right to freedom of expression and access to information.

A libertarian perspective might oppose net neutrality, arguing that it oversteps on the freedom of internet service providers and their ability to manage their networks and offer differentiated services. However, this perspective often overlooks the potential for market dominance and abuse of power by large Internet service providers.

The ethical implications of net neutrality are complex and multifaceted. Fairness, equality, and access to information are all central to the debate. By applying different ethical frameworks, a deeper understanding of the values at stake can be reached. Ultimately, the goal should be to create an internet that is open, accessible, and promotes the free flow of information for all.

5.4 Network Neutrality regulations worldwide

The principle of Net Neutrality is that all internet traffic needs to be treated equally, regardless of origin, content, or destination. This means that internet service providers should not unfairly block, regulate, or prioritize any traffic. The only exceptions allowed relate to quality of service or administrative related constraints. However, there is a global difference in Net Neutrality related regulations. Governments have either implemented or withdrew Net Neutrality regulations. Some countries established laws detailing what services should be practiced, allowed, prohibited, permissive or reactive. Furthermore, these regulations are implemented by the legislative body, federal government bodies or the telecommunications industry. In some countries there are only recommendations, instead of laws. In general, Net Neutrality is categorized into three types: guidelines, rules, or law. For example, in Japan, Norway, Singapore, and Korea they have guidelines. In USA, EU, Canada, Paraguay, South Africa, and UK they have rules. In Chile, Columbia, Ecuador, Peru, Argentina, Brazil, and Mexico they have laws. Usually, guidelines are more reactive; however, rules and laws tend to be more restrictive, usually establishing punishments for violations [32].

6. FUTURE WORKS

The net neutrality debate is far from over. As technology evolves and the internet becomes increasingly intertwined with our lives, the future of net neutrality holds significant implications for society, the economy, and individual freedoms.

6.1 The Landscape

The regulatory landscape of net neutrality has been marked by significant shifts in recent years. In the United States, for example, the Federal Communications Commission (FCC) has oscillated between enforcing and repealing net neutrality rules under different administrations. This regulatory uncertainty has created confusion and concern among consumers, businesses, and internet advocates. Despite these shifts, public support for net neutrality remains strong. Numerous polls have shown that many Americans, regardless of political affiliation, favor net neutrality rules [33]. This public sentiment has led to ongoing legal challenges and legislative efforts aimed at enshrining net neutrality principles into law.

6.2 The Ongoing Debate

The debate over net neutrality continues to be a contentious one, with proponents and opponents offering compelling arguments. Proponents argue that net neutrality is essential for protecting free speech, promoting innovation, and ensuring a level playing field for businesses of all sizes. Opponents, on the other hand, contend that net neutrality stifles investment in broadband infrastructure and limits the ability of Internet service providers to offer differentiated services.

One of the key challenges in the net neutrality debate is finding a balance between competing interests. While it is important to protect consumers and ensure a fair and open internet, it is also necessary to encourage investment and innovation in broadband infrastructure. Striking this balance will require careful consideration of the economic, social, and technological implications of different policy approaches.

6.3 Potential Future Implications

The future of net neutrality has far-reaching implications for the internet and society. If net neutrality is upheld and strengthened, it could lead to a more open, accessible, and innovative internet, where all users have equal opportunities to access information, express themselves, and participate in the digital economy. This could foster greater competition, empower smaller businesses and individuals, and promote a more democratic and inclusive online environment.

Conversely, if net neutrality is weakened or repealed, it could lead to a more fragmented and unequal internet, where access and speed are determined by ability to pay. This could stifle innovation, limit consumer choice, and exacerbate existing social and economic inequalities. It could also give Internet service providers greater control over online content, raising concerns about censorship and the potential for abuse of power.

7. CONCLUSION

The net neutrality debate has been a long and contentious one, with passionate arguments on both sides. Proponents of net neutrality argue that it is essential for preserving an open and accessible internet, fostering innovation, and protecting free speech. They argue that allowing internet service providers to discriminate against certain types of traffic or prioritize their own services would create an uneven playing field, stifle competition, and limit consumer choice.

