

No Illegal Downloading

OVERVIEW

The city of Techtown provides a free high-speed internet connection for each resident. The city council wanted to ensure that all residents have access to the internet and all of the resources available. They also thought it was important that Techtown residents be able to share their own creative works, such as their writing, music, and short-films, with other residents and the entire country. In addition, Techtown is hoping to attract a local university that is looking to expand. The city council thinks that the internet service will help put them ahead of the other towns in which the university might locate. However, Techtown is concerned about getting in trouble for encouraging illegal downloading; recently numerous movie and music companies have sued internet providers when their users have illegally downloaded movies and songs.

Whenever a Techtown resident logs onto the web, a warning has been posted:

Given the concerns of the publishing and recording industries, the city of Techtown is asking residents to no longer download copyrighted materials. Please be advised, for all Techtown residents, the following law applies:

No Illegal Downloading

The law seems clear but some disputes have arisen over the *interpretation of the law* in particular situations. Consider each situation (use student activity online), keeping in mind the *letter* of the law as well as the *intent* of the law. Members of the city council must determine how the terms used in the law will be defined and how the law should be applied.

PROCEDURE

1. Download student copies of the “No Illegal Downloading” activity from www.lawday.org for distribution to the class.
2. Tell students that they are members of Techtown’s city council committee charged with evaluating a new law. Some questions have arisen regarding how the law should be interpreted and they need to review the law and decide if changes are needed. Distribute student copies of “No Illegal Downloading” to the students.
3. Review the definition of downloading: to transfer data from one computer to another computer or device.
4. Divide the class into groups of approximately six students. Ask each group to look at each of the situations described and decide if the law has been broken. When interpreting the law, students should consider
What does the law say? What is it designed to do? Is the law enforceable?
5. After the groups have had time to apply these questions to each case, have them report their decisions on each case.
6. Have the class as a group discuss their decisions, the reasoning behind them, and the problems they encountered in making the decisions. In reaching a decision, did students use the letter of the law, what they thought was the intent of the lawmakers, and/or their own sense of values? Discuss how this relates to law in our lives, and the processes that judges and lawyers use to interpret the law.
7. Finally, ask students in pairs to write an improved “No Illegal Downloading” law and revise the warning to pop up on computers.

