

SOPA, PIPA and the freedom of the Internet

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Millions of people signed online petitions Wednesday against two Internet censorship bills currently under consideration by the US Congress. The petitions were driven by appeals from thousands of web sites, some of which, including Wikipedia and Reddit, shut down for the day in protest.

The protests and petitions were aimed against the Stop Online Piracy Act (SOPA) in the US House of Representatives and its counterpart in the Senate, the Protect IP Act (PIPA).

The immediate target of the measures would be violators of intellectual property laws, and the acts have been heavily backed by movie and music producers. However, the more fundamental driving force behind these laws is the desire by the US ruling class to create a legal and technical mechanism for significantly expanding the power of the US government to regulate the Internet.

While their ultimate form, if they are enacted, remains to be determined, both SOPA and PIPA would grant the US attorney general the power to seek a court order that would effectively shut down access to entire domains. Search engines and other web sites would be required to eliminate links to the site in question, and firms such as PayPal would cut off finances. Targeted web sites would have effectively no basis of appeal, meaning that they would be denied basic free speech rights without any due process.

There are significant corporate interests that have mobilized against the acts in their present form, including multi-billion-dollar technology corporations such as Google, Facebook and Twitter.

In a letter to Congress, many of the largest companies stressed their support for “the bills’ stated goals—providing additional enforcement tools to combat ‘rogue’ web sites.” They added, however, that “the bills as drafted would expose law-abiding US Internet and technology companies to new uncertain liabilities, private rights of action, and technology

mandates that would require monitoring of web sites.”

A number of senators, mainly Republicans, responded to the actions Wednesday by publicly backing down from their earlier support of the bill. A vote scheduled for January 24 in the Senate may be pushed back in an attempt to work out a compromise to mollify some of the bill’s corporate critics.

The drafting of the SOPA and PIPA has been a wholly bipartisan affair. In the Democratic Party-controlled Senate, PIPA was introduced by Democratic Senator Patrick Leahy, and Senate Majority Leader Harry Reid has campaigned against delaying the vote on the measure.

For its part, the Obama administration, while posturing as a supporter of Internet freedom, reaffirmed its commitment this week to the basic provisions of SOPA and PIPA, vowing to “pass sound legislation this year that provides prosecutors and rights holders new legal tools to combat online piracy originating beyond US borders.”

Whatever the immediate outcome, the American ruling class sees open communication and the spread of information online as a grave threat and is committed to establishing greater control of the Internet.

One of the most significant elements of the bills is the granting of legal immunity to web-hosting companies, financial transaction providers, and other corporations that willingly terminate service to suspected violators of copyright laws.

This, in essence, constitutes a codification of the campaign launched last year against WikiLeaks after the organization released classified documents exposing US war crimes. Under pressure from the Obama administration, Amazon and Paypal voluntarily shut off services to the whistle blower site. This was part of the government’s campaign against WikiLeaks, which included the persecution of its founder Julian Assange and the military prosecution of Bradley Manning.

Last year saw a number of actions by governments aimed at undermining the use of the Internet in fueling popular protests. In January, the US-backed regime of Hosni Mubarak in Egypt took the unprecedented step of shutting down all access to the Internet shortly before its fall from power. That same month, the Tunisian government took measures to block Facebook and other social networking sites. For its part, the US government has aggressively used the Internet to spy on the population.

The threat to Internet freedom is part of a broader attack on democratic rights in the US, which has been stepped up in response to the growth of social protest. This culminated at the end of last year in the Obama administration's signing of the National Defense Authorization Act (NDAA), which officially sanctions the indefinite military detention without charges or trials of citizens and non-citizens alike.

Wikipedia and other sites shutting down for the day on Wednesday urged their readers to write to their congressmen to urge them to oppose the bills. However, the freedom of the Internet, as with democratic rights as a whole, cannot be secured by appealing to the two big business parties or the corporations that control them. It depends upon the independent political mobilization of the working class.

The attacks on WikiLeaks and the debate over SOPA and PIPA have highlighted the dominant and growing role of a small number of corporations, working closely with the US government, over much of Internet activity today. This fact poses an immense risk to the freedom of the Internet. The vital social infrastructure of the Internet cannot be left in the hands of major corporations. These resources must be placed under democratic control and public ownership, to be run in the interests of social need, not private profit.

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