



X And Telegram Forced To CENSOR & SPY?

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Glenn Greenwald (GG): There are legitimate questions, valid, legitimate questions, in the abstract at least, when it comes to the struggle, the power struggle between who ought to be able to govern the Internet, should it be extremely powerful private actors who are largely multibillionaires, who buy social media platforms and then can make their own decisions free of any laws or any state acts operating their countries without having to be subject to their laws and orders or should it be the government that gets to control the flow of free speech and information and ideas and activism and journalism on the Internet? And this conflict that is now taking place is starting to find expression in very extreme ways, because as we will never tired of emphasising the overarching paramount goal of the, quote, "democratic world", the number one priority has now become to regain control of the flow of information, to be able to censor speech on command and to do so on the Internet. The obvious innovation that is becoming the primary means through which humans communicate and learn about the world. That really is the primary goal, the primary objective of pretty much every country in the democratic world, including the United States, the EU, the UK, Canada, Australia, Brazil and so many others. And we're seeing this conflict play out in all sorts of ways. Now, you may even remember, just to underscore the dynamic here, that shortly before Donald Trump left office, but while he was still the sitting elected president of the United States, multiple social media companies, including the pre-Elon Musk Twitter, Facebook, Google and others, all collaborated, conspired to agree that Donald Trump should be banned. That his account should be banned on the major social media platforms that we use to communicate. So the president of the United States was forcibly silenced, at least when it comes to the primary platforms online, not through the acts of any judge or through the acts of any government, but just simply through the decisions, the arbitrary decisions of the billionaire owners and controllers of those platforms. And at the time, a lot of governments around the world, including ones that were no fans of Donald Trump, vehemently objected and warned of how dangerous this was. And their argument for why it was so dangerous is not because censorship is dangerous, many of the countries that objected, such as Germany and France, are very vibrant practitioners of censorship, what their objection was was that if there's going to be censorship, it should only come from the state. It should be through laws implemented democratically by the elected representatives of the people of a country and not through the

arbitrary decisions of various billionaires. Now, in the abstract, it seems like a valid point of view to say if you are a multi-billionaire and you buy a social media platform and you want to operate in our country, you either have to submit to all of our rules and orders or we will ban you from our country. Pretty much every foreign corporation is subject to those rules. And that is the rationale that was invoked by the United States and the Congress and the Biden administration to implement the new law that either bans TikTok from operating in that it states or forces a sale to a different owner, an owner that the US government will be able to control more directly and more easily. Their argument was this is a Chinese owned company, we don't want it on our territory. We don't think they're complying with our rules or our laws. We consider them a threat to our national sovereignty and therefore we're going to ban it. A lot of people in the United States, including ones who like to wear a free speech banner, applauded that decision. And they kept warning that whenever you think of TikTok, that precedent was very dangerous because it meant that states can dictate to social media companies who must control them the rules by which they must operate. And we're now seeing that play out both in Brazil, where Elon Musk originally vowed to resist and to disobey the censorship orders that were flowing day after day from this one single judge, only to now reverse course and to tell the Brazilian court that from now on he will obey those censorship orders in order to regain access to Brazil, which by all accounts, X is close to doing. And it also forced a long standing online privacy activist Pavel Durov, also a multi-billionaire, who was the founder of the Russian equivalent of Facebook and was so committed to the principle that states should not be able to control social media platforms and should not be able to collect data on their users, then he fled Russia and allowed the Russian government to seize his company rather than submit to an unjust censorship regime imposed by the Russian government on him. That's how committed for the long term he has been, and he created Telegram with his brother in order to provide a heightened level of privacy, a heightened level of resistance against censorship. And yet, in the last week, Telegram has also reversed course and now announced that they're going to implement the very policies of censorship and state surveillance that they for so long have built their identity on opposing. And I think how this was done, how Elon Musk and X was forced to back down in Brazil and then how Telegram and Pavel Durov was forced to back down in the EU is extremely worth understanding and covering because it all illustrates this very alarming and rapidly unfolding trend where states will go to whatever lengths they have to with no limits at all, including the limits of law, to ensure that free speech on the internet end. Because that is the one thing states fear most. The ruling class elite in the West more than anything else fears a free and open Internet. And that is why they're doing everything possible to intimidate, even multibillionaires, to submit to their censorship regime. And so far it's working.

