NYLXS – Hiring Political Lobbyist:

The Cart before the Horse

Several calls have been made in recent months to hire a professional lobbying body in Washington D.C. While it is true that lobbies can be useful for promoting an organizations political agendas, in our case, it would seem prudent to first get our ducks in order at home before we waste valuable resources in Washington.

NYLXS has a tradition of political action in the defense of Free Software and Digital Property Rights. Since it's inception, shortly after the attack on New York City by Middle East terrorists, NYLXS had realized that like any other industry, we need to have effective representation in the Halls of Congress and within the executive branch of government. In this regard, NYLXS has both supported New Yorkers for Fair Use, and taken independent political action and local lobbying to lay the foundation for a secure future. What we've learned in our efforts is that those whose wish to work with Free Software in the future need some basic education in the political process, and in the basic issues which threaten not only our ability to work with Free Software, but our overall freedom as citizens.

People come to Free Software of a variety of reasons. Accept for the most politically active members among us, this would normally be an attraction to the soundness of the technology and the freedom of access to the computer systems which we all use. Another compelling reason for Free Software adoption includes the economic incentives which Free Software can provide disenfranchised individuals and large businesses. It's a testemony to our current Freedom as a people, that we come to Free Software without a second thought to the underlining prinicples which allow for it's existence. In our work promoting Free Software, we've been surprised how often, even in our own circles, there exists huge resistence to anything political. Politics and anything the least bit distasteful is a difficult sell to a population which has learned to be skeptical of politicians and is stubbornly apolitical.

The reality of our political situation is far more dangerous than most are willing to admit. In our work promoting Free Software, we've learned that it's not possible to keep a narrow focus on only Free Software issues. It's the nature of digital communications and its relationship with the public, that NYLXS has found that the efforts of the Copyright Monopoly Industry, in its normal efforts to protect their business interests, ask for a restriction on the usage of digital systems which has broad political implications. As our society is now rapidly moving to the digital age, this is the first battle where the rubber hits the road. The basic foundation of our future Democratic Freedoms is now being forged. And yet, the public is nearly asleep at the switch. One of the best things that proponents of Free Software can do at this point is to raise the profile of the issue with the public. Fortunately for us, we are taking on the media industry and we can simply ride Jack Valenti's coattails, if we do things right.

The first step to political action and the defense of Free Software doesn't fall on Richard Stallman, the EFF, or even OSI. No lobby can effectively represent us until such time when those who use Free Software actually get off their duffs and get their representatives to work for our interests. It's really this simple. The US Government, as it is contructed, has three branches. We have only one nationally elected official in the office of the President of the United States. After this, we have 435 elected officials in the House of Representitives. These locally elected officials round out a representation of less than 700,000 people per represenitive, although in practice representitives in populous states normally represent a larger population. In addition, we have 100 US Senators, elected also on the local level, in this case 2 Senators from each state. In addition, we have a large sector of elected officials on the state and local level which have a large and important swath of guaranteed powers including exclussive control of education programs and important control of local communication network policies. To sum up this civics lesson, almost all politics in America is local. Our political system us designed to keep political power back home, and not inside the Washington DC beltway.

Congressmen, and local officials respond most to issues that effect the people back home. Your job as Free Software citizens is to raise the issues in your home districts. Without the threat of political awareness in their backyard, Congressmen are free to cut whatever deals they want to in Washington. If the public is apathetic at home, businesses, and business lobbies have an overwhelming advantage over the Free Software movement. First, they are well funded because they are businesses. Secondly, they control the press, and Congressmen need press. Lastly, they can make large political contributions which can not be matched by our movement. But it's important to realise, that despite all these advantages the Copyright Industry does not represent and major grassroots constituency. As such, they are paper tigers, and can be easily defeated if your organization is prepared to do the work needed to influence national policy.

Your first step in getting things done is to get your own house in order. You need to politicize your local computer groups. Don't flinch from making the political imperatives of protecting the fundamental rights needed for Free Software's survival. It must be a top priority of your user groups mission. If your not prepared to accept the challege of protecting the basic freedoms needed to assure the future of Free Software, uninhibited by wiretapping and censorship, then you need to step aside. There are plenty of Radio Controlled Model Airplane groups around for you to exercise your interest in technology. Free Software is serious business and we need people committed to the general principles of Freedom in the digital age. What makes Free Software important is not that we can tinker with it like a hobby horse, although this activity is one which we hope to protect. What makes it important is that its the bell weather for our basic political freedom in the digital age. Every meeting should include an update on important political events. Every technical presentation needs to begin with an explaination as to why it's important that this project is being developed using Free Software. People who complain that your over politicising your organization need to be challenged. They need to be told, flat out and without excuses, that we act in a political fashion because our existence is being threatened by government policy, including the 1998 Digital Millenium Copyright Act, which can end all Free Software tomorrow.

The next step is to get your organization involved with the political process. This will upset a great many people, because people inexperienced with the political process fail to understand it's raucous nature. Public discourse can often be contentious and confrontational. People don't like to be put into this position. Some are so naïve as to believe that the normal political process is a calm rational activity devoid of passion and arm twisting. ***NONSENSE***. A great deal of money and political rights is at stake with these discussions. Be prepared to be forceful in your points, and to be challeged thoroughly by your political opponents. Your object is to win. And your opponents object is to win. You have right on your side, but they have good arguments and issues on their side as well. Be ready to defend your rights articulately and forcefully. And don't expect them to pull out the chair for you. It's your job to be heard, and to force your way onto the negotiating table.

Finally, you need to back your efforts up with political action. At least once a month, your organization should plan on a community wide activity designed to enhance the profile of Fair Use and Digital Rights issues with the public. Expand your constituency in these affairs with librarians, educators, government officials, and industrial leaders as need be. Reach out to local religious leaders, churches, and community groups and make the needed presentations to these constituencies. Knock on doors and pamphlet business districts. Even activities once a month can have a large impact. And don't forget to involve the local press. Find the name and addresses of the editorial staffs of the local press. Meet with the local beat reporters and do interviews. Alert them to your planned actions. Make sure that when you contact the public, that you want people to take a specific action. Ask them to write the local representative on the issue of Fair Use. Tell them you want to protect libraries in the digital age from unfair abuses by industry and the government. Try to commit them on the spot. Have literautre and buttons ready, and make sure they have contact information given to them in the literature.

Finally, don't forget the elections. This year your representative is up for election. Tell them that they need to support freedom for digital communications, or your going to vote against them. Even worse, we'll run against them. And we'll win. You want their support and this is not negotiable.

During the Libre Software Meeting in Bordeuax this month, they had very exciting technical meetings and separate political meetings. They offered high quality presentations on a number of important technical subjects. Unfortunately, the two tracts were far too seperated. Technical meetings drew in IT students and professionals from all over Europe. And these people just skipped the legal and political discussions. We gave away the store and failed to charge for the admission. If we are going to to continue to provide high quality technical discussions at little or no charge, it's our duty to make sure that every eager beavers understands the basic political causes which make these technologies available. They need to know that even discussion of these issues can be considered a felony in the future. If we're spending 100,000's of eruos or dollars to make these presentations, then there has to be a pay off for the movement.

Without this level of support from the home district, it's not sensible to hire lobbyists in Washington. If we are determined to be ineffective at the ballot box, and we can't outspend our opponents, then politicians will just ignore our representatives lobbying for us in Washington. Unfortunately, there is no silver bullet here. We're just going to have to do the work at home. Not only is Free Software Free as in Freedom, and not Free as in beer. But in addition, Freedom is not cheap.