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Responsible Leadership: Tony Stanco and the EGOVOS Problem

Industry News (/taxonomy/term/22)
by Ruben Safir on April 8, 2003

NYFairUse (http://fairuse.nylxs.com) representatives, costumed as the American Founding Fathers, left the warm comfort of their homes at 4:00 in the morning on March 17th, 2003, to go down to Washington DC. We left for George Washington University in full colonial regalia in a 15-person passenger van. The purpose of our trip was to protest the mismanagement of the EGOVOS conference taking place that morning.
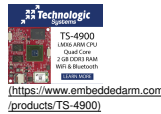
The central issue that galvanized NYFairUse in this situation is the increasingly irresponsible manner in which free and open-source software advocates have been putting together conferences and events. EGOVOS was supposed to be a showcase for free and open-source software in government, be it local, national or international. The conference had the potential to open up a stubbornly closed market by laying out the legal, moral and practical foundations for the use of free software in everyday government operation. Instead, it became a platform and photo opportunity for the Microsoft organization--the inevitable result when the $40 billion company dedicated to destroying free software is invited to make a presentations.

As expected, Microsoft didn't let their shareholders down. The few news items that came out of this conference were about Microsoft's "Shared Source". Microsoft's money buys real loyalty in the technology press, and in a conference with little media coverage the only mainstream press was from *E-Week*, which ran a full article on Microsoft's misdirections under the headline, "Microsoft's Matusow: No Right Way to Create Software". The article did everything it could to blur the differences between free software and the closed, anti-competitive methods of monopolists. All of this becomes fodder for their next $100 million campaign aimed at every CTO in the nation. Worse than that, it takes food off the table of our free software consulting industry and the developer community it supports. Their presence crippled people who sell free software for a living. It damaged those who could offer the uninitiated (such as the attendees of the conference) a solid, firsthand presentation of the benefits of free software. It leaves the public confused about the benefits of free software in their businesses, jobs and lives.

Bad Leadership versus Good Advocacy

NYFairUse first heard about the problem with EGOVOS through the NYLXS mailing list, as part of a follow-up on our experiences with the 2003 Linux World Exposition in New York. At the Expo, NYLXS member David Sugar voiced his confusion about his product (the GNU/Bayonne telephony system) losing the award for Best System Integration Software to Microsoft's Services for Unix. NYLXS had its annual dinner after the convention, and we spoke with *Linux Journal* editor Don Marti about the award and its implications to our membership. Something didn't seem right, but Don offered a reasonable explanation for the turn of events. NYFairUse had an impromptu discussion about the award and about the rumblings coming from SCO that suggested they might be preparing lawsuits against the GNU/Linux community for infringing upon UNIX patents. We decided to keep an eye on upcoming developments on both fronts. A few days later, David Sugar e-mailed the NYLXS list about Microsoft's presentation at EGOVOS.

We quickly had a broad and lively discussion about the situation, with the participation of the Washington DC-area LUGs, developers from California and Canada, members of the Free Software Foundation, NYFairUse, GNU Enterprise, The Open Office Marketing List, a few interested journalists, NYLUG and eventually Bruce Perens (who happens to be a member of the group hosting the EGOVOS conference, the Cyber Security and Policy Institute). I watched my e-mail account fill with hundreds of private messages from people across the east coast, all volunteering to protest Microsoft's inclusion. NYFairUse had an internal discussion and decided that the last thing we wanted was an unwieldy demonstration in front of hundreds of government officials who might be investigating free software for the first time. We need to reverse the trend of Microsoft getting a free public relations boost at the expense of free software developers and advocates, particularly at our own venues, so we decided that NYFairUse would go in with a focused message presented by a small and prepared group. We rejected the calls for a broad and raucous protest: if all the volunteers showed up we would have outnumbered the actual conference participants.

We had to figure out how to attract attention, raise the necessary issues, put the open-source "leaders" on notice and still not turn the conference completely upside down. The answer NYFairUse came up with was exciting, fun and effective. We are fortunate to have associates working on Broadway, and they introduced us to costume designers who dressed us as Colonial Americans, circa 1776. Suddenly everything came together, and NYFairUse was ready to move ahead in a constructive manner. The core of the NYFairUse action included Joe Grastara, Dave Williams, Cesar Vargas, Sunny Dubbey, Adam Kosmin, Tim Wilcox, Marco Scoffier, Vincenzo L., Ray Connolly and myself. Dave Williams and Joe Grastara helped us construct an effective message that became our pamphlet. Ray arranged for transportation and drove both to and from the event, a total of twelve hours. Cesar, Sunny, Ray, Tim, Adam and myself dressed as Founding Fathers. Marco and Vinnie helped everyone prepare. The entire enterprise was underwritten by NYLXS. Most of the participants met in Brooklyn and stayed overnight at my home, where a weekend-long InstallFest was taking place. Ray, as the driver, got several hours sleep while the rest of us made final preparations. At 4:00 AM,

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NYFairUse embarked on the trip to Washington. We arrived safely at 9:30 in the morning, fully dressed in costumes and ready to make our case.

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Reaching our Audience: Confronting Hostile Guards

Upon our arrival at George Washington University, the appearance of seven historic American heroes astonished people, and cameras flashed all around. After we picked up our badges and began handing out our pamphlets, people flowed out of the main auditorium to surround us and inquire about who we were and what we were handing out. We brought 400 pamphlets, and all but a dozen where given away. Each NYFairUse member became a center of attention. We managed to talk personally with nearly every member of the conference accept for Bradley Kuhn, who refused to talk to any of us for some reason.