Now we've covered at length what happened with X. In summation, this judge has become a complete madman, a complete authoritarian, and with great regularity he simply orders people banned from the internet with the stroke of a pen. There's no procedure. There's no trial. There's no due process. Not even the people who are censored get advice on the order, let alone have any mechanism for contesting it. This judge just has absolute unlimited power of censorship to order anything or anyone removed from the internet. And all social media platforms are required to comply within two hours or face massive fines in Brazil. And that

was what you got, Musk said. I refuse to comply. I'm not going to ban elected members of Congress and prominent journalists and influencers simply based on the say so of a judge, with no explanation provided as to what they did wrong. And he was very adamant that that was going to be a cause that he would adhere to. Elon Musk was. And as a result, Brazil banned X from existing in Brazil. Most Brazilians cannot access X and have not been able to for several weeks since that order was issued. And then even more alarmingly, on top of it, just to illustrate how far these governments are willing to go, this judge invented a new law that anyone who uses a VPN, which is a instrument to obscure where you're actually located, and typically their use in order to circumvent the blocks on Internet platforms imposed by authoritarian governments – you can use a VPN if you're inside China, Iran or Russia, North Korea, Brazil in order to access information, the state is trying to block you from seeing – he said, anyone who uses a VPN in order to access and use Twitter will be fined \$10,000 a day. Basically, that's the equivalent of the fine in Real, which is more, the daily fine is more than the median annual salary for Brazilians. So it's not a joke of a fine. It's a massive fine. And Elon Musk called this judge repeatedly a tyrant, even threatened him and said his day is coming or he will be imprisoned. And yet once X was blocked and they did things like take money, millions of dollars out of not access accounts, but Starlink's account, a completely separate company to pay for the fines this judge imposed on X, and it started to appear that millions of people in Brazil – Brazil is a huge country that has a huge base of internet users – started to migrate to competitors of X such as Blue Sky and Threads, and every passing day that went by when X was banned from Brazil risked having those people go there permanently and never come back. But also it was putting a lot of financial harm, both on X and on related companies like StarLink, which is part of Space X.

Now, as we pointed out before, Rumble was in the same situation. Rumble was receiving the same mountain of censorship orders that were unjust and yet Rumble refused to comply. They announced that we are not going to comply with the censorship regime. We will not operate in Brazil given the dangers of this judge. This madman judge who orders people imprisoned. He threatened to imprison X officials, as well as imposed massive fines. And so Rumble to this very day is not available in Brazil because Rumble stood on principle and gave up this very lucrative market for Rumble. That's what Elon Musk said he was going to do. As it turns out, for a lot of complicated reasons, I'm sure there's massive pressure on Elon Musk from his investors, his creditors, shareholders and his other companies to back down. And that's exactly what he's now doing. He's now having X jump through all the hoops that the Brazilians are holding up for him in order to get back in Brazil. Hear from The New York Times on September 21st: *Elon Musk's X Backs Down in Brazil*. Quote, "In an abrupt reversal, the social network's lawyers said it was complying with court orders that it had previously defied. Brazil's Supreme Court could allow the site to return next week". This was a Friday article. So we are already on Tuesday, there's still no X in Brazil, even though they're jumping through every hoop. The article reads, quote, "Elon Musk suddenly appears to be giving up after defying court orders in Brazil for three weeks. Mr. Musk's social network X has capitulated. In a court filing on Friday night, the company's lawyers said that X had complied with orders from Brazil's Supreme Court in the hopes that the court would lift a block on its site. Now, X's lawyers said the company had done exactly what Mr. Musk vowed

not to do, namely take down accounts that a Brazilian justice ordered removed because the judge said they threatened Brazil's democracy. X also complied with the justice's other demands, including paying fines and naming a new formal representative in the country, the lawyer said. Brazil's Supreme Court confirmed X's move in a filing on Saturday, but the company had not filed the proper paperwork. It gave X five days to send further documentation."

