



# ***Protesting Internet Censorship***

by Stephen Lendman

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On May 12, Senator Patrick Leahy (D. VT) introduced "S. 968: Preventing Real Online Threats to Economic Creativity and Theft of Intellectual Property Act of 2011 (PROTECT IP)." Referred to the Judiciary Committee, May 26 hearings were held. Debate's scheduled for next week.

On October 26, Rep. Lamar Smith (R. TX) introduced "HR 3261: Stop Online Piracy Act (SOPA): To promote prosperity, creativity, entrepreneurship, and innovation by combating the theft of US property, and for other purposes" Referred to the House Judiciary Committee, markup continues.

Leahy, Smith, and congressional supporters claim the measures protect corporate investments against online piracy. In fact, they're about censorship and subverting Internet freedom.

If enacted, Internet service providers (ISPs), search engines, and other information location tools will have to block user access to sites accused (rightly or wrongly) of very loosely defined copyright infringement.

In other words, they'll blacklist and shut them down arbitrarily to silence them. Media giants will have unprecedented powers. So will Congress and the administration. Internet freedom will be jeopardized. So will a free and open society.

Provisions empower the Attorney General to cut off access and funding for alleged "parasite" foreign and domestic sites. An Internet czar will decide if US interests are harmed. Courts will enforce police state rulings.

Both bills are so deeply flawed, they can't be fixed. Killing them is the only option.

Global Protest

Sopastrike.com's web site headlines, "WEB GOES ON STRIKE! saying:

"January 18, 2012 is the largest online protest in history, to stop the Internet censorship bills, SOPA & PIPA. Join in by blacking out your site and urging everyone you can reach to contact Congress now."

With many others, Wikipedia's "blacking out the English (site) for 24 hours, beginning at midnight January 18, Eastern Time." During the blackout, information on SOPA and PROTECT IP will stay available.

Google's site headlined, "End Piracy, Not Liberty," saying:

SOPA and PROTECT IP will "censor the Internet and slow economic growth in the US."

"Tell Congress: Don't censor the Web."

It also urges readers to sign a petition, expressing opposition to Congress.

January 18's just the beginning. On January 23, a day of action's planned when the Senate reconvenes. Despite growing opposition, supporters want quick action to pass PROTECT IP, SOPA's companion bill.

#### The Battle to Save Internet Freedom

On January 16, the Electronic Freedom Foundation (EFF) headlined, "How PIPA and SOPA Violate White House Principles Supporting Free Speech and Innovation," saying:

Despite alleged White House opposition, "the fight is still far from over." Senate debate begins next week. Expect House action to follow soon. In fact, chief SOPA sponsor, Rep. Lamar Smith (R. TX), said markup will proceed in February.

Internet freedom's on the line. So aren't First Amendment rights without which all others are at risk. EFF explained worrisome provisions, including:

- (1) Alleged copyright infringement lets government suppress information it wants censored.
- (2) ISPs, search engines, and other information tools will be forced to comply.
- (3) Web sites will have to "block anything from a user post about browser add-ons like DeSopa, to a simple list of IP addresses of already-blocked sites."
- (4) Vague language gives authorities broad discretion.
- (5) Investments in online startups will be affected.
- (6) Open source software will be decimated.
- (7) A "vigilante" provision grants immunity to ISPs for over-blocking "innocent users or block sites voluntarily with no judicial oversight at all." As a result, abuse potential is incalculable. Moreover, intermediaries only need show "good faith" and act on what they deem "credible evidence."
- (8) Copyright holders will be able to get unopposed court orders to cut off foreign sites from payment processors and advertisers.
- (10) The Attorney General will be authorized to block domain name services and be able to

de-list sites from search engines. According to Google chairman Eric Schmidt, it "criminalize(s) linking and the fundamental structure of the Internet itself."

The same provision applies to payment processors and advertisers.

In addition, heavy litigation costs will deter falsely accused sites from contesting a guilty until proved innocent dilemma effectively. They could go broke trying.

As a result, SOPA and PROTECT IP will "drastically change the way we use the Internet (for the worse), and punish millions of innocent users" who never thought about copyright infringement. According to Reddit co-founder Alexis Ohanian:

These bills are "the equivalent of being angry and trying to take action against Ford just because a Mustang was used in a bank robbery."

"These bills must be stopped," says EFF, "if we want to protect free speech and innovation on the web."

"Please take action now and tell your Congressional representative you oppose the blacklist bills."

Do it easily on EFF's [blacklist.eff.org](http://blacklist.eff.org).

EFF's one-page guide about the blacklist bills also provides relevant information to review and share with others.

#### Heavyweights Face Off on Both Sides

Powerful interests represent both sides. Opponents include Google, Yahoo, Amazon, eBay, Facebook, Twitter, AOL, You Tube, Linkedin, Mozilla, Roblox, Reddit, the Wikimedia Foundation, EFF, the ACLU, Human Rights Watch, the libertarian CATO Institute, the Library Copyright Alliance (including the American Library Association), and dozens of others.

Virtually the entire tech industry united in opposition, including Adobe, Apple, Dell, Electronic Arts, Intel, Intuit, McAfee, Microsoft, Nintendo, Sony (excluding Sony Music and Picture), Sybase, Symantec, and many others.

Some initially offered support, then softened positions. In a joint statement, they said:

"Valid and important questions have been raised about the(se) bill(s). As (they) now (stand, they) could sweep in more than just truly egregious actors." Redefinitions of who can be prosecuted are needed. "Unintended consequences must be avoided."

"Due process, free speech, and privacy are rights (too important to) be compromised." The Business Software Alliance (BSA) "has long stood against filtering or monitoring the Internet. All of these concerns should be duly considered and addressed."

Supporters include News Corp's Rupert Murdoch, AFL-CIO, International Brotherhood of Electrical Workers, Chamber of Commerce, Motion Picture Association of America, Recording Industry Association of America, National Association of Broadcasters, McGraw-Hill, Macmillan US, other book publishers, Viacom, other companies with cable, film and music interests, trademark dependent companies like Nike and L'Oreal. ASCAP, Caterpillar, Ford, Comcast, the NBA, NCAA, MLB, Netflix, Philip Morris, Pfizer, Time Warner, Wal-Mart, and many others.

In over 90,000 local groups, Meetup has more than 10 million people involved. Its web site headlines, "Meetups mobilize against PIPA and SOPA," saying:

The 20,000-member strong New York Tech Meetup (NYTM) "declared an emergency (January 18) Meetup" outside the New York offices of Senators Charles Schumer and Kirsten Gillibrand.

NYTM's "calling on every concerned resident to take to the streets. In solidarity, the Hackers and Founders Meetup of the Bay area scheduled their own Meetup to rally" support.

Other actions will follow.

On January 17, Save the Internet.com headlined "Momentum Builds Against SOPA and PIPA," saying:

"Millions of Internet users have succeeded in slowing down the Hollywood-funded momentum of the bills." After initially staying largely silent, the major media "finally w(oke) up."

A Final Comment

A White House statement tried having it both ways, saying:

"We will not support legislation that reduces freedom of expression, increases cybersecurity risk or undermines the dynamic, innovative global Internet."

At the same time, it said "online piracy is a real problem that harms the American economy, threatens jobs for significant numbers of middle class workers and hurts some of our nation's most creative and innovative companies and entrepreneurs."

It also "call(ed) on all sides to work together to pass sound legislation this year that provides prosecutors and rights holders new legal tools to combat online piracy originating beyond US borders."

It was typical Obama, feigning opposition while supporting the bills' core provisions.

At issue is a free and open Internet, the last frontier of free expression. At this stage, it's very much up for grabs.

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