

DMCA: coming to a Canada near you?

IN 1998, THE US GOVERNMENT PASSED THE Digital Millennium Copyright Act (DMCA), which was designed to update current copyright laws so they could apply to the increasingly important digital realm as it worked its way into mainstream culture. The most significant aspect of the bill was its ruling on anti-circumvention policies—that is, matters regarding a consumer's ability to bypass digital security locks placed on media by their publishers. The most common example of this is found in DVD region-coding: digital locks that prevent a DVD purchased in Canada to be viewed in a European DVD player. Not only is it illegal to bypass these security measures, but even owning equipment or software that allows one to bypass them is considered a crime in the US.

In theory, anti-circumvention systems are designed to protect the artists and publishers by preventing the unlawful reproduction of their materials—or what's colloquially known as piracy. The problem goes far deeper, however, especially in a culture where digital ownership is becoming such a highly contested issue. More and more, consumers aren't purchasing ownership of materials, but rather the *right to use* said materials. With anti-circumvention as their legal guardian, businesses gain a tight upper hand over their customers, while customers have little backing in the way of protecting their own rights.

For years, this has only been an issue south of the border. American lobby groups representing the recording and film industries have focused on legal matters within American jurisdiction because of the power granted to them through the DMCA. Canadians have been relatively safe from any sort of legal actions like those imposed by the lawsuit-happy lobby groups, who have become infamous for suing everyone and their dead grandmothers (in December 2004, post-mortem legal action was pursued against a recently deceased woman for distribution of copyrighted digital music).

Last year, Bill C-60 was introduced in Parliament as an amendment to current Canadian copyright laws. It gained attention and notoriety after passing its first reading. Members of the digital community saw it as the Canadian equivalent of the DMCA, one which would allow the same severe restrictions that have been placed on American consumers to seep into Canada's traditionally more liberal consumer rights. When the Liberal government was dissolved last year, the bill disappeared for the time being. Now that the new session has started, however, it seems like it's only a matter of time until C-60's successor appears from the portfolio of the Conservative government.

The problem here isn't the interest in amending and updating current Canadian copyright law, which is admittedly a little antiquated. The biggest issue is that, as was the issue in the US, so many definitions surrounding copyright are vague, ambiguous and outdated. This leaves many charges open for interpretation and allows companies and lobby groups to sue on grounds that aren't solidly defined. Large portions of written legislation refer to technologies not even in use anymore. How can a ruling on the phonograph be realistically applied to a case regarding Internet downloading?

It's likely that we're going to see another attempt at keeping C-60 alive in the very near future, and this is why we as a consumer public should remain aware. Dr Michael Geist, Canada Research Chair of Internet and E-commerce Law at the University of Ottawa, has been monitoring recent events surrounding the issues at hand and offers advice via his blog on how we can get involved. His recently completed series of posts entitled "30 Days of DRM" concludes with a list of 30 ways that each one of us can become involved in the copyright agenda and let our government know how we feel as consumers. A few voices aren't going to make a difference to a Parliament that's already dealing with a thousand-and-one other matters, but a few thousand active citizens will certainly get their attention. We mustn't let this slip under the radar, only to wake up tomorrow to find our neighbours getting sued for ripping their CD collection—don't let your rights be stripped away, bit by byte.

MIKE KENDRICK
Design & Production Editor

LETTERS

Pontiff's polemics no laughing matter

A small letter about your charming comments about Catholics and Muslims (re: "My God is better than your God: Pope," 19 September). The out of context quotation of the Pope's remarks of 12 September imply that all Muslims are a unified group and that they are irrational and therefore prone to violence.

For your Editor-in-Chief Mr Frehner to suggest that there is a grain of truth in the logic of racism is to make oneself prone to the most pernicious and yet hopelessly weak arguments that have been made against a wide variety of religion beliefs and ethnicities. Yet even to suggest that the remarks were racist is a misnomer and shows a lack of precision and respect, since anyone with the least familiarity with Islam would know that the world's Muslims are of many different ethnicities and cultures.

While I do not believe the Pope's remarks to have been made very accurately or judiciously, I think it is fairly clear to most observers that they do not make reference to race. Hence the foolishness of calling the pope a racist, even when ostensibly defending his right to be one.