Now just to highlight what an abrupt radical reversal this is of everything Elon Musk had been saying for weeks, if not months about X standing on principle, about preferring to lose access to the Brazilian market rather than submit to the censorship regime. Here he was on September 5th, tweeting Brazilian flag emojis along with the phrase: Free Brazil, and then more flag emojis. So he really raised the cause of free speech in Brazil, said that he was going to lead that effort to free Brazilians from the authoritarian clutches of this judge. Here's another tweet from him, that is on April 9th, so a little bit earlier this year, where about this judge, he says: "How did Alexandre de Moraes become the dictator of Brazil? He has Lula on a leash". And then on September 3rd, just three weeks ago, less than three weeks ago, this is what Musk posted. Quote, "Alexandre de Moraes deserves prison for his crimes". And even tweeted at Alexandre de Moraes saying, we're not going to comply with your unjust orders and your day is coming or you're going to be in prison. Republican members of Congress had filed bills to deny de Moraes a visa to enter the United States. So Elon Musk elevated this to a major, major controversy. It was the number one story in Brazil, as you might imagine, for at least a full week, if not longer, that X now banned. Brazil is one of eight countries now that have banned X. And Elon Musk vowed that he would maintain this on principle. And yet on Friday, X made clear to the judge that they will do everything they need to do, jump through every hoop, including censoring those very accounts that X previously vowed never to censor in order to regain access.

Now, it's easy to say, Elon Musk is a sell-out or someone who capitulates easily, that he pretends to have a principle but then goes back on it. But in his defence, I guess, I am not defending him, I'm just offering the rationale for why he likely has done this, to say that there was pressure put on him from every direction is to severely understate the case. One of the most extraordinary things this judge did was he imposed fines on acts for failing to censor, but by then X had removed all of his assets and all of its representatives from Brazil based on the threat of this judge that he would arrest at X executives and hold them hostage in order to compel X to censor. And so what this Brazilian judge did is he stole, took, not from the bank accounts of X, but the bank accounts of a completely different company, Starlink, which operates in Brazil, which has been heralded by Brazilian officials for providing free Internet access to numerous populations in Brazil that would otherwise not have access to the Internet. He just ordered \$3.3 million withdrawn from Starlink's account. Here you see the Associated Press on September 13th: *Brazil judge withdraws \$3.3 million from Musk's Starlink to pay for social media fines*. Quote, "A Brazilian Supreme Court justice on Friday seized about \$3 million from bank accounts belonging to social media platform X and satellite-based internet provider Starlink, both companies controlled by tech billionaire Elon Musk. The move by Justice Alexandre de Moraes was aimed at collecting funds that are

equivalent to the amount that X owes to the country and fines. The bank accounts of the two companies have since been unfrozen. Legal analysts have questioned the judge's prior decision to freeze Starlink's bank account to pay for cases related to X. While Musk owns both X and Space X which operates Starlink, the two companies are separate entities". So just to remind you of the situation, Space X a company that has shareholders in it. Even though Elon Musk is the majority shareholder at least controls the operations of Space X, their individuals have nothing to do with Twitter or X, who are shareholders, major shareholders in Space X and Starlink and what they're obviously saying is we don't want countries stealing money from our bank account or banning us in a country because of your crusade about free speech on Twitter. And undoubtedly, he's being aggressively pressured by people on whom he relies to get back into the Brazilian market and to keep Starlink in Brazil. Again, Brazil is a massive country. It's the sixth most populous country on the planet. It's a country of 220 million people. And their online population is even larger. It's been the six biggest economy in the world, I believe, and now it's the ninth or tenth. We are talking about a major, major country. And for obviously a company like Space X, being able to operate in Brazil is a very important part of their profit model and the price of their shareholders. Now, at the very same time, remember that Elon Musk bought Twitter for \$44 billion. And even Musk now admits that the value of the company is at least half that, probably closer to a third, in part because of these free speech decisions that have driven away corporate advertisers. And there are a lot of banks, big financial institutions, like JP Morgan and Citigroup and others that make loans in order to finance and enable this purchase of X by Elon Musk that are in for billions and billions of dollars, and the last thing they want to see is X being kicked out of major lucrative markets by standing on a principle that these financial institutions could not care any less about, which is the cause of free speech online. And so I'm sure he's getting it from every direction, Elon Musk is. And although he is the richest person on earth also dependent upon a lot of creditors and shareholders. Now this, I think the bigger story here is not did Elon Musk act in a way that should be criticised. Again, Rumble faced the same position and stood by its principles. So you can criticise Elon Musk, I think, but the bigger story is the lengths to which these governments are going in order to seize control of the Internet. To force the social media companies to censor on command, meaning that the government will now control fully the flow of free speech and information online by putting a gun to the heads of the people who control it on these platforms. Threatening to arrest them, as in the case of Brazil, withdrawing millions of dollars from the bank account of related companies. And in the case of France and Pavel Durov actually arresting him and charging him with numerous felonies that could put him in prison for a long time. When France does something like that, every other billionaire in control of social media platforms, believe me, takes note. They want to be able to travel the world. They don't want to be forced to avoid Europe or Brazil or Canada or the UK. And so that is a big threat to them. If you start putting a gun to their head saying, we will imprison you if you don't censor on our command. And when they put Pavel Durov in prison by luring him to France and arresting him the minute he got off his private plane, that was something that every billionaire lost sleep over, who owns the social media company.

