

# Internet regulation 3459

[Technology](#), [Computer](#)



The Internet is a method of communication and a source of information that is

becoming more popular among those who are interested in, and have the time to

surf the information superhighway. The problem with this much information being

accessible to this many people is that some of it is deemed inappropriate for minors. The government wants censorship, but a segment of the population does

not. Legislative regulation of the Internet would be an appropriate function of the government. The Communications Decency Act is an amendment which prevents

the information superhighway from becoming a computer " red light

district." On June 14, 1995, by a vote of 84-16, the United States Senate

passed the amendment. It is now being brought through the House of

Representatives. 1 The Internet is owned and operated by the government, which

gives them the obligation to restrict the materials available through it.

Though

it appears to have sprung up overnight, the inspiration of free-spirited

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hackers, it in fact was born in Defense Department Cold War projects of the 1950s. 2 The United States Government owns the Internet and has the responsibility to determine who uses it and how it is used. The government must control what information is accessible from its agencies. This material is not lawfully available through the mail or over the telephone, there is no valid reason these perverts should be allowed unimpeded on the Internet. Since our initiative, the industry has commendably advanced some blocking devices, but they are not a substitute for well-reasoned law. 4 Because the Internet has become one of the biggest sources of information in this world, legislative safeguards are imperative. The government gives citizens the privilege of using the Internet, but it has never given them the right to use it. They seem to rationalize that the framers of the constitution planned & plotted at great length to make certain that above all else, the profiteering pornographer, the pervert and the pedophile must be free to practice their pursuits in the

presence of children on a taxpayer created and subsidized computer network. 3

People like this are the ones in the wrong. Taxpayer's dollars are being spent bringing obscene text and graphics into the homes of people all over the world.

The government must take control to prevent pornographers from using the Internet however they see fit because they are breaking laws that have existed

for years. Cyberpunks, those most popularly associated with the Internet, are members of a rebellious society that are polluting these networks with information containing pornography, racism, and other forms of explicit information. When they start rooting around for a crime, new cybercops are entering a pretty unfriendly environment. Cyberspace, especially the Internet,

is full of those who embrace a frontier culture that is<sup>222</sup> hostile to authority and fearful that any intrusions of police or government will destroy their self-regulating world. 5 The self-regulating environment desired by the cyberpunks is an opportunity to do whatever they want. The

Communications

Decency Act is an attempt on part of the government to control their " free attitude" displayed in homepages such as " Sex, Adult Pictures, X-Rated Porn", " Hot Sleazy Pictures (Cum again + again)" and " sex, sex, sex. heck, it's better even better than real sex" 6. " What we are doing is simply making the same laws, held constitutional time and time again by the courts with regard to obscenity and indecency through the mail and telephones, applicable to the Internet." 7 To keep these kinds of pictures off home computers, the government must control information on the Internet, just as it controls obscenity through the mail or on the phone. Legislative regulations must be made to control information on the Internet because the displaying or distribution of obscene material is illegal. The courts have generally held that obscenity is illegal under all circumstances for all ages, while " indecency" is generally allowable to adults, but that laws protecting children from this " lesser" form are acceptable. It's called protecting those among us who are children from the vagrancies of

adults. 8 The constitution of the United States has set regulations to determine

what is categorized as obscenity and what is not. In Miller vs. California, 413

U. S. at 24-25, the court announced its " Miller Test" and held, at 29,

that its three part test constituted " concrete guidelines to isolate 'hard

core' pornography from expression protected by the First Amendment. 9 By laws

previously set by the government, obscene pornography should not be accessible

on the Internet. The government must police the Internet because people are

breaking laws. " Right now, cyberspace is like a neighborhood without a

police department." 10 Currently anyone can put anything he wants on the

Internet with no penalties. " The Communications Decency Act gives law

enforcement new tools to prosecute those who would use a computer to make the

equivalent of obscene telephone calls, to prosecute 'electronic stalkers' who

terrorize their victims, to clamp down on electronic distributors of obscene

materials, and to enhance the chances of prosecution of those who would provide

pornography to children via a computer." The government must regulate the flow of information on the Internet because some of the commercial blocking devices used to filter this information are insufficient. " Cybercops

especially worry that outlaws are now able to use powerful cryptography to send

and receive uncrackable secret communications and are also aided by anonymous

re-mailers." 11 By using features like these it is impossible to use

blocking devices to stop children from accessing this information. Devices set

up to detect specified strings of characters will not filter those that it

cannot read. The government has to stop obscene materials from being transferred

via the Internet because it violates laws dealing with interstate commerce. It

is not a valid argument that " consenting adults" should be allowed to

use the computer BBS and " Internet" systems to receive whatever they

want. If the materials are obscene, the law can forbid the use of means and

facilities of interstate commerce and common carriers to ship or disseminate the

obscenity. 12 When supplies and information are passed over state or national

boundaries, they are subject to the laws governing interstate and intrastate commerce. When information is passed between two computers, it is subjected to

the same standards. The government having the power to regulate the information

being put on the Internet is a proper extension of its powers. With an information based system such as the Internet there is bound to be material that

is not appropriate for minors to see. In passing of an amendment like the

Communications Decency Act, the government would be given the power to regulate

that material.

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