

Index Interneticus Prohibitorum: internet censorship European style

In early October a judge in Antwerp (Belgium) [forced](#) the two biggest telecom operators Belgacom and Telenet to block access to Pirate Bay. Three weeks later, a UK high court judge also [ruled](#) that BT should block their customers' access to the file-sharing site Newzbin2. This represents the opening of another front in the epic battle between the cultural industries and file-sharing(ers). Just as with the large-scale monitoring of our internet behaviour and the three strikes out rule, it is a deeply problematic measure that has serious implications for civil liberties.

By ruling that access to certain sites and content has to be blocked at the source – i.e. by the ISPs providing us with access to the internet – in effect, Belgium and the UK will now be joining the approximately 25 countries that actively filter the internet access of their citizens, all countries with not such a good reputation when it comes to civil liberties and human rights. Apparently, commercial interests are much more important than human rights and civil liberties.

The private interests of the copyright holders and the protection of the capitalist exchange model against alternative economic models of sharing, are being used or abused, depending on which side you sit, as an excuse to finish off the idea of an open internet. This manifests itself through the legitimisation of ever more intrusive surveillance of what we do (and especially download) online, and now disallowing us free access to certain content by effectively filtering the internet. A few years ago, Rasmus Fleischer, one of the co-founders of The Pirate Bay, [warned us](#) that the 'vision of copyright utopia is triggering an escalation of technology regulations running out of control and ruining civil liberties'. He and others point to the price we as a society are paying for 'upholding the phantasm of universal copyright'.

It is meaningful that civil society organisations working on issues of civil liberties, such as [EFF](#), [ACLU](#) and George Soros' [Open Society](#) are becoming much more vocal about the potential dangers to democracy of measures to counter copyright infringements. The question we need to be asking ourselves is: why are more and more basic rights, such as (online) privacy, access of an individual to the internet or access to content for us all, gradually being sacrificed to protect the interests of one particular industry? It goes even further. The collateral damage of these measures in terms of civil liberties and broader societal interests are not taken into consideration by courts, nor openly discussed or adequately addressed in public debate on these issues.

Yes, of course we have to be creative in finding new ways to make sure creativity and innovation is stimulated, supported and remunerated in a fair way, but why is it not possible to think about or even discuss other less intrusive ways of accomplishing this? For example, I [argued](#) for a system of levies on empty CDs and a kind of license to download that comes with an internet connection. Beyond this, I also argue that the free access and exposure to an enormous quantity of cultural content, information and knowledge has many societal benefits here in the West as well as beyond – external benefits that are often not acknowledged in this debate.

My fear, however, is that all this neatly fits in the much wider evolution discussed by Fleischer. It seems that despite the [efforts of the European Parliament](#), some Western governments and the corporate world are gradually giving up on the idea of an open internet as a level-playing field and as an amazing resource to access any type of information you want to where ever it is hosted. This shows itself in efforts to abandon net-neutrality to increase 'efficiency' and create new 'business opportunities' as well as in the copyright debate which raises issues of privacy, censorship and increased control. But it can also be observed in calls to shut down social network sites during periods of social unrest and the [sudden removal of Facebook groups](#) critical of the royal wedding, rejecting the government cuts, and other calls for resistance.

The danger of all this is that once such important core-values are abandoned, it often becomes a slippery slope. Returning to the recent ruling of the High Court, now that one website has been placed on the *Index Interneticus Prohibitorum*, it will become much easier to add more sites to the Index. There are quite a few more websites and online platforms out there on the world wide web that facilitate peer2peer sharing of digital content...