

Making the case for Free software

SPEAK YOUR MIND

The open source community doesn't have a fleet of attorneys and PR consultants. When it is time to make the case for free software, you might just have to be the advocate. **BY JON "MADDOG" HALL**

The legal backdrop for the free software movement is always changing. Court decisions and government actions constantly reshape the landscape and have subtle effects on the climate for software development. For instance, one country recently proposed a law that would require a programmer to be "licensed" or "certified" to write software. According to local FOSS developers, it could make hobbyist programming "a crime." Another country proposed a law that would mandate free software, which sounds promising, but it was written in a way that left little chance of passage. With some changes to the wording, the law could have been effective without raising objections from conservative legislators.

Another proposed law intended to help eliminate child pornography was modified to limit all sorts of online freedoms, to the point (as voiced by a constituent) of making technologies like mesh networking difficult to implement.

Last month, I wrote about my experience testifying before a national assembly that was considering a new law related to the open source world. Although opportunities like this don't come up every day, you might be surprised at how often governments at all levels take on topics related to the open source community. A few years ago, the state of Massachusetts' decision to adopt open formats made news around the world. More recently, developers in the Canadian province of Quebec have filed suit to require that open source office software receive fair consideration in government contracts.

Your own local government also spends money on software. Some school boards, in fact, spend thousands of dollars on closed source applications, even though open source equivalents are available for a much better price. Most local governments and school boards reserve time for public comment, and you are free to go in and tell them what you think. Better yet, assemble a group of like-minded colleagues to make the case.

If you are commenting on an ordinance or budget proposal, be sure to study the issue thoroughly. Read the legislation and determine its main purpose. Determine whether the proposed law will achieve its intended purpose and whether it might have unintended effects. Make a list of specific issues, and be ready to offer alternative wording.

Also, get to know the elected officials who are part of the process. Local officials are often willing to discuss the issue with you face to face. If you schedule such a meeting, remember to "look presentable" (as your mother would say) and use calm, reasonable arguments.

The easiest way to get involved at the national level is with a letter. Most legislators have email these days, but they get thousands of these every day, and yours might fade into the masses. A paper letter, printed and signed, might get more attention than email, and a letter sent by courier, overnight mail, or certified mail stands out even more. (Remember to use a spell checker – and have someone else read the letter before you send it to ensure clarity.)

Letters to the editor of publications are also effective. Government officials read



newspapers – and so do interested citizens who might be persuaded by well-formulated arguments. Concise letters that speak clearly get preference over long letters with no focus. Do not criticize the character of the sponsors of the legislation you oppose. Instead, keep your comments focused on the content.

You might be thinking, "This will never work in my district." I cannot vouch for every legislator or government, but I can say that, at various times in my life, I have written letters that had great impact on proposed or existing legislation. For example, in the wake of the 9/11 attacks, a U.S. senator was sponsoring a bill to create more laws about exporting encryption. Fearing a return to the legal issues on encryption that existed before President Clinton relaxed them, I wrote a four-page letter to the senator outlining the problems with the bill in a calm, clear fashion. I sent the letter on good stationery and by certified mail. I can't be sure it was my letter that caused the Senator to withdraw his bill four days later – but perhaps my letter joined with a chorus of others.

If you are looking for an easy way to get involved with the free software movement, watch for opportunities to state your opinions on laws, ordinances, and purchasing decisions that affect open source. The effort is worthwhile, and the alternative of doing nothing only leads to having no voice at all. ■