Lock 'em up, throw away the mouse

Ken Lay and Bernie Ebbers seem in little danger of criminal prosecution, but, by golly, Congress is taking serious aim at those dangerous traders in music online. If a new House bill becomes law, anybody threatening the republic by posting and sharing a song without official permission will be subject to five years in prison and a $250,000 fine.

And, just taking a wild guess, the time probably won't be served in the recreational camps occupied by the few wealthy white-collar criminals who get convicted.

Called the Author, Consumer and Computer Owner Protection and Security Act of 2003, the bill was introduced several days ago. It promises to put more tools and resources in the hands of law enforcement agencies to go after those thieving music sharers.

Actually, the measure has a legitimate aim: protecting the art of musicians, writers and moviemakers -- whose creative efforts deserve compensation -- and the investments of those who actually paid for the music. But one wonders how much time wise law enforcement authorities should waste putting file-swappers in prison.

Critics of this harsh proposal are right. Music and movie industry people are desperate to protect their old business models, rather than finding ways to turn technology to their benefit. For instance, why not work harder on ways to market and deliver music digitally online rather than just through CDs?

Even Michael Jackson, the King of Pop, a songwriter and performer, says the overly punitive solution is wrong.

"Here in America, we create new opportunities out of adversity, not punitive laws, and we should look to new technologies like Apple's new Music Store for solutions," he said.

Jailing music downloaders sounds more like stopgap scare tactics than business solutions. Perhaps wiser heads are busy crafting real strategies for these big and important industries.