

Liberty, Justice, and Responsibility For all!

By Bruce A. Love

*T*he Declaration of Independence asserts that we are endowed by our "Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness." Throughout American history, these rights have sometimes been at odds with one another, and in many instances, we have had to decide which has precedence over the other. Our individual desires to pursue happiness do not come before the liberties and lives of other Americans. Most of us accept that our right to free speech does not include the right to yell "fire!" in a crowded theater when no fire exists.

*F*or the most part, Americans also accept speed limits on our roadways -- recognizing that to exceed these limits potentially risks the lives and liberties of other Americans pursuing happiness. More recently, we have come to accept the inconvenience of increased airport security as a means of protecting our liberties from those who want to deny us those rights. Still, individual liberties are the hallmark of a free society. When these liberties are threatened in the name of public safety, defenders of liberty are quick to vigorously challenge and debate laws that effectively limit our freedoms. This is because the American legal system is based upon the rulings of previous cases, and current rulings could be used to erode freedoms in future court cases.

*A*s Americans have become more dependent on technology, our liberties and privacy have increasingly become the target of attacks from a variety of sources. We are well aware of the viruses, Trojan horses, worms, and other malware that pervade the Internet and attempt to disrupt business and personal use of computers. These are clearly illegal activities, and should be prosecuted to the fullest extent of the law. But governments and employers, in efforts to enforce existing rules and laws, are also actively pressing the boundaries of privacy that most of us believe are guaranteed to us by the Bill of Rights.

*F*or the record, your computer activities in the workplace are not protected by any Constitutional rights. The computers where you work do not belong to you, nor do the networks over which you must conduct computer-related activities. Some employers use software to monitor the Email, chat, instant messaging, and other computer-related activities of their employees. This means that your employer could be monitoring your solitaire games.

I know that there are very good reasons to monitor the computer activities of some people (just not mine!) There are predators that use the Internet to facilitate the most horrific crimes. I WANT to see these perpetrators brought to justice using any means available! There also are lots of opinions declarations, images, forums, and information on the Internet that I find objectionable. I would not miss these messages a bit if they completely vanished from cyberspace. However, someone with differing standards and opinions may determine that my beliefs are unnecessary, and therefore should be censored from the Internet. These are the issues with which our lawmakers must wrestle. Yes, it is our First Amendment Right that Congress makes no law abridging the freedom of speech, but is it wise to permit the recipes for explosive devices and illegal drugs to be posted on web sites?

*I*n most situations, the failure of personal responsibility has been the impetus for court cases that have resulted in revised definitions for American liberties. These lapses in responsibility by the few have eroded the liberties of the many. Personal responsibility at home, and in the workplace, along with eternal vigilance defending our freedoms, are our best protection we have against losing rights declared "unalienable" 228 years ago!

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