

1997

Letter From the Editor

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Recommended Citation

Eric R. Link, *Letter From the Editor*, 3 Rich. J.L. & Tech (1997).
Available at: <http://scholarship.richmond.edu/jolt/vol3/iss1/1>

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Letter from the Editor

September 1997

One of my first responsibilities as the *Journal's* 1996-97 editor in chief was to ask Professor John Paul Jones to serve as our faculty advisor. I made this request over dinner one evening late in the summer of 1996, and while he declined to commit (we eventually reached an agreement), he did make a very interesting observation. Being only the second editorial board in the *Journal's* brief history, Prof. Jones said it appeared as though I and the rest of the board were being asked to clean up after the revolution. He and I both found his comment amusing, since given a choice, I (and the balance of my fellow board members, for that matter) would have much rather preferred to be a member of the revolution than one who institutes and perpetuates its effects.

At the time he made it, Prof. Jones' remark was equally applicable to the Internet, and is probably even more fitting today. Risks have been taken, money made and the Net declared relatively acceptable in the world's consciousness. In many cases, the revolutionaries who perceived and then seized the Internet's opportunities are gradually relinquishing control to those more adept at continuing rather than creating. A certain amount of direction has developed in the aftermath of the initial boom. To be sure, there are still surprises out there, but when the public hears about them, they no longer ask, "what's the Internet?" but instead, "what's next?"

In contrast to its state when the *Journal* was founded, the law of the Internet has had a moderate amount of direction as well. True, many Internet advocates view the Supreme Court's recent decision striking down the Communication Decency Act (or CDA) as freeing the new medium from the government's grip, therefore permitting content on the Net to roam unfettered through the global network's legendary atmosphere of autonomy. Indeed, many Internet proponents feel as though the Court's Decision in *Reno v. ACLU* halted *any* direction in which Internet law was traveling.

However, the ultimate legacy of the Court's decision in the annals of Internet law may well be the imposition of a de facto direction: instead of the subjective ceiling the CDA would have placed on expression, we now have a foundation of free speech from which to proceed. The direction in which we now choose to proceed is up to each of us. In a very real sense, anyone placing content on the Net will be asked to clean up after the revolution. And speaking from a year of firsthand custodial experience, the aftermath of a revolution often poses questions and issues the original gate-crashers never envisioned.

Eric R. Link
Editor-In-Chief
September 1997