

# [V chip act](https://assignbuster.com/v-chip-act/)

In the process of unbridling the burdened telecommunications industry, Congress
somehow forgot itself and managed to regulate a new blossoming business. This
industry was one that was a true and unadulterated free market. It is the
Internet. This market place, which resides everywhere yet nowhere in a place
called cyberspace, deals in one thing: information. Each day millions of people
trade uncountable letters, memos, posts on newsgroups, photographs and
innumerable conventional and unconventional information. This is done at the
rate of millions of gigabytes each hour. Nevertheless, tucked away under Title V
of the otherwise agreeable telecommunications deregulatory law, is a measure
called the Communications Decency Act? It is also known as the State
Censorship Edict. Whatever its name, it is simple disastrous. The
Communications Decency Act is cyberspaces first encounter with the red tape
of government. In the new law, the President and members of congress seek to
shield us from what they call obscene, indecent and offensive material.

Though specifically aimed at protecting minors from pornography, Title V is both
ambiguous and broad. The law will hold citizens liable if they use the Internet
public or accessible to minors any comment, request, suggestion, proposal,
image, or other communication having anything to do with unfit material. The
Communications Decency Act will basically adversely affect millions of Internet
users. It will create legal double standards and it will result in the
criminalization of the commonplace. The Act will also set a dangerous
precedence for state interference in cyberspace. The communications Decency Act
will affect far more than just the hard core pornography that legislators
say they had in mind when they wrote the law. Assuming the law is strictly
enforced, countless textual and photographic works in art, literature, and the
sciences will become illegal. Such items will include pictures of the Venus
De Milo, the text of J. D. Salingers work The Catcher in the Rye, pictures
of Michaelangos David, most biological texts, and a multitude of other
things. All of their works would carry fines of up to $250, 000 and five years in
prison, according to the legislation. The measure applies equally to the
Internet news groups, World Wide Web pages, and any public databases, chat
rooms, or archives which minors can access. The very notions that a citizen may
be blamable under the law, be without malice, be without criminal intent, or be
without blame, are not only silly but also frightening. In addition, there are
irreconcilable legal inconsistencies in the Communications Decency Act. For
example, neither Penthouse magazine nor the corner store that sells it is guilty
of a federal crime when a minor buys the publication and gets exposed to
obscene, indecent, or offensive scenes. But under this Act they all would
be responsible. Another problem is that the law does not even mention or
acknowledge consent. Regardless of whether it is you or the recipient or both
who initiated the communication, the act is considered criminal. In other
words to strike another person in the face, without permission, is called
assault. And it is usually against the law. Yet, to strike a man continually,
with his consent, as he tries to hit you too is called boxing or prize fighting.

This is lawful and for most people fun to watch. To call a person a
criminal after they willingly takes actions to log onto and then access
information from his account, World Wide Web page, or database is ridiculous.

Anyone who has ever spent time online understands that the Internet and services
such as America Online, CompuServe and others like them are not a passive media
like television or the radio. They are active in the sense that the user must
actually go and get the content they whish to view. In addition there are
currently available filtering software that allows parents and teachers to
screen out indecent Internet content. So how can there be either crime or blame
with active use of the Internet. Because the President signed the legislation,
in reality an assenting citizen will be permitted by law to do most anything
after his or her 16th birthday. That is the age of consent in most states. Yet,
in cyberspace a person will be relegated to downloading weather maps and images
from the Hubbell Space Telescope until their majority two years later. They
would not even be able to research on the net, things that they are
learning in school. Federal tampering with speech and individual violation is
nothing new in the United States. The Sedition Act of 1798 once allowed federal
officials to imprison citizens who defamed or brought into contempt or
disrepute the President and congress. And in the present day a person is
unable to turn on a television or radio or even talk to another person without
being guilty of the defunct Sedition Act. The Federal Communications Commission
maintains volumes of administrative law regulations, none of which were
voted upon, governing demeanor and speech on the airways. So it is no wonder
that they feel obligated to also regulate the Internet. The logical solution to
all this lies not with the government, but with parents. If they choose, parents
may monitor their childrens Internet use. Monitoring a childs Internet use
is a far easier chore than monitoring the television, books, or magazines. In
addition, computer programs and the actual machines can be made to require
passwords.

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