

There's been a lot of debate lately about copyright law and specifically about "digital locks" - or technological protection measures (TPMs) as they're called in Bill C-32, the Copyright Modernization Act. I think the reason for this is because different people view copyright works like art, music and film in very different ways.

Those who oppose protection for digital locks tend to see art and culture as they see mass-produced consumer goods. If I buy a toaster, I can open that toaster up, take it apart or switch the parts around. I paid for the toaster and I can do what I want with it. This group views creative works the same way. When they buy a music CD, they think, "I bought this plastic disc, it's mine, nobody should be able to stop me from doing what I want with it."

If they want to use that music for the soundtrack of their ad, TV show or adult film, they don't see why they shouldn't. If they want to make hundreds of copies of the disc, why should anyone stop them? What they do with these items is no one's business but theirs. If the artist didn't want her songs uploaded to Limewire, she shouldn't have sold them her CD. Or so the thinking goes.

Artists tend to disagree. Most musicians think of recordings as more than data on a disc. It's art, more than a simple arrangement of parts like a toaster. A record is more than grooves on a disc. A book is more than ink on pages. They believe creative, artistic works are more than simple objects of physical expression, and that the author's vision and creativity are worthy of protection.

This group also believes that buying a creative work doesn't give the purchaser unrestricted rights to do as they please with it. They think you should not be allowed to use a song in your commercial without the musician's permission, even if you bought the CD. That you should not be allowed to make a hundred copies of a book or a DVD either, even if you bought those items, too.

People in that first group are unlikely to support TPMs because they really don't see the point of any copyright. For an artist to ask them not to copy their CD is no different from Ford Motor Company telling them not to put their car in reverse. The idea of restrictions - any restrictions - on the use of something they bought is an irreparable affront to their rights as consumers.

For a long time, artists didn't worry too much about these attitudes since there really wasn't much harm that one could do with one copy of their work. Tapes of music or photocopies of books didn't have very much impact on the market. But times have changed, and people can do a lot of harm with just one copy of a song, movie or book.

TPMs were developed as a response to this. As more technologies were developed that allowed people to copy works on a massive scale, publishers, large and small, started coming out with TPMs to protect their artists' works and prevent unauthorized uses of their art.

When this happened, that first group of people really didn't like it because they don't think an artist should have control over how her art might be used after it's sold. So they started coming out with technologies of their own (often called hacks, cracks, keygens or modchips) that bypassed the TPMs and once again allowed this group to have unrestricted use of the artistic

work. Bill C-32 targets those technologies - the "hacks" and "cracks" - that break TPMs, by making them illegal.

Opposition to prohibiting TPM hacking is rooted in the basic idea that artists should not have any say in how a copy of their art is used once it's sold. It all comes back to the art-as-a-toaster point of view: laws that prevent people from doing anything they want with creative works they purchased are fundamentally wrong - no exception.

Although copyright law has always prohibited copying or changing a creative work, the difference is that TPM laws might prove successful in protecting these rights. And that's what the first group is really upset about.