Here from the Financial Times, just to give you a little bit of historical perspective, February 22nd. The Indian government has often demanded that dissidents and opposition politicians be banned from X including right before elections. And here you see the title: *X protests against Indian government censorship orders*. Quote, "Elon Musk's platform was forced to take down accounts imposed on threat of, quote, 'fines and imprisonment'. Quote, 'The Indian government has issued executive orders requiring X to act on specific accounts and posts, including subjecting them to potential penalties, including significant fines and imprisonment', Musk's platform said. Quote, 'In compliance with the orders, we will withhold these accounts imposed in India alone. However, we disagree with these actions and maintain that freedom of expression should extend to these posts'. X gave no details of how many accounts it had taken down, but said it had provided affected users with notice of its actions and that a legal action previously filed that challenged the Indian government's blocking order, quote, 'remain pending'." Obviously in authoritarian countries, including now in the democratic world, you have all of the ruling class, in Congress, in the executive branch, and in the courts, united in defence of their ability to control the Internet. Because I said a free Internet is something that they cannot possibly tolerate. Now, the situation in the EU with regard to Pavel Durov is in some sense even more extreme, particularly because although mass acquisition of X is fairly recent and they have submitted to censorship orders in the past, Telegram has a long history. It was founded in 2013, just a couple of months after the Snowden reporting began, of just simply refusing to even answer censorship orders or demands from states to turn over private information about its users. Pavel Durov basically became stateless. He sort of lives in Dubai, but he travels around the world on yachts and planes. It's very hard to get to him, or at least it was. And that has been in the DNA, not just of Telegram for more than a decade, but of the Durov Brothers for even longer, that they will refuse to turn over to states the power to censor their platforms or order it or in the identity of users who are on it. And all of that changed once President Macron lured and enticed Pavel Durov to come to France based on an invitation to have lunch or dinner, only to get off the plane and immediately be arrested and then confronted with indicted for numerous felonies that we've covered in the past based on the theory that a social media platform's owner is responsible, legally, criminally for the criminal acts undertaken by people who use that platform. And so putting a gun to Telegram's head, to Pavel Durov's head, putting him in a prison cell for a while, letting him out, but still with the proviso that he not leave France, that he has to check in with the French police twice a week, very predictably forced a radical change in Telegram's policy.

From Newsweek, today, quote: *Telegram Agrees to Share User Data for Criminal Investigations*. Quote, "In a statement made on the Telegram app, Durov said that, quote, 'We've made it clear that the IP addresses and phone numbers of those who violate our rules can be disclosed to relevant authorities in response to valid legal requests'. He then said that a, quote, 'dedicated team of moderators, leveraging AI, has made Telegram Search much safer'. He added that 'all the problematic content we identified in Search is no longer accessible', and said that anything unsafe or illegal found in Telegram Search can now be reported via @SearchReport on the app. 'These measures', he said, 'should discourage criminals. Telegram Search is meant for finding friends and discovering news, not for

promoting illegal goods. We just won't let bad actors jeopardise the integrity of our platform for almost a billion users'." Now, if you know anything about Pavel Durov and the history of Telegram, you would only hear that as a kind of hostage statement; which is basically what it is. And of course, the idea, as we've said before, is to justify the censorship regime by saying, we're trying to catch terrorists and paedophiles, when in reality, of course, in the EU it is illegal to publish ideas and viewpoints and information that these EU governments decree to be disinformation, decree to be false, which of course includes criticism of them and their policies. And that's really what this is about; is scaring Pavel Durov and other social media executives as much as possible with the prison cell and threat of felony convictions that could put them in prison for years unless they immediately comply, and in a statement, that's exactly what Telegram did.

