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An Ethical Position on the Principle of Internet Neutrality

An Application of Kantianism and Utilitarianism

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Ethical analysis of net neutrality provides strong evidence in support maintaining the policy into the future. Internet neutrality (or “net” neutrality) is described by the Federal Communications Commission as the principle that “broadband service providers cannot block or deliberately slow speeds for internet services or apps, favor some internet traffic in exchange for consideration, or engage in other practices that harm internet openness” (“The Open Internet”). In other words all data flowing through an Internet Service Provider’s (ISPs) network is treated equally as if one packet of data was indistinguishable from any other with respect to content. This principle has proven controversial in recent years as technologists, policy makers, and profit-seeking firms have expressed competing concerns. We evaluate the principle through the application of the ethical theories of Kantianism and Utilitarianism and find strong support under both frameworks that net neutrality should remain in place.

We apply Kant’s formula of the Universal Law of Nature with four commonly accepted steps: “First, formulate a maxim that enshrines your reason for acting as you propose. Second, recast that maxim as a universal law of nature governing all rational agents, and so as holding that all must, by natural law, act as you yourself propose to act in these circumstances. Third, consider whether your maxim is even conceivable in a world governed by this law of nature. If it is, then, fourth, ask yourself whether you would, or could, rationally will to act on your maxim in such a world. If you could, then your action is morally permissible” (“Kant’s Moral Philosophy” 13). We now attempt to formulate maxims related to net neutrality.

ISPs want to be able to restrict access to information by charging the maximum possible price for certain kinds of data. We cast this as the maxim that “access to information should be restricted.” Universalizing this maxim proposes that individuals, governments, and organizations reduce access to information of any kind they choose. Such a world is conceivable, resembling modern day North Korea in which interpersonal communication is highly self-censored, and official sources of information are highly restricted and selective about what information is available. In such a world, we would not will ourselves to act on this maxim, indeed just the opposite. Very often in societies where information is restricted we see individuals working to overcome such restrictions through any means at their disposal: illicit publications, virtual private networks, word-of-mouth networks, etc. Since this maxim does not pass the fourth test, we conclude that acting on it is not morally permissible.

Works Cited

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