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## do documents such as the Constitution keep pace with the high tech world?

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Karen West · 2 hours ago



I was just wondering if documents such as the Constitution keep pace and up to date in regard to what is right and wrong, legal / not legal, etc, with fast pace and changing world of high technology?

I imagine there is an effort to do that, or perhaps these may be located in some other documentation (sorry for being ignorant here - from a technical background, taking this class as a humanity outside that area), but I was just wondering if the effort is made to keep things up to date with the very fast pace of high tech, and how well they are doing with that. Does anyone know?

I know you cannot believe all that you read on the internet, but when you read about "loopholes" and "security leaks built into things" in various articles that fly by in the news, I know it has crossed my mind--that I hope someone out there keeps the documents that say what is right and wrong here in that high tech part of the world up to date, as to what is done for "keeping us safe" verses "what is taking advantage of us in regard to a violation of what might be considered our human rights".

I've been told you cannot believe everything you read in the news on the internet, but some things you see go by lately are staggering in that respect, how many "loopholes" there are in different high tech things we use out there, and how they are intercepted, etc. I know I don't know how it all works, but I imagine some people do in regard to what is true there, and my hope is that someone who also knows about the legal documents also keeps those up to date with the fast changing pace of all these high tech issues! So I was wondering if anyone knew this answer.

I know when I worked, the 15.5 years in the commercial world of high tech market, you might release your code and product before your competitor, but the documentation would never be updated until after the fact, and that seemed to be fine back then. The latest market in which I worked was a bit different, in that the safety critical and defense market must pass "inspections" which includes that the documentation, algorithms, test of code, etc has all passed an inspection and they match each other

before it goes on the market---because the nature of the product is that if you don't do this, lives are at stake if there are issues.

So I thought, what about the documents that run our countries? Are those all kept up to date with all the latest advances in technology, to document what is "keeping us safe" verses what would be considered an "abuse of human rights"? I do not know there, but this thought too occurred to me, whether the documents that run our countries keep up with the fast pace and ever changing world of high tech--and whether provisions are made to prevent people who take advantage of these built-in "loopholes" would get in trouble if they were ever caught? Perhaps they were put there for some good intention, but in the hands of people with bad intentions, I imagine they might be able to get away with it if there is nothing that says they are wrong to do that.

↑ 0 ↓ · flag

Anonymous · 2 hours ago 🔒

huh?

↑ 0 ↓ · flag



Karen West · 2 hours ago 🔒



I am guessing the "huh" means the question does not make sense. If so, apologies for my ignorance, but I am one who asks questions on discussion forums in areas in which I may not be as familiar as others, and if this did not make sense to you, my apologies. I'm always grateful though, if a question is asked sincerely, but may show ignorance, that the responses are kind in nature, rather than harsh. Sorry to cause you to say "huh".

↑ 0 ↓ · flag

Navtej Singh Khandpur · an hour ago 🔒

Karen, there are several 'anon' haters on the discussion threads. Just ignore them.

If I understand you correctly you're asking who maintains the current interpretation of the Constitution, who identifies potential holes etc. To use tech-speak, if the Constitution is Release 1, who's maintaining the documentation? I think if you think of the Constitution as the original design doc, and the Amendments as 'feature enhancements', then the User Guide is the body of law that has developed in rulings by the Federal Court System. The QA part is done by an adversarial system in Court (representing the parties before the Court), and there is also 'crowd-sourcing' by so-called 'friends of the Court' who file what are called 'Amicus' briefs to give the judiciary their view of case. To stretch the analogy, you can think of new potential crimes and civil suits as 'use cases', and if someone has a problem with the use case they get to have it reviewed by QA (the legal system). It's a tortured analogy but I hope it answers your question.

↑ 1 ↓ · flag

Joel Kovarsky · 41 minutes ago 🔗

As implied above, think of the Constitution as a scaffolding. Alone, it cannot support the building. Without careful construction and attention to detail things fall apart. That does not mean there is but a single method of construction, that architects might not fight over designs, or that the building might not need revision to be brought "up to code." As mentioned, it is impossible to think that the Framers considered elements pertaining to abortion, cloning, air pollution, climate change science, the furious changes in electronic communication (and attendant tracking), air travel, and a host of other issues.

<http://www.npr.org/2011/11/30/142714568/interpreting-the-constitution-in-the-digital-era>

<http://www.brookings.edu/blogs/up-front/posts/2011/12/15-constitution-rosen>

<http://wcfia.unix.fas.harvard.edu/sites/default/files/Jasanoff1.pdf> (This is an article by Janoff: "Constitutional Moments in Governing Science and Technology"--note: The link does not seem to work well, but if you google the title you can find a cached version on the web)

↑ 0 ↓ · flag



Karen West · just now 🔗



Thank you! Your posts in have given me a much better picture of how the Constitution is kept up to date with high tech, and in speak that I can relate to as well. So thanks for your patience and help!

↑ ↓ · flag

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