Canadian netroots rise up against Tory copyright plans

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Kempton Lam, Corey Doctorow, Michael Geist and Howard Knopf aren't exactly familiar names in Ottawa's political power circles.

But yesterday, those four -- along with thousands of other Canadians -- managed to throw a spanner into the works of the Harper government.

As leaders of an increasingly vocal and organized grassroots cyber-movement against controversial, anticipated changes to the federal Copyright Act, their persistent efforts derailed Industry Minister Jim Prentice's plan to introduce an amended bill this morning.

"I'm the last guy in the world to be an activist," admits Mr. Lam, a Calgary-based technology consultant and blogger (www.ideasrevolution.com) who organized a rally at Mr. Prentice's Calgary riding office over the past weekend. "The copyright issue of fair use and dictating who can have access to what information really bugged me. And instead of just bitching, I figured I'd better do something."

That something resulted in about 50 people -- some of whom drove from Edmonton to Calgary -- gathering and confronting Mr. Prentice about his proposed copyright legislation.

That, along with heated blogs, online discussions and the delivery of thousands of e-mails and letters, has apparently led the minister to ask for the revision of sections of the document dealing with digital rights management (DRM) and anti-circumvention technology.

(That's the technology that blocks users from gaining access to information without paying for it and imposes stiff penalties on those who break through the barriers. It's a key part of the U.S. Digital Millenium Copyright Act (DCMA), which many believe to be the template for the Canadian legislation.)

Clearly, for a fragile minority government, the chorus of angry voices was too loud to ignore. Although many are demanding a broad-based public consultation process on copyright, the objective is now to table a revised version of the bill within the few
remaining days before Parliament breaks for Christmas.

Although Industry Canada shares the copyright file with the Heritage Department, Mr. Prentice has been the lead minister on it. He not only has more clout in caucus because of the nature of his portfolio, but he’s known to have the ear of Prime Minister Stephen Harper.

There’s no question that over the past several weeks that acute pressure -- much of it below the surface in the world of blogs and chat rooms -- has been building around the copyright file.

Michael Geist, a professor at the University of Ottawa who specializes in Internet and e-commerce law, set up a Facebook page on Dec. 1 as a focal point for the opinions and efforts of Canadians who were concerned about the direction of copyright law. As of yesterday, there were 13,000 members of Fair Copyright in Canada and the pace of growth has been averaging more than 1,500 names every day.

"It's not just the numbers, it's the amount of discussion around this issue," he says. "Copyright may be a complex technical issue, but people understand the basic issues and how everyone is affected by them."

Certainly, the advent of Facebook and YouTube have made it easier for such special interest groups to form and to galvanize their members. (A recent study by Solutions Research Group of Toronto indicates that eight million Canadians -- or one in four -- now have pages on Facebook.)

Mr. Lam, for example, consulted with Mr. Geist about his plan for a rally, and he credits the law professor's popular blog and Facebook for quickly spreading the word.

"It's remarkable, but it's not surprising," says Cory Doctorow, an activist and editor of the popular blog BoingBoing.net. "It shows that the Internet has developed its own immune system now and when it's attacked, it will be defended."

He adds: "It's a pretty tough sell for any government to convince people that scarcity of access to culture and knowledge is somehow good for them."

In particular, Mr. Doctorow insists that the apparent emulation of the U.S. model and the huge pressure from the U.S.-based entertainment lobby is a big part of what makes the copyright issue so resonant in Canada.

"People are asking guys like Jim Prentice who he really works for," he says. "And what recording industry are we protecting when so many Canadian musicians and labels have left the recording industry lobby group."

Yet another faction in the copyright underground is represented by Ottawa lawyer Howard Knopf, who writes a regular blog defending the premise that the less copyright regulation we have, the better.

That's actually the view that was favoured by the previous industry minister, Maxime Bernier, who, true to his libertarian ideals, openly favoured limited government intervention in all sectors.

A lawyer by training and experience, Mr. Prentice -- who acquired the Industry beat in August -- was apparently poised to take a much harder and more pro-regulation
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stance. That is, until he got blogged down by the grassroots.