

“Spirituality versus Legalism in Alcoholics Anonymous”

by Charlie Bishop, Jr.

This investigative essay discusses in depth *Alcoholics Anonymous* World Services’ legal and corporate actions over the years involving copyrights of the book Alcoholics Anonymous and other matters; removal of AA literature items from eBay auctions; lawsuits by A.A.W.S. to “protect” A.A.’s identity and intellectual property and its copyrights and trademarks; the German and Mexican Big Book® lawsuits against A.A. members; the medallions lawsuit and subsequent dropping of the circle and triangle symbol by A.A.; the publications of the facsimile 1939 first edition Big Book® and the first edition paperback by non-A.A.-Approved sources; the history of AA incorporation(s); the role of the A.A. General Service Conference, A.A.W.S. and other AA corporate service entities in all these matters; and, most importantly, the spirituality of the 12 Steps, 12 Traditions and 12 Concepts (Warranties) in these controversies.

The reader is advised to have some research books at hand: Advisory Actions of the General Service Conference of Alcoholics Anonymous 1951-2004. A.A.W.S., 1978-2004 151pp; and The A.A. Service Manual - combined with – Twelve Concepts for World Service by Bill W. A.A.W.S., 1962-2002 Revised edition, pp S113 and 75pp.; and, of course, the Alcoholics Anonymous Big Book®, The Twelve Steps and Twelve Traditions, and Alcoholics Anonymous Comes of Age.)

Access to a computer and the Internet is necessary as much of this information is only available through web sites.

The reader is further advised of the necessity of open-mindedness, patience, and wisdom for the topics here are tricky. Most importantly, spirituality should rule in the Steps, Traditions and Concepts.

Contents			
	Page		Page
Legal History of A.A	2	AA Legal Right	19
What is A.A. Literature	6	Minority Voices	21
The Big Book Copyright Lost!	7	Spiritual Principles	22
The First BB Paperback	7	It’s All About MONEY	23
The Medallions Lawsuit	9	Conclusions	24
German Big Book Lawsuits	11	Solutions!	25
Mexican Big Book Lawsuits	13	Footnotes	26
A.A.W.S. = eBay Controversy	15	About the Author	27

Put on your spiritual seatbelt, turn page, and begin...

Alcoholics Anonymous World Services, Inc. (AAWS), and other A.A. corporate service entities in New York in recent years have sued A.A. members in the United States, Germany, and Mexico in public courts under corporate laws that directly contradict A.A. Steps, Traditions and Concepts. These actions have cost corporate A.A. over \$1.5 million, resulted in one A.A. member being jailed for a year and another heavily-fined and facing bankruptcy, taken the Fellowship into threatening public controversy, and directly attacked the spirituality of the Fellowship and its ability to carry the message of recovery to the suffering alcoholic.

The history of corporate AA's legal actions is lengthy. One is amazed that the Fellowship-at-large knows little or nothing about this. And the General Service Conference of A.A. (GSC) seems powerless to put these lawsuits and legal actions on its agenda for open discussion with the entire Fellowship and corrective action.

Before discussing the legal mess currently at A.A.W.S. and other A.A. corporations it is necessary to review...

The Legal History of A.A.

Here is an edited General Service Office (GSO) summary of "The Evolution of the AA Service Structure," a legal history if you will. I added the underlining.

1935 = Bill W. and Dr. Bob meet. AA begins.

1938 = The *Alcoholic* Foundation formed, an unincorporated body of six to 8 individuals whose assumed purpose is to help AA, principally its finances, or more accurately, lack of finances.

1938 = Works Publishing Company, financed by Charles Towns and John Rockefeller, is formed by Bill W. and Hank P., an unincorporated body to own and publish Alcoholics Anonymous, the book Bill W. and others are writing. It sells shares to various buyers. Later the shares were sold to The *Alcoholic* Foundation, some for cash, others for notes and Bill's for future royalties and the assumption of Bill's debts. When the book was complete, it was registered with the copyright office as the personal property of William G. Wilson dba Works Publishing.

1940 = Works Publishing, Inc. is incorporated as a business corporation under the Stock Corporation Law of the State of New York by The *Alcoholic* Foundation. It purchases the assets and liabilities of William G. Wilson dba Works Publishing and Works Publishing Company.

