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Revisions to the First Amendment

Given the chance, I would revise the First Amendment by limiting the spread of information. As social media becomes more present in today's society, the spread of harmful or private information becomes easier and easier. With the current wording of the first amendment, there is nothing one can do to stop this spread.

The first amendment says, "Congress shall make no law . . . abridging the freedom of speech, or of the press . . .". This is all the constitution says on the matter. It gives absolutely no power to the government to restrict the spread of information once it is known by one who wants to share it. Once information is known by one, it could quite easily, fueled by the power of social media, become known by most people of the country. Of course, this could be quite useful for the communication of harmless things such as what you had last night for dinner or that you just adopted a new puppy, but with more devious information, this can be quite harmful.

Back in the eighteenth century, no real harm could have been done with this power, as most people who wanted to spread information had to do so by word of mouth or by letter. The only way to get information to the majority of people would be through the newspaper, but harmful information was barely published because of all the proofreading that went into the newspaper before it was published. If one person found the information biased or harmful, they could shut down the process right then.

The first time the average person had the power to spread information was with the invention of the telephone. Even with this invention, one could only talk to a handful of people at

a time. Telephones also had the restriction of only sending audio to the recipient. This means no pictures could be sent long distance without mailing or hand delivering it.

The first implementation of vast information spread from the average person came with the invention of the internet and the first PCs. It took a while for social media to spring off, beginning with the first popular one, MySpace. With the new power to spread information rapidly, people's words had more impact on society.

One of the many problems with social media is that you can't erase what you post. Sure, you can delete the post, but any screenshots of the post are still alive. Also, the way most companies work, posts that were deleted are still stored on the servers until another post uses the space. This means that once posted, it's not easy, if not impossible, to delete the data and any history of the post.

Photoshop and other Image Manipulation Softwares can give out false information and lie about what others say. To demonstrate this, I edited a tweet by the Coca-Cola company using inspect element, an HTML editor found in most browsers. You can open it by pressing control shift 'I' in Google Chrome. This took me five minutes to do, and it is because of this simplicity of spreading lies that makes the current writing of the first amendment inadequate for the modern times.



Fig 1. A fake tweet from Coca-Cola I made using Inspect Element

The first amendment needs to have an 'Internet clause' to it. Since information posted onto the internet is much more available than spoken words. This clause would include limits to the freedom of speech on information on the internet that is public to everyone.

In order to avoid confusion, the new revision should include a definition of 'public information'. This definition will define public information as information that one might see unintentionally, such as posts that show up in their feed on Facebook, or in their recommendeds on YouTube. This will also include ads that appear on websites. These ads, under the new revisions will have to oblige by the new revisions as well as the rest of the users.

YouTube has been actively enforcing a version of restricted freedom of speech by demonetizing, or taking away profits from, any video that doesn't fall under their guidelines. This has had much backlash in the community of creators, yet the fuss has died down lately. We can see from this example, that any backlash from this new revision will die down after a while.

This public information, as defined above is needed to protect private chat rooms or comment sections from the results of the new revisions. Although an individual's posts will be restricted by the new revisions, the comment sections, as they can only be viewed by clicking on them or scrolling to them, therefore could be categorized as 'intentionally viewed information' will be free from restriction.

Now that I've covered what will be restricted by the new revision, I must cover what will be restricted from these. Firstly, any unintentionally viewed information seen as offensive to a targeted group or individual will be deemed unconstitutional. This will not, however include groups or individuals not specifically stated as the target as a post. This is to prevent people of whom are not actually targeted by these posts to sue posters. Secondly, any unintentionally viewed information baring knowingly false information without saying it is so will be deemed

unconstitutional and dangerous to the well being of society. This will protect creators of intentionally incorrect humorous material.

These two new guidelines could be implemented without much effect on everyday life, as many people do not post offensive or intentionally incorrect information. Of course, I am no congressman nor am I anyone with the ability to properly word the new amendment.

In conclusion, A revision to the first amendment is necessary as modern times include the addition of new instant communication and mass distribution of information. This revision should include restrictions on unintentionally viewed material. Restricting hate speech and targeted offensive information and intentionally incorrect information.

Works Cited

Madison, James. *The Constitution of the United States*. Philadelphia, Pennsylvania, 1787, Print