

The Right to Write Fund

A PROJECT OF THE CENTER FOR ETHICS IN ACTION

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FOR IMMEDIATE RELEASE

New Organization Defends Writers' and Publishers' Freedom of Expression

A new public nonprofit organization aimed at defending writers, professors, publishers and visual artists from unreasonable government or private censorship is being launched this week. The Right to Write Fund, an activity of the Center for Ethics in Action, is establishing a print and online archive and information clearinghouse aimed at empowering professional journalists, authors and others. The fund is being formed in the face of escalating assaults from deep-pocket media corporations who are attempting to reinterpret copyright law and thus gain unprecedented control over creative expression.

“Every day in this country,” says Right To Write board member Arend D. Lubbers, “writers and artists find themselves being attacked by wealthy copyright holders who are trying to silence legitimate scholarly work, first-class journalism, hard-working authors, documentary makers and photographers from doing their jobs.” Lubbers, is the former president of Grand Valley State University in Western Michigan.

The Right to Write Fund will provide resources including case histories, legal referrals and conferences on how to fight back against threats of legal action and lawsuits that can impede independent scholarly work or even kill projects that fall well within the Fair Use provisions of the Copyright Act.

“Our goal is to preserve and protect the First Amendment free speech and free press rights of creative individuals as well as independent publishers and producers,” says Right to Write’s president Roger Rapoport, “The world of publishing, in all media, has been profoundly transformed in the past decade or so. A handful of huge conglomerates are trying to hold onto their monopoly on the media despite the widespread rise of independent book and magazine publishers, independent filmmakers and independent record labels—not to mention the Internet—resulting in a flood of censoring demand letters and litigation unprecedented in First Amendment history.”

Rapoport should know. He originally got involved in the issue when his 15 year-old Michigan based independent publishing company, RDR Books, was sued by billionaire author J.K. Rowling and Warner Bros. Entertainment for planning to publish a lexicon to the popular Harry Potter novels. The Fair Use Project at Stanford Law School’s Center for Internet and Society joined in RDR Books’ defense, viewing it as the ideal test case for legal issues that are likely to define the meaning of intellectual property for the 21st century.

Anne Zill, President of Right to Write’s parent organization, the Center for Ethics in Action, adds, “The freedom to write is under attack as never before, because of a series of court decisions on narrow legal issues that have been denounced by the legal community and misinterpreted by copyright holders who believe that they can silence legitimate works of criticism and scholarship. By showing artists how others have effectively protected their rights in numerous David-and-Goliath battles, we believe this dangerous trend can be reversed.” Zill is the former director of the prestigious Stewart R. Mott Charitable Trust

where she is currently a program associate. She has served for the past 10 years as director of the University of New England Museum of Art.

Right to Write's archives, information center and clearinghouse, to be established at a major university, will also make resources available over the World Wide Web. It will focus on litigation prevention and counseling to head off big-business harassment of creative artists and independent publishers.

The stated mission of the Right to Write Fund is "to be an educational repository and clearinghouse for the 21st-century freedom of expression and "fair use" issues writers and publishers encounter when moving between the worlds of print, internet, film, the fine arts and new media. The Fund will collect and disseminate legal briefs, facts and analyses as well as literary and media accounts of copyright, trademark, and other intellectual property statutes in order to define First Amendment rights in a technological age. The Fund will promulgate and protect the democratic values of our founding fathers—free speech, the freedom to write, fairness, openness and honesty—while establishing the ground rules for future artistic expression."

Besides Rapoport, Zill and Lubbers, board members and officers of the Right to Write Fund include:

Martha Ferriby, director of the Hackley Public Library in Muskegon, Michigan;

Lizabeth Hasse, a graduate of the University of California's Boalt Hall school of Law and a Fulbright Scholar, who represents publishers, authors, print, film and web journalists, musicians, directors and broadcasters at San Francisco's Creative Industry Law Group.

Dan Royer, chairman of the Department of Writing at Grand Valley State University.

Meredith Spear has consulted to health care enterprises nationwide while retaining a commitment to investigative reporting and journalistic excellence. She currently serves on the Boards of *Mother Jones* magazine and Social Venture Partners of Tucson which supports local literacy organizations. She also is a founding donor to Right to Write.

In the words of Adam Hochschild, prominent historian, former editor of *Mother Jones* magazine and a founding donor to the Right to Write Fund, "As the author of seven books, I certainly care about writers having copyright protection for their work. But it seems to me that no such issue is involved in [*Rowling et al. v. RDR Books*], by any stretch of the imagination. Instead, [it] is a case of fair use . . . as it has been practiced for centuries—and as I had previously thought we had the right to continue to practice without hindrance. . . . [Y]our prevailing in this case will help establish good law, that ensures the free flow of talk and criticism about writing, without in any way infringing on the traditional protections of copyright—which under U.S. law are as firm and clear and long-lasting as anyone could conceivably hope them to be."

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