


## Brazil Blocks X After Musk Ignores Court Orders

The social network will go dark in the nation of 200 million, the result of an escalating fight between Elon Musk and a Brazilian judge over what can be said online.

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**By Jack Nicas and Kate Conger**

Jack Nicas reported from Rio de Janeiro, and Kate Conger from San Francisco.

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Brazil blocked the social network X on Friday after its owner, Elon Musk, refused to comply with a Brazilian judge's orders to suspend certain accounts, the biggest test yet of the billionaire's efforts to transform the site into a digital town square where just about anything goes.

Alexandre de Moraes, a Brazilian Supreme Court justice, ordered Brazil's telecom agency to block access to X across the nation of 200 million because the company lacked a necessary legal representative in Brazil.

Mr. Musk closed X's office in Brazil last week after Justice Moraes threatened arrests for ignoring his orders to remove X accounts that he said broke Brazilian laws.

X said that it viewed Justice Moraes's sealed orders as illegal and that it planned to publish them. "Free speech is the bedrock of democracy and an unelected pseudo-judge in Brazil is destroying it for political purposes," Mr. Musk said on Friday.

In a highly unusual move, Justice Moraes also said that any person in Brazil who tried to still use X via common privacy software called a virtual private network, or VPN, could be fined nearly \$9,000 a day.

Justice Moraes also froze the finances of a second Musk business in Brazil, SpaceX's Starlink satellite-internet service, to try to collect \$3 million in fines he has levied against X. Starlink — which has recently exploded in popularity in Brazil, with more than 250,000 customers — said that it planned to fight the order and would make its service free in Brazil if necessary.

Mr. Musk and Justice Moraes have been sparring for months. Mr. Musk says Justice Moraes is illegally censoring conservative voices. Justice Moraes says Mr. Musk is illegally obstructing his work to clean up the Brazilian internet.



Alexandre de Moraes, center, a Supreme Court justice, issued the ban after Mr. Musk pulled his legal team from Brazil. Dado Galdieri for The New York Times

In his order, Justice Moraes said Mr. Musk was an “outlaw” who intended to “allow the massive spread of disinformation, hate speech and attacks on the democratic rule of law, violating the free choice of the electorate, by keeping voters away from real and accurate information.”

The fight is now at the center of Mr. Musk’s bid to turn X into a safe haven for people to say nearly anything they want, even if it hurts the business in the process.

In dozens of posts since April, Mr. Musk has built up Justice Moraes as one of the world’s biggest enemies of free speech, and it appears Mr. Musk is now betting the judge will cave to the public backlash he believes the block will cause.

“He might be losing money in the short term, but he’s gaining enormous political capital,” said Luca Belli, a professor at FGV Law School in Rio de Janeiro, who has tracked Mr. Musk’s strategy with X.

But the longer the blackout on X lasts, the more it will test Mr. Musk’s commitment to his ideology at the expense of revenue, market share and influence.

Since 2022, Brazil has ranked fourth globally with more than 25 million downloads of the X app, according to Appfigures, an app data firm. X’s international business has become more important under Mr. Musk, as U.S. advertisers have fled the site because of an

increase in hate speech and misinformation since Mr. Musk bought it.

Mr. Musk has overhauled the social network since buying it for \$44 billion in 2022, when it was still called Twitter. In addition to renaming the service, he jettisoned many of its rules about what users could say. (Though he introduced a new rule against using a term he deems overly liberal: “cisgender.”) He also reinstated suspended accounts, including that of former President Donald J. Trump.

Yet Mr. Musk said X would still follow the law where it operates. Under his leadership, X has complied with demands from the Indian government to withhold accounts and removed links to a BBC documentary that painted a critical portrait of Narendra Modi, India’s prime minister.

At other times, Mr. Musk has battled orders to remove content, such as in Australia, where he fought an order to remove videos depicting a violent attack against a local bishop.

But he has met a formidable challenge in Justice Moraes.

Few people have had a larger singular impact on what is said online in recent years than the Brazilian judge. He has emerged as one of Brazil’s most powerful — and polarizing — figures after the country’s Supreme Court enshrined him with expansive powers to crack down on threats to democracy online, amid fears about a far-right movement led by Jair Bolsonaro, Brazil’s former president.

