



## Is Blogging Illegal In Italy?

If you are travelling with your note book and you are planning blogging during your time in Italy, keep an eye on the local law. To put it simple, Italian democracy is highly bureaucratic and some recent examples of this are the Italian view of freedom of the press. Laws that were enforced decades ago are now bearing bitter fruits, an unbelievable judicial ruling that in Italy, the internet could be illegal. Obviously, many years ago nobody would have expected that technology would allow anyone to become a publisher/author in the form of blogging. With recent actions by a court in Sicily banning a popular blogger, combined with the Byzantine labyrinth that is the Italian judicial system, some events have escalated to an unexpected level. Italian blogs could face to be considered stampa clandestina (illegal), practically secret newspapers which are against the law. One wonders how it got that way.

It seems that it has to do with an old post war constitution that shows the anti fascism climate of those days. There is, in the Italian Constitution, a note guaranteeing the right to free expression, a law that was passed in 1948 requiring publishers to register officially before setting up a new publication. The intention, in the immediate aftermath of Fascism, may have been to regulate partisan and extremist publications. The effect was to introduce into Italian society, a highly centrist and bureaucratic approach to freedom of the Press.

A further twist to this tale took place in 2001, with the realisation that existing laws were inadequate to deal with the internet. Instead of liberalising, the Italian Government sought to bring the internet into the same framework as traditional print media, hence, introducing the concept of stampa clandestina to the internet.

The suspicion expressed by a number of commentators is that this extension of the law suited government and publishers alike. The state was able to maintain its benevolent stranglehold on the media, whilst publishers could use the system of authorization and regulation as a means to extend state subsidies to their ventures on the internet.

What a few people noticed at the time was that this law had the capacity to place on a par with full blown journalism. It would only take a judge to decide that something as simple as a headline was what defined a “newspaper”.

But what is next?

Lately, a journalist and blogger in the Calabria Region, (southern Italy), has fallen foul of the local magistrate, suggesting that the genie is now well and truly out of the bottle. He is now taking the blogging matter at the parliamentary level to guarantee an Italian freedom to blog and to return the law to what most Italians believed it to be.

