

## Net Neutrality and Hosting Providers

The idea of net neutrality is simply the idea that telecommunications companies must treat all internet communications indiscriminately. Our course book, “The Gift of Fire”, breaks this down into two different sub-concepts on what these communication companies cannot do. The first is that they cannot prevent connections to certain content based upon the provider or the subject of the content. The second is that internet providers cannot tier their service to multiple levels of priority and speed for content providers or their subscribers. This concept is important for many companies that mainly distribute content, that is and isn’t created by themselves, over the internet, such as YouTube, Amazon, and Netflix, and they openly support the rules of net neutrality. Specifically, for companies that distribute content that they don’t control, net neutrality is a concept meant to protect them from an internet service provider blocking and slowing their web traffic intentionally. According to “The Gift of Fire”, without net neutrality, telecommunication companies could have the power to filter based on the content of a webpage. This kind of system may harm these hosting providers that don’t control what is put on their site. An ISP could see the content from a webpage’s users as not a priority or unwanted and decide to slow and block the website, thus hurting that business.

These companies that aren’t controlling the content on their sites aren’t currently like treated any common carrier, broadcaster, or publisher, and they never should be. As we discussed in lecture, for a company to be considered a common carrier they must not control what they allow through the system and must be available to everyone to use. This means that they are not held accountable for the items distributed through their systems. This is the same for the content providers on the internet, since the Telecommunications Act of 1996 said that content providers would be held accountable for what is on their service. A good example of how common carriers are unfiltered is with the United States’ postal systems. These companies allow anyone to ship and send mostly anything. They don’t look through every thing of mail that goes through their system to check if someone is sending illegal substances or committing other crimes through the mail. For these hosting companies to be a common carrier, they would have to be like mail providers and allow everything anyone says on their site and couldn’t filter, remove, or ban anyone or something they post. However, in principle, a common carrier is simply shipping goods from one place to the next for anyone. A web hosting provider isn’t shipping content from the creator directly to their viewers but are making that content viewable for everyone on their site to see, so they can’t truly be a common carrier.

With the idea that a hosting provider is making their content public for anyone to see, should they be treated more like a broadcaster or publisher in the United States. Broadcaster’s and publishers both distribute content that is public for anyone to see, generally for sale and/ or with advertising. According to our course book, “The Gift of Fire”, both publishers and broadcasters are held accountable for filtering and deciding what content they publish with broadcasters, specifically, having to meet high standards and influence by the government. However, like I said earlier, the Telecommunications Act alleviates that restriction to the hosting providers, making them not be seen as the publisher of information on their sites. These providers aren’t in control of what is put on their sites beforehand like publishers and broadcasters and, therefore, cannot be treated as such media distributors mediums. If hosting providers were to be treated like a broadcaster or publisher, they would have to follow a high level of filtering on the content of what they choose on their site beforehand. Otherwise, they could fined or sued by the government for not adhering to their policies. This mean that companies that don’t control the content on their sites can’t and shouldn’t be treated like any common carrier, broadcaster, or publisher.

Being that hosting providers fall somewhere in between being broadcasters and common carriers, they also fall in between how they are accountable for the content on their sites. Legally they are exonerated from being held as the publisher of the information on their sites because of the Telecommunications Act of 1996.

However, they are still the distributor of the content. According to our course book, many of these distributors filter the content to adhere to a set guideline for that they put on the service. This filtering means that they generally remove posts on illegal activity or offensive content, even though they aren't legally accountable to do so. Why would these companies go through the trouble of filtering the content when they don't have to? Well taking a utilitarian point of view, we can see that these companies set up rules on what kinds of content need to be removed and the users that need to be banned from their sites. This is meant to cause overall good most of the time when such content is blocked. This may prevent illegal activity or stop the showing of illegal content, such as child pornography. Then, they may aid law enforcement and provide information on the crimes committed through their service. As well, they may allow filtering of content to prevent children from seeing vulgar or otherwise unwanted content. This rule utilitarian perspective shows that these companies limit what is on their site to stop the public from seeing what is generally held offensive, limit crime, and prevent the exploitation of people and children. All being net positive good being done, thus companies have an ethical obligation to have these guidelines and block such content and users.