Our pamphlet strongly condemned the organizers of the conference for not appropriately representing the free software movement and for caving in to self-interest over the good of the community. We explained that they were giving Microsoft a free public relations opportunity to confuse the issues and to promote their "Shared Source" disinformation campaign. The conference itself, although filled with luminaries from the international Free Software Community, was limited in its attendance. During our visit, no more than 500 people were at the presentations, but the numbers might have been closer to 300. The small gathering proved useful, as NYFairUse was able to contact nearly every participant directly. We had nearly 100% penetration of the conference, including both attendees and speakers. Many of us spent several minutes talking to individuals, and I personally had the pleasure of speaking about the problem with European Union Minister Philip Aigrain, whom I had previously met in Bordeaux last year. I also spent a few minutes talking to Georg Greve of the European FSF, David Axmark of MySQL, Sarah Brown from Public Knowledge and many others whose names I failed to get. The same was true for all of the NYFairUse members.

At one point while giving out pamphlets, the security guards came over. Searching for the leader of the protest, one guard approached me and asked who was in charge. I waved him off, and he became very annoyed. He asked me my name, so I smiled and said, "George...like in Washington, and you're in my University." I spotted journalist Grant Gross and said, "Look Grant, they're throwing us out of here!" Grant took out his notepad and the cameras gathered around. The guard retreated and went to speak with Tony Stanco. They decided that it was better to let us proceed than to face the bad press.

A few minutes later Tony Stanco came over to talk to me. I spent a couple of minutes with him, during which he asked me if I got everything I wanted out of the event. I told him that we'll know in a few months, if Microsoft still is getting a free ride courtesy of the Open Source community. Mr. Stanco reassured me that what we were doing was okay. Having his approval was not reassuring. I made it clear that it wasn't our intention to have a blood-letting. Our purpose was to get a message across to the open-source leadership, explaining what we require of them and what standards we expect. Mr. Stanco then pointed to the crowd, saying, "You see these people? You'll never get through to them with screaming and yelling." I replied, "Maybe -- it depends on the need. In this case, we don't need to scream. In another situation, a louder voice might be useful." Mr. Stanco then said, "Have you ever heard Microsoft talk? They're going to be the best promoters of Free Software when they open their mouths." I reiterated my points: Microsoft's presence at the EGOVOS conference takes attention away from other, more deserving individuals and focuses it on themselves. Mr. Stanco refused to recognize the situation he created. He also failed to understand that this was part of a broader trend the community faces: the increasing encroachment of Microsoft in venues designed to sell free software to the public. The public deserves better.

By 2:00 PM, we essentially had spoken to everyone at the conference. We made a lot of contacts, and in addition to handing out pamphlets, NYFairUse members handed out literature about their own government and business projects. In fact we took about 30 folders representing the Free Software Chamber of Commerce, our New York Free Software consultants network. Every folder was given out. We had a long discussion with the head of Hewlett Packard Research in Europe, who was very upset with us because he believed we opposed the commercialization of Free Software. We spent some time explaining how this was not the case, that we were upset because someone was giving Microsoft a free pass to the Open Source movement without making them contribute anything.

The NYFairUse Position

People often have asked why NYFairUse discriminates against Microsoft. The truth is that NYFairUse has no such bias. Our approach to Microsoft is the same as it is toward any company that warns businesses to avoid the GPL (as if a standard Microsoft EULA would withstand legal scrutiny). After all, they publish detrimental lies, such as this one from the current Microsoft web site:

The GPL is designed to prevent commercial development of software distributed under the license. It does this largely by requiring licensees to make available, at little or no cost, the entire source code for any program that incorporates any amount of GPL code. Given that requirement, commercial developers cannot recover their research and development investments by charging reasonable and appropriate fees for their original software if it uses any GPL code. Free-software developers have every right to pursue this anti-commercial objective.

Microsoft's concern is the resulting degradation of the software ecosystem that would be triggered by widespread acceptance of the GPL, particularly within the governmental and academic research sectors. This ecosystem has sustained unparalleled innovation throughout the industry for the past quarter-century. The principal role of government and universities in the ecosystem is to undertake basic research and to dispense the findings both into the societal base of technical knowledge and to private enterprises and individuals capable of developing these innovations commercially. Commercial enterprises, in turn, engage in applied research to develop products that advance the state of technology, generating jobs, profits and tax revenues that boost the economy (funding additional basic research in the process). Commercial enterprises also disseminate innovations directly into the larger technical-knowledge base.

Microsoft uses its monopoly to thwart free software projects, such as SAMBA when it bans companies from releasing CIFS tools under the GPL, and when it participates in the Digital Rights Management scam that will end the practical use of free software through the Palladium "trusted computing" platform. But it wasn't Microsoft that we were upset with on this occasion. We are mad at people such as Tony Stanco, who discriminate against free software developers and distributors for their own personal advancement. And we let them know about it.

As a footnote, after our trip to George Washington University, NYFairUse made a trip to Capitol Hill while still dressed in our costumes. We got big smiles all along the halls of Congress, especially at Congressman Weiner's office. He's a member of the the sub-committee on Intellectual Property and the Internet. We have a handshake deal to install a GNU/Linux system in his office, so stay tuned.

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