Hollywood putting the squeeze on consumers

Information is all going digital, but human beings are analog. That should be enough to give average people a weapon against an industry that is waging war on its customers.

This is a world, however, where the entertainment industry has a choke hold on Congress. It also has the puzzling acquiescence, if not outright support, of some technology companies that should be crying foul.

Hollywood and the recording industry have been pushing all manner of legal and technical strategies to take absolute control over the way we view, listen to and read digital information. In the name of preventing piracy, the entertainment moguls are treating every customer like a thief. They are herding us all into a pay-per-view system where we have no rights at all to use the material we buy as we see fit.

So one of the planet’s greediest industries has persuaded Congress to pass draconian copyright laws. It’s won injunctions against companies that offer customers the means to make arguably illegal copies.

Hollywood and its music-selling compatriots are scrambling videos and music in new formats, and suing people who dare to unscramble the data even for legitimate but non-authorized uses. And they’re building even stiffer encryption into newer digital gear.

The next generation of digital television sets, for example, will allow programmers to scramble signals right up to the point at which the images are displayed on screens and the sounds played through the speakers. A viewer who wants to time-shift -- record the program to watch later -- will be out of luck.

The entertainment companies have an Achilles’ heel, at least a temporary one, in their scheming to control our every access to digital information. Because we are analog creatures, our brains can’t translate streams of zeroes and ones without help. The information must ultimately be put into a form -- that is, an analog form -- that we can read, view and hear.

So even if the data is scrambled until it reaches the screen, anyone with a video camera could just record what’s on the screen. You’d lose a generation of quality. But at least you could create a digital copy and be able to look at the program when you please.

Assume, too, that the music industry will make it technologically difficult to create digital copies of some future CD-type music recording. OK, play the music on an excellent audio system, put a couple of microphones in front of the speakers and, voila(acu), you have a copy. Again, it’s not a perfect copy, but it might be good enough for playing in your car or portable MP3 device.
The notion of having to go into such contortions just to retain current rights to make personal copies or time-shift TV programs is basically outrageous. The outrage should grow when you consider what this will do to other kinds of “fair use,” such as brief quotations from copyrighted works by authors and scholars.

But the entertainment crowd is not even going to be content to let us go that far.

They’ll insist that making such copies is only the first step onto the merry-go-round of widespread piracy -- make an analog copy, turn it into a digital file and shoot it onto the Internet for all to take.

The entertainment companies will have several responses to this threat. They’ll put digital watermarks into music and movies. Then they’ll “persuade” Congress and legislatures in other industrialized nations to require manufacturers of digital video cameras and audio recorders to refuse to work when they encounter material with watermarks.

This is not a far-fetched notion. At the behest of major copyright holders, Congress years ago forced a copy-protection scheme on digital audio tape that effectively killed its potential as a medium.

You can expect the entertainment crowd to eventually push for laws outlawing even analog copying, on the principle that it might be used to circumvent copyrights. The fact that Napster, the file-sharing service, has demonstrable non-infringing uses didn’t stop judges from siding with the record companies.

I keep wondering when the public will wake up and see what the industry is doing. I fear the industry will impose its control slowly and surely, bit by bit, so that by the time average folks do wake up they’ll find it’s too late.

But I also wonder whether the entire world will go along with this. Will every company that’s able to make a recorder, video or audio, bow to a regime that inevitably limits sales of recording gear? Will the disk-drive makers allow themselves to be herded like sheep, as may be happening, into copy-protection schemes that severely restrict what customers can do with their disks? Will the recordable CD-ROM companies do the same?

You’d imagine they would not. Yet they don’t seem to be objecting much to Hollywood’s dictates even though the trend could be a disaster for their own businesses.

I admit it. I’m baffled.

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