Opponents of net neutrality argue that it stifles investment in broadband infrastructure and limits the ability of internet service providers to offer differentiated services. They argue that allowing internet service providers to charge more for faster delivery of data would encourage them to invest in upgrading and expanding their networks, leading to faster internet speeds and better service for all.

Both sides have valid points. The challenge lies in finding a balance between the competing interests of consumers, businesses, and internet service providers. The important thing is that the internet should remain an open and accessible platform for all while also encouraging investment and innovation in broadband infrastructure.

The significance of net neutrality cannot be overstated. It has the potential to shape the future of the internet and its impact on society. An open and neutral internet fosters innovation, empowers individuals, and promotes a more democratic and inclusive online environment. It allows for the free flow of information, enables new businesses to compete with established giants, and provides a platform for diverse voices to be heard.

Conversely, a tiered internet, where access and speed are determined by ability to pay, could stifle innovation, limit consumer choice, and exacerbate existing social and economic inequalities. It could also give Internet service providers greater control over online content, raising concerns about censorship and the potential for abuse of power. The future of net neutrality is uncertain, but its implications are profound. As the internet continues to evolve and play an increasingly central role in our lives, the decisions we make today about net neutrality will shape the digital landscape for generations to come. It is crucial that we engage in a thoughtful and informed debate about the values we want to uphold online and the kind of internet we want to create for the future.

The net neutrality debate is not just about technology or economics; it is about fundamental principles of fairness, equality, and freedom of expression. It is about ensuring that the internet remains a powerful tool for empowering individuals, promoting innovation, and fostering a more democratic and inclusive society.

8. REFERENCES

- [1] J. C. De Martin and A. Glorioso. The neubot project: A collaborative approach to measuring internet neutrality. In *Proceedings of the IEEE International Symposium on Technology and Society*, pages 1–4, Fredericton, Canada, 2008.
- [2] Michael Baumann. Net neutrality: The internet's world war. *Information Today*, 23(8), sep 2006. Cover Story.
- [3] Lexico. Net neutrality, 2020. URL [https://lexico.com/definition/net neutrality](https://lexico.com/definition/net%20neutrality). Accessed: June 20, 2020.
- [4] American Libraries Association. Ala supports net neutrality legislation. *American Libraries*, 50(6):11, 2019. URL: <https://research.ebsco.com/linkprocessor/plink?id=36bc1861-5fd4-3803-b6d0-b2697046681c>. Accessed: March 11, 2025.
- [5] S. A. Friedlander. Net neutrality and the fcc's 2015 open internet order. *Berkeley Technology Law Journal*, 31:905–929, 2016. doi: 10.15779/Z382S0F.
- [6] Tim Wu. Network neutrality, broadband discrimination. *Journal of Telecommunications and High Technology Law*, 2: 141, 2003. doi: <http://dx.doi.org/10.2139/ssrn.388863>. URL <https://ssrn.com/abstract=388863>.
- [7] Zoe Henry. The pros and the cons of net neutrality. *Inc*, 40(2):18, 2018. URL <https://research.ebsco.com/linkprocessor/plink?id=25cb7dc0-78cc-369c-961a-1e3263623ed8>.
- [8] Ionela Baltatescu. The Economics of Net Neutrality: Policy Issues. *Knowledge Horizons - Economics*, 6(2):114–118, June 2014. URL <https://ideas.repec.org/a/khe/journal/v6y2014i2p114-118.html>.
- [9] B. Shumate and R. Wiley. Net neutrality and the rule of law. *The Federalist Society*, 16(2):22–31, 2011.
- [10] Simmons. Seeking middle ground on net neutrality, 2020. URL <https://www.nojitter.com/seeking-middle-ground-net-neutrality>. Accessed: June 20, 2020.
- [11] R. Cheruvalath. Internet neutrality: A battle between law and ethics. *International Journal for the Semiotics of Law*, 31(2): 1–11, 2017.
- [12] Dean. The debate over net neutrality, 2020. URL

