Introduction to business law - acts

The social nature of human beings requires the orderly and peaceful co-habitation of all individuals within society to ensure that each person is able live rich and fulfilling lives. The American society, for example, illustrates how Americans co-exist under the guise of freedoms, liberties, and rights, accorded to them, which allows them to live in a way that is just for human beings. However, to ensure such peaceful co-existence, rules are put in place to safeguard them from those who might abuse their freedoms. Among these rules are the Comstock Law of 1873, the Sherman Anti-Trust Act of 1890, and the Freedom of Information Act of 1966, all of which serving specific functions for the American Society.

The Comstock Act of 1890, named after its chief proponent Anthony Comstock, was enacted to safeguard the society's moral fiber, aimed at safeguarding American society against the destructive effects of " obscene, lewd, and lascivious" books. Upon its enactment, it made it illegal to " selloffer to sell, or to lend, or to give away, or in any manner to exhibit, or shall otherwise publish or offer to publish in any manner an obscene book, pamphlet, paper, writing, or other representation of article of an immoral nature" (Comstock Law 1873). Despite its good intentions, which was meant to target pornography and birth control, which was considered immoral at the time, the act unknowingly, due to the lack of sophisticated understanding regarding artistic forms of expression, became a notorious censorship tool, prohibiting works of art and literature as well.

The Sherman Anti-Trust Act of 1890, on the other hand, named after Senator John Sherman, was enacted to safeguard the country's economy against the monopolistic interests of large business owners and corporations, who controlled most of the economic means during the time. Its two main propositions include Section 1, which deemed conspiracies, formal cartels, agreements to fix prices, and other un-market like features of the economy illegal (Sec. 1); and considered the creation of monopolies a trade felony (Sec. 2). Upon its enactment, government bodies found it difficult to enforce the act due to prohibitions from the Supreme Court. Thus, antitrust actions were not as vigilant as it was meant to be. Improvements in enforcement, however, began with the passing of supplemental laws including the Clayton Anti-trust Act of 1914, the Robinson-Patman Act, and the Hart-Scoss-Rodino Antitrust Improvement Act of 1976.

Lastly, the Patriot Act of 2001, aimed at combating terrorism - both in the domestic and international levels - was enacted in response to the September 11, 2001 terrorist attacks in New York and other parts of the United States. In order to strengthen the United State's efforts to combat terrorism, the act also amended a number of laws including the immigration law, banking and money laundering laws, and foreign intelligence laws. While some of the rules enforced within the act are being criticized of infringing upon the freedom of speech, human rights, freedom of the press, and privacy, its rationale is based on the premise that freedoms can be best preserved if certain limitations are set to safeguard it.

All three aforementioned acts, despite the big time gap surrounding them, are nonetheless all relevant to today's society. While the Comstock Act and Sherman Antitrust Act have undergone revisions, the spirit upon which these laws were enacted still exists today.