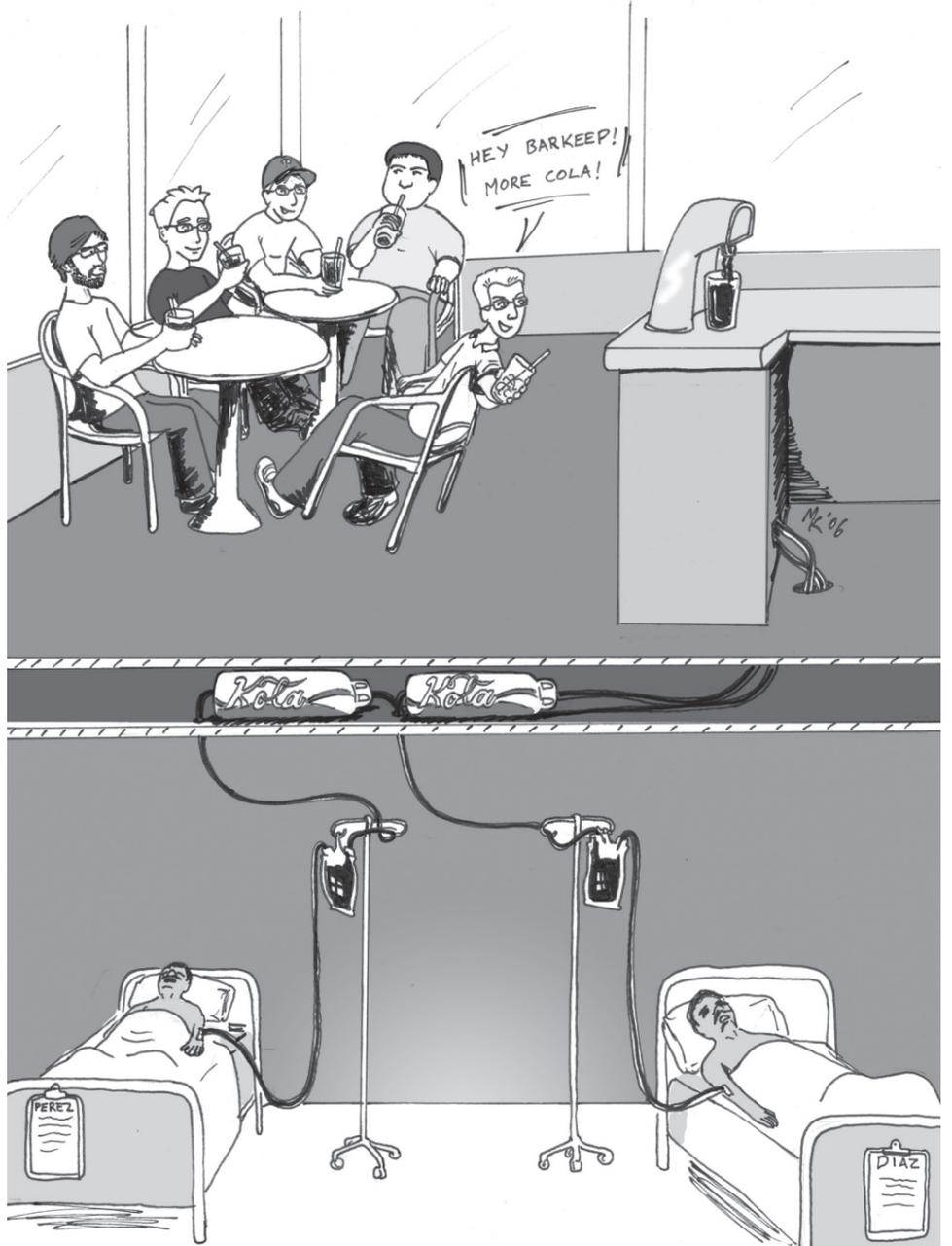
Further, Mr Frehner jokes, "Stand up for your right to be intolerant, Benny." Cheerleading for intolerance from the world's religious leaders is hardly what our city and University need from its independent media. I'd say this is particularly true when the adjoining political cartoon did not seem to suggest that the *Gateway* also supports the right of Muslims to be intolerant, and the same day's *Edmonton Journal* was prominently quoting our Prime Minister's proud remarks on the supposed "evil" that Canadians are dying to fight in Afghanistan.