Just to remind you what was done from Le Monde, the Paris based French newspaper on August 29th: *Telegram CEO Pavel Durov charged but released under judicial supervision*. Quote, "The co-founder of the messaging platform was arrested on Saturday evening near Paris, a month and a half after the start of a judicial investigation into 12 charges, most of them relating to organised crime. He is not allowed to leave France." "His arrest in France on the evening of Saturday, August 24th, set off shockwaves. After more than 80 hours in police custody, Telegram's messaging boss Pavel Durov was formally placed under investigation on Wednesday, August 28th, for all 12 offences listed in the introductory indictment, including, quote, 'complicity in managing an online platform to allow illicit transactions by an organised group'. Also, quote, the charge 'refusal to communicate, at the request of the authorised authorities, the information or documents required to carry out and operate the interceptions authorised by law,' complicity in organised gangs..." In other words, we've talked about this before. We covered it at length. The charges basically amount to accusing him of being in a conspiracy with whoever acts criminally in the eyes of the EU government on his platform. And that does include child pornography and paedophilia and terrorism, but it also includes spreading disinformation. Now you, as I said, you can criticise Pavel Durov, as you can criticise Elon Musk, you can say, look, if he really believes in the cause he said he believed in, he should be willing to go to prison for decades, and that is something people have done. When I worked with Edward Snowden, he made very clear, we thought it was 98% likely that he was going to end up in the custody of the United States within a few weeks after meeting us in Hong Kong and turning over that archive. And he was very clear that he was willing to do that. He, by a stroke of sheer luck, many strokes of sheer luck, ended up not in the custody of the United States, but he's been exiled in Russia ever since and he gave up a lot of his liberty knowingly in defence of a free Internet. Julian Assange has done the same thing. And they should be considered heroic for it. But it's hard to say that everybody should be willing to sacrifice in the same way. I mean, it's very easy if you're not the one in a French prison cell to say Pavel Durov should refuse to cooperate. And it's very easy if you're not Elon Musk and it's not your accounts out of which millions of dollars are being taken, that your executives are being threatened with prison, that there could be Interpol orders for your arrest, that it may restrict your ability to travel, that you may lose access to a major market and threaten the financial viability of your company. As I said, there are companies that have done that. The main one being Rumble. So I think you can criticise Elon Musk. I think you can criticise

Pavel Durov. If anybody is going to resist a censorship regime, I guess it should be multibillionaires. That's the whole reason to have and to chase billions of dollars is so that you can wield power in a way that you believe is a positive for the world. And certainly preserving free speech on the Internet is that. But to me, the much more important story is to look at how far these governments are going now. Way beyond what the law allows. France just invented a criminal theory. It would be like putting AT&T executives in prison because someone uses their telephone service to plan an illegal act, a drug sale, or a robbery of a convenience store. Oh, you allowed the people on your platform to use your service to plan a crime, and now you, AT&T executives and shareholders are criminally liable for that crime. That's an insane radical distortion of the law. But these governments don't care because they regard a free Internet as an existential threat to their ability to remain in power. And that's exactly what it is. And that is why, if forced to pick the most important battle of the current generation, I would say preserving a free Internet is if not the very top, certainly one of the two or three most important causes, because without that, we will live in a system of closed, homogenised information where the only information we can be exposed to, the only information or ideas that we can express is information that these governments now using very extreme weapons to control the Internet have approved of. And once we fall into that trap where the entire Internet has been controlled fully, not partially as it is now, but fully by governments around the world, by ruling class power centres, the one weapon that exists to dissent from them, to work against them, to organise in opposition to them will be completely destroyed. And that is absolutely the path that we are on and the cases of Brazil and the EU with Telegram and X absolutely reflect that.

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