Ahead of Brazil’s 2022 election, the court empowered Justice Moraes to unilaterally order the takedown of accounts he deemed threats. He has since wielded that power liberally, often in sealed orders that do not disclose why a given account was suspended.

He has ordered X to remove at least 140 accounts, most of them right-wing, including some of Brazil’s most prominent conservative pundits and members of Congress. Some of those accounts questioned Mr. Bolsonaro’s 2022 election loss and sympathized with the right-wing mob that stormed Brazil’s Congress and Supreme Court.

Justice Moraes has also led multiple criminal investigations into Mr. Bolsonaro and voted to deem the former president ineligible to run in Brazil’s next presidential election.

Those efforts have made Justice Moraes a hero of Brazil’s left — and the No. 1 enemy of Brazil’s right.

Mr. Musk suddenly entered the debate in April with a series of posts calling Justice Moraes a dictator, giving new life to Mr. Bolsonaro’s right-wing movement. Mr. Bolsonaro and his supporters lauded Mr. Musk as a savior from a tyrannical judge.

Yet when Justice Moraes included Mr. Musk in an investigation into disinformation and began threatening X with fines, the company sent a conciliatory letter that it would comply with the judge's orders.

Then, in recent weeks, X stopped complying. After Justice Moraes threatened the company's legal representative in Brazil with arrest, Mr. Musk closed X's office.

"The people of Brazil have a choice to make — democracy, or Alexandre de Moraes," X wrote when announcing the move.

Mr. Musk has used X as a political cudgel. To his nearly 200 million followers, he has repeatedly boosted Mr. Trump and other right-wing leaders, while mocking politicians he opposes, such as Vice President Kamala Harris and President Luiz Inácio Lula da Silva of Brazil.

Mr. Lula supported the block of X. "Just because someone has money doesn't mean they can do whatever they want," he said Friday. "They must accept the country's rules."

The U.S. Embassy in Brazil said it was monitoring the dispute. "The United States values freedom of speech as a cornerstone of a healthy democracy," the embassy said in a statement.

Several authoritarian governments have banned X, including China, Russia, Iran and North Korea. Some other nations have temporarily blocked the site at times. In 2021, Nigeria suspended the service for about seven months after the company removed posts the country's then president threatening secessionist groups.

On Friday, Justice Moraes ordered Brazil's telecom agency to "adopt all necessary measures" within 24 hours to block people in Brazil from using X.

He also said that people who use VPNs to circumvent the block and access X could face fines of nearly \$9,000 a day. VPNs, which can make internet traffic appear as though it was coming from a different country, are common software used for privacy and cybersecurity.

He issued multiple orders on Friday. In the first, he also ordered internet providers to block access to X, and he ordered Apple and Google to prevent downloads of X and popular VPN apps.

People across Brazil quickly criticized the move against VPN apps, and about three hours later, Justice Moraes issued a second order, cutting language about ordering internet providers, Apple and Google to take measures against X or VPN apps.

As a result, it appears the order now relies on Brazil's telecom agency to force internet and cell-service providers to block access to X, said Carlos Affonso Souza, a Brazilian internet-law professor.

It will become clear in the coming days whether that approach works. X was still online in Brazil by Friday night.

Even with the amendment, Mr. Souza called the order “the most extreme judicial decision out of a Brazilian court in 30 years of internet law in Brazil.”

It is not the first time Brazilian authorities have blocked an online service for ignoring court orders. Yet such blocks have usually lasted just days before a company has reversed course and complied. That was the case in 2022, when Justice Moraes blocked the messaging app Telegram for a weekend.

Mr. Belli, the law professor, said he expected the same with Mr. Musk and X. “My bet is that he might be blocked for a couple of days, and then will comply and portray himself as a victim,” Mr. Belli said. “So he’s still winning.”

***A correction was made on Aug. 30, 2024:** An earlier version of this article misstated how a Brazilian Supreme Court justice amended his order. He cut language ordering Apple and Google to prevent downloads of popular VPN apps in Brazil. He did not cut language saying that people who use VPN apps to access X in Brazil could face fines.*

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