I would hope Mr Frehner has the courage to admit that his remarks were only for the sake of being self-consciously incendiary, or otherwise explain himself rather than sticking to the standard bland apology and retraction that is the very least that campus Catholics and Muslims deserve. Live up to the responsibilities you have as one of the powerful voices of a major university; try to be sensitive and intelligent, instead of trying to be ironically sensational.

ELLIOT KERR
Arts IV

Equating Muslims with extremism just doesn't add up

On behalf of all rational people on campus, I would like to condemn your inflammatory and extremely insensitive editorial cartoon of last issue (19 September). It suffices to say that there are 6 billion Muslims around the world [sic], a statistic of which you are no doubt aware. Of those, less than one percent were involved in the malicious activities that have been splashed across headlines across the world. Why is it that the other 5.99999 billion members of the faith have been silenced by the press? Perhaps part of the



problem is that in the sensationalist media landscape that seems to dominate even the campus domain, the only way many people feel they can be heard is by creating a large disturbance.

Our own community, like most others, has opted away from negative responses to provocation such as your own; we would appreciate it if rather than reinforcing negative stereotypes you set a more positive precedent.

ZACHARIA AL KHATIB
President
Muslim Students' Association

First-hand account of Lebanon evacuation too subjective

Carl Conradi experienced something that should be wished upon no one, but his eyewitness account should be taken as nothing more than one side of the story (re: "Memories of an Evacuation," 14 September).

While his first-hand account makes for a valuable human interest piece, the story is tainted by its subtle glorification of militant leader Hassan Nasrallah, and his reluctance to call "martyrs" for what they really are: terrorists who took their own lives in order to kill innocent Israelis—both Jewish and Muslim—and inflict fear on the population.

Equally regrettable was Conradi's downplaying of the fear and value of human life of those in Israel. As was the case with most mainstream

media, Conradi ignores the frightening evacuation of Northern Israelis under an equally unrelenting barrage of over 4000 indiscriminate Katyusha rockets. As a democratic country, the Israeli Government and the Israeli Defense Forces have an obligation to protect their citizens in the face of terrorism and blatant acts of war such as Hezbollah's cross-border raid.

Peace in the Middle East, and indeed the world, will only be achieved when those evil factions bent on the destruction of others are marginalized to the outer ring of society. Furthermore, it is deplorable that a student newspaper with such a large scope of influence over impressionable minds has failed continuously to be objective on this issue. A more balanced stance would be well deserved by the student community.

LLOYD SUCHET
Arts III
Israel Affairs Chairman
Jewish Students Association

Sports debate rages on

It is truly unfortunate that the defence of our school newspaper resorts to rhetoric of slander and examples of poor journalism rather than valid arguments (re: "Maybe Gateway not so retarded after all," 19 September). Mr Troughton accused my critique of using sports photography on the front page of being "ridiculous" and "ludicrous" yet failed to make an effective argument.

My argument was not to demean

U of A sports, as Mr Troughton seems to argue, but to criticize the aesthetic nature of sports photography and its sensationalist uses. Mr Troughton, however, does seem to recognize that due to actually having more substance, a newspaper will have sports on the cover less often.

As I said, there is nothing wrong with proclaiming an important sports event on the front page, but this was not the case on the cover of the 12 September issue of the *Gateway*, as Mr Troughton himself pointed out. Mr Troughton resorted to misrepresenting my position, and more significantly, used personal attacks, such as questioning a fellow student's readership and analytic capability. Straw man arguments may be persuasive and useful in politics, but what did you accomplish?

BRAD RICHERT
Religious Studies/Philosophy IV

Letters to the editor should be dropped off at room 3-04 of the Students' Union Building, or e-mailed to letters@gateway.ualberta.ca.

The *Gateway* reserves the right to edit letters for length and clarity, and to refuse publication of any letter it deems racist, sexist, libellous or otherwise hateful in nature. The *Gateway* also reserves the right to publish letters online.

To be considered for publication—letters to the editor should be no longer than 350 words, and should include the name, student identification number, program and year of study of the author.