



## *PDM Editorial: Why We're Against PIPA/SOPA And For the Internet*

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Tuesday, January 17 2012

Last year, when Senator Patrick Leahy introduced the Protect IP Act (PIPA) and when House Judiciary Committee Chair Rep. Lamar Smith introduced the Stop Online Piracy Act (SOPA), they probably had no idea that they, along with a bipartisan group of cosponsors, would awaken a sleeping tiger. After all, the proposed legislation was fairly technical in nature and would cost the government little to implement. But in the days and weeks that followed, it has become exceedingly clear that Leahy and Smith and their allies in the entertainment industry misread the political landscape. Instead of a slam dunk designed to crack down on so-called "online piracy," the bills have backfired on Hollywood, fostering the emergence of a significant new force: a civic-business alliance to defend the freedom of online speech and sharing and to protect the basic values and structure of the open Internet.

Others have already done an excellent job of describing and explaining all the reasons why PIPA and SOPA should be defeated. See Joi Ito and Ethan Zuckerman's [post](#) explaining the MIT Media Lab's reasons for opposing the legislation; Tim O'Reilly's [strong argument](#) that the whole problem of online piracy is overstated and unproven, the CATO Institute's [explanation](#) as to how it threatens to set off a massive wave of online censorship, and the Electronic Frontier Foundation's [detailed explication](#) of the dangerous consequences that these laws would create for online speech. In sum, if passed, these bills as originally proposed would wreak havoc with the Internet's DNS system, place a needlessly heavy burden on websites to police user-submitted content leading to lots of prior restraint and unilateral content takedowns without due process, hurt innovation, and inspire the Chinese government and other repressive regimes in their own efforts to throttle online activity. Oh, and by the way, the government already has the power, more narrowly constrained, to [take down foreign rogue sites](#) (though it has used it in sloppy and worrisome ways, which is another reason to go slow on expanding those powers).

It is for all those reasons that Personal Democracy Media is joining with the many other groups opposing these bills. On January 18, in addition, PDM founder Andrew Rasiej, wearing his hat as the chairman of the New York City Tech Meetup (the world's largest Meetup with 20,000 registered members) will be helping lead a [street rally](#) in midtown Manhattan outside the NY offices of Senators Charles Schumer and Kirsten Gillibrand, both of whom are co-sponsors of SOPA.

Whatever happens to these two bills, which we will continue to report on from all angles, there's a larger point to be made. This is the beginning of a new chapter in online politics. We've seen individual sites and companies take political positions in the past, in the former case by circulating petitions or raising money for candidates, and in the latter by hiring lobbyists and making campaign contributions. These are all normal ways of trying to influence the democratic process. We've even seen a few big internet companies, specifically Amazon and eBay, try to rally their user base on their behalf (against proposed online taxes, for example) by sending them mass emails. But this is the first time we've seen a wave of nonprofit and for-profit sites that exist primarily to serve their users openly choose to use their platforms to interrupt their users--without asking for permission--and implore them to take a stand.

It started with Tumblr, which on November 16, 2011 decided that the fight against SOPA was important enough that it was worth [getting in the face of their users](#) to press them to call their Members of Congress. If you had a Tumblr account and you logged on that day, you were confronted by big blocks of "censored" text instead of your dashboard. More than 87,000 calls to Congress were generated.

Now lots of folks are joining in. After Tumblr, Reddit.com, the user-driven news filtering and collaboration site, was next to announce its decision to "go dark" on January 18 to help stall the bills' forward progress. Then this past Saturday, Craigslist.org, the ninth-most-trafficked site in the US, placed a big red block of text on every city homepage calling on users to take action and directing them to this [page](#) of resources. The English-language Wikipedia has announced that it will block access to the site January 18 and instead urge visitors to contact Congress. The NetCoalition, a national tech industry group is [running radio and print ads against the bills](#). And Google is adding a link to its home page expressing its opposition to the proposed legislation. To date, more than 33,000 letters of protest have been sent through OpenCongress.org's letter-writing tool alone (see [here](#) and [here](#) for lots of the public ones).

For the first time, instead of playing with the master's tools, the internet community is using its tools--and the networked public sphere that they enable--to engage in the political process directly, and on behalf of the defense of the values of that public sphere.

This is exhilarating. As Cory Doctorow [wrote yesterday on BoingBoing](#), "Let's kill PIPA, then use this amazing energy to build something positive: a lobby for networked freedom, that acknowledges that the net is more than a glorified form of cable TV -- it's the nervous system of the information society." Yes, indeed!

This is also complicated. Companies fighting SOPA and PIPA are doing so out of their own self-interest, and on other battles to protect and enlarge the networked public sphere, they may not be as engaged, or worse, they may be on the other side. And whether a site is for-profit or non-profit, any time you shift from being a neutral service provider to an advocate, you risk conflict with your users. It is a sign of the salience of the current fight that all these major web platforms, who daily serve tens of millions of visitors and page-views and constantly hear in real time from their users (unlike the Copyright Cartel, which still holds a big chunk of its audience captive) are speaking out. They are doing so because they, more than many other industries, have to listen to and serve their users if they are to grow and thrive.

After January 18, though, you can be sure there will be howls from the incumbents in Washington that Google, Wikipedia, Craigslist, Reddit and Tumblr et. al. haven't played fair. That they went around the normal process of lobbying and influencing legislation by using their own platforms to push mass civic action that otherwise wouldn't have happened. That they gamed the system. These complaints can be safely ignored--almost. We can ignore them for the most part because Hollywood and the entertainment industries have been gaming the system for decades using the old tools: wining and dining Members of Congress, hiring their staff, lining their campaign war-chests. (See [here](#), for example, their embrace of Rep. Smith.) By contrast, what all these Internet players are doing now with their online platforms only works because it resonates with actual people--the tens and hundreds of thousands who are calling, writing and emailing, and in some cases even demonstrating in the street.

That said, all exercises of power can be corrupting. We would be greatly worried if any of the big internet search or social network platforms, or the big nonprofit hubs, started using their power to focus attention on more narrow or mercenary ends (the way, say, Rupert Murdoch has used his media properties to advance his narrow business and political interests). But today we are all fighting together to save the public Internet. And that is unprecedented and good.