

Elon Musk Backs Down in his Feud with Brazilian Courts

Kari Currence

After a months-long feud between Elon Musk and the Brazilian courts, X (owned by Musk and formerly known as Twitter) will be allowed back online in Brazil...after paying one more fine.¹ As ordered by the Brazilian Supreme Court, X must pay a fine of 10 million reais, which is approximately \$1.9 million dollars.² This is in addition to the 18.3 million reais, which is approximately \$3.4 million dollars, that X must pay in fines that were previously ordered by the Brazilian Supreme Court.³

On August 30, 2024, X was blocked in Brazil, a highly online country that also happens to be one of X's biggest markets.⁴ The nationwide block of the social media platform came as a result of Elon Musk's refusal to comply with Brazilian court orders that required the suspension of certain accounts.⁵ The court said that X was ordered to take these accounts down because they spread misinformation and engaged in plots to harm federal agents.⁶ This decision was later upheld by a panel of judges on September 2, 2024.⁷ The judge, Alexandre de Moraes, who gave those orders, has previously stated that he "is cleaning up the internet by removing misinformation and attacks on Brazilian institutions."⁸

In the months leading up to the orders, Musk criticized Judge Moraes via posts on X, stating that the judge is a "criminal" and a "dictator."⁹ He also frequently criticized Judge Moraes' previous orders to suspend social media accounts that, according to Moraes, threaten Brazil's democracy.¹⁰ When the orders to suspend the accounts were made, Musk initially held firm in his position

¹ Lora Kolodny, *Elon Musk's X will be allowed back online in Brazil after paying one more fine*, CNBC (Sep. 27, 2024, 7:55 PM), <https://www.cnbc.com/2024/09/27/elon-musks-x-expected-back-online-in-brazil-ahead-of-elections.html> [https://perma.cc/J9VA-UAWN].

² Juliann Ventura, *Musk faces \$1.9 million fine to end X ban in Brazil*, THE HILL (Sep. 28, 2024, 6:13 PM), <https://thehill.com/policy/international/4905443-brazil-supreme-court-fine-x/>.

³ *Brazil's top court imposes new fine before allowing X to resume service*, REUTERS (Sep. 27, 2024, 7:53 PM) <https://www.reuters.com/technology/brazils-top-court-rules-x-must-pay-pending-fines-resume-service-2024-09-27/>.

⁴ Gabriela Sá Pessoa & Barbara Ortutay, *Musk's X asks to be reinstated in Brazil after complying with judge's orders, source tells AP*, PBS NEWS (Sep. 26, 2024, 5:21 PM), <https://www.pbs.org/newshour/world/musks-x-asks-to-be-reinstated-in-brazil-after-complying-with-judges-orders-source-tells-ap> [https://perma.cc/ER3V-JXT7].

⁵ Jack Nicas & Kate Conger, *Brazil Blocks X After Musk Ignores Court Orders*, THE NEW YORK TIMES (Aug. 30, 2024), <https://www.nytimes.com/2024/08/30/world/americas/brazil-elon-musk-x-blocked.html>.

⁶ Lora Kolodny, *Elon Musk's X will be allowed back online in Brazil after paying one more fine*, CNBC (Sep. 27, 2024, 7:55 PM), <https://www.cnbc.com/2024/09/27/elon-musks-x-expected-back-online-in-brazil-ahead-of-elections.html> [https://perma.cc/J9VA-UAWN].

⁷ *Id.*

⁸ Jack Nicas, *Elon Musk Closes X Office in Brazil Over Fight With Judge*, THE NEW YORK TIMES (Aug. 18, 2024), <https://www.nytimes.com/2024/08/18/world/americas/elon-musk-x-brazil.html>.

⁹ Elon Musk (@elonmusk), X (Sep. 2, 2024, 11:34 AM) <https://x.com/elonmusk/status/1830630374747377872> [https://perma.cc/SQ36-H5F4]; Elon Musk (@elonmusk), X (Aug. 29, 2024, 8:03 PM) <https://x.com/elonmusk/status/1829308905177956551> [https://perma.cc/QY3W-5TBZ].

¹⁰ Jack Nicas, *Elon Musk Closes X Office in Brazil Over Fight With Judge*, THE NEW YORK TIMES (Aug. 18, 2024), <https://www.nytimes.com/2024/08/18/world/americas/elon-musk-x-brazil.html>.

against Moraes and, instead of suspending the accounts in question, closed down X's Brazilian office.¹¹

However, Elon Musk's X made an abrupt shift in its position and told the Brazilian Supreme Court that it would comply with its order.¹² In a statement made via X, X Global Government Affairs stated that "the people of Brazil having access to X is essential for a thriving democracy."¹³ X's compliance marks a significant turn in its contentious relationship with the Brazilian courts.

¹¹ *Id.*

¹² Ricardo Brito & Luciana Novaes Magalhaes, *Musk's X seeks Brazil comeback, retreats on 'censorship' feud*, REUTERS (Sep. 27, 2024, 1:16 AM), <https://www.reuters.com/technology/x-asks-brazils-top-court-allow-it-resume-services-source-says-2024-09-26/>.

¹³ Global Government Affairs (@GlobalAffairs), X (Sep. 26, 2024, 9:41 PM), <https://x.com/GlobalAffairs/status/1839480546621100315> [<https://perma.cc/F2C7-BHCK>].