- <https://www.ncsl.org/research/telecommunications-and-information-technology/the-debate-over-net-neutrality.aspx>. Accessed: June 19, 2020.
- [13] Travers. Netneutrality: What's at stake and why it matters, 2020. URL <https://law.yale.edu/mfia/case-disclosed/net-neutrality-whats-stake-and-why-it-matters>. Accessed: June 19, 2020.
- [14] M. A. Jamison. Net neutrality policies and regulation in the united states. *Review of Network Economics*, 17(3):151–173, 2018. doi: 10.1515/rne-2018-0041.
- [15] The White House. Net neutrality: A free and open internet, n.d. URL <https://obamawhitehouse.archives.gov/net-neutrality>. Accessed: June 22, 2020.
- [16] D. Shepardonson. U.s. appeals court will not reconsider net neutrality repeal ruling, 2020. URL <https://www.usnews.com/news/technology/articles/2020-02-06/us-appeals-court-will-not-reconsider-net-neutrality-repeal-case>. Accessed: June 20, 2020.
- [17] N. Patel. The court allowed the fcc to kill net neutrality because washing machines can't make phone calls, 2019. URL <https://www.theverge.com/2019/10/4/20898779/fcc-net-neutrality-court-of-appeals-decision-ruling>. Accessed: June 17, 2020.
- [18] C. Fisher. Us appeals court will not rule on repealing net Neutrality laws, 2020. URL <https://www.engadget.com/2020-02-07-net-neutrality-us-appeals-court.html>. Accessed: June 20, 2020.
- [19] S. Ross-Brown. Net neutrality and the fight for social justice. *Tikkun*, 30(3):13, 2015.
- [20] Alex Chung. The ethics of net neutrality, 2011. URL <https://web.cs.ucdavis.edu/~rogaway/classes/188/fall11/p211.pdf>.
- [21] M. Turilli, A. Vaccaro, and M. Taddeo. *Internet Neutrality: Ethical Issues in the Internet Environment*. Springer-Verlag, 2010.
- [22] Tim Berners-Lee. Net neutrality in europe: A statement from sir tim berners-lee, 2015. URL <https://webfoundation.org/2015/10/net-neutrality-in-europe-a-statement-from-sir-tim-berners-lee/>. Accessed: June 22, 2020.
- [23] G. H. Pike. Legal issues: Net neutrality: It's not just us. *Northwestern University Pritzker School of Law*, 32(4):22–31, 2011.
- [24] Free Press. Save the internet, 2020. URL <https://freepress.net/free-open-internet/net-neutrality>. Accessed: June 21, 2020.
- [25] H. T. Tavani. *Ethics and Technology: Controversies, Questions, and Strategies for Ethical Computing*. Wiley Publishing, 4th edition, 2012. URL <https://dl.acm.org/doi/book/10.5555/2490723>.
- [26] M. Turilli, A. Vaccaro, and M. Taddeo. Internet neutrality: Ethical issues in the internet environment. *Philosophy & Technology*, 25(2):133–151, 2011.
- [27] Ediaz. Net neutrality: An intellectual freedom is-sue, 2018. URL <http://www.ala.org/advocacy/intfreedom/netneutrality>. Accessed: June 17, 2020.
- [28] J. Brodtkin. Fcc releases final net neutrality re-peal order, three weeks after vote, 2018. URL <https://arstechnica.com/tech-policy/2018/01/fcc-releases-final-net-neutrality-repeal-order-three-we> Accessed: June 22, 2020.
- [29] Adrian Crenshaw. Ethical analysis of network neutrality, 2020. URL <http://www.irongeek.com/i.php?page=security/network-neutrality-ethics>.
- [30] J. T. Jarc. Ethical questions in net neutrality, 2017. URL <http://www.jamesjarc.com/ethical-questions-in-net-neutrality/>. Accessed: June 17, 2020.
- [31] M. Turilli, A. Vaccaro, and M. Taddeo. Internet neutrality: Ethical issues in the internet environment. *Philosophy & Technology*, 25(2):133–151, 2012. doi: <http://library.semo.edu:2275/10.1007/s13347-011-0039-2>.
- [32] Thiago Garrett, Ligia E. Setenareski, Leticia M. Peres, Luis C.E. Bona, Elias P. Duarte Jr, A survey of Network Neutrality regulations worldwide, *Computer Law & Security Review*, Volume 44, 2022, 105654, ISSN 2212-473X, <https://doi.org/10.1016/j.clsr.2022.105654>.
- [33] Three-in-Four Voters Favor Reinstating Net Neutrality. Accessed 1/4/2023