1943 = The *Alcoholic* Foundation, Inc., is incorporated as a non-profit corporation under the Membership Corporation Law of the State of New York. It replaces the unincorporated body known as The *Alcoholic* Foundation.

1944 = The *Alcoholic* Foundation makes the final payments to Charles Towns and Rockefeller for their interests in the book Alcoholics Anonymous.

1946 = The *Alcoholics Anonymous* Grapevine, Inc., is incorporated as a business corporation under the Stock Corporation Law of the State of New York. Its primary purpose is to publish a monthly magazine for distribution principally to AA members and is wholly owned by The *Alcoholic* Foundation. It is also permitted to pursue any other legal enterprises.

1950 = The A.A. General Service Conference is formed on a trial basis by The *Alcoholic* Foundation. It is an unincorporated body composed of selected delegates, corporate trustees, and directors and staff members. It started meeting annually in 1951.

1953 = Works Publishing, Inc., is renamed A.A.W.S. Incorporated.

1954 = The *Alcoholic* Foundation, Inc. is renamed the General Service Board (GSB) of Alcoholics Anonymous, Inc.

1955 = The General Service Conference of A.A. and its Charter are adopted by acclamation at the International Conference of A.A. in St. Louis. The Conference is an unincorporated service body, not a government of A.A. The Charter is a voluntary compact. (note: not incorporated/organized. It is not a grant from a state or other legal jurisdiction.

1962 = *Alcoholics Anonymous* World Services, Inc. is incorporated as a non-profit corporation under the Membership Corporation Law of the State of New York. It takes over the assets and functions of the stock corporation then known as A.A.W.S. Incorporated, which is subsequently dissolved.

1969 = The World Service Meeting (WSM) is formed and starts meeting every two years. It is an unincorporated association of AAWS franchised service structures of A.A. in various countries. The service structure of A.A. in the U.S. and Canada becomes a member of the WSM as do service structures of A.A. in other countries.

1971 = *Alcoholics Anonymous* Grapevine, Inc. is incorporated as a not-for-profit corporation under the Not-For-Profit Law of the State of New York. It takes over the assets and functions of The Alcoholics Anonymous Grapevine, Inc., the stock corporation then known as A.A. Grapevine, Inc., which is subsequently dissolved.

As far as it goes, the summary is true. Explanations for all the corporate changes are lacking. And as a legal history of A.A., it is lacking any documentation or discussion of all the legal actions AAWS and GSO, etc., have taken to sue AA members in recent years. It also lacks the significant change in the Charter's Article two in 1987, which states: "In countries where a General Service structure exists, the U.S./Canada Conference will delegate sole right to publish our Conference-approved literature to the General Service Board of the structure (these are FRANCHISE Agreements)."

This change effectively voided the previous Article wording: "But no Conference Section shall ever be placed in authority over another." The reason given for the change involved a problem with two different groups in Australia. One AA member informed that the change was "ramroded" through.(4) It was reaffirmed with minor language clarifications by the 1988 GSC. None of the AAWS lawsuits against AA members in Germany or Mexico have ever been approved by GSConferences. AAWS, GSO General Managers, Trustees, etc initiated the lawsuits.

Before discussing those lawsuits, let us look farther inside A.A. history for some non-legal, spiritual precedents. A.A. shares its experience (history), strength and hope and the Fellowship has a rich history of "mistakes corrected," as Bill W. said.

A.A. encountered a legal problem with its first name, The *Alcoholic* Foundation. In the final report of the 1st General Service Conference of A.A. in 1951, Bernard B. Smith, then non-alcoholic Chairman of the Board of Trustees of the *Alcoholic* Foundation, said: "One problem involved unauthorized use of the name 'Alcoholics Anonymous.' To protect the name, it was decided to incorporate in the various states. The question then became: 'What would be incorporated?' Since a majority of the Trustees are non-alcoholic, the Foundation was not really A.A. It was suggested Act of Congress might solve the problem through a special incorporation. This posed the problem of whether or not AA should ever go into court." There were other problems and years earlier this first GSConference was approved in principle by only a single vote. So, action was deferred.

The 2nd GSConference tackled the problem again and decided to incorporate through an Act of Congress until Bill W. and others expressed doubts as to whether A.A. "as a faith and way of life" really belonged in the field of incorporation. After that, the original motion for incorporation was tabled unanimously.

At the 3rd GSConference a special committee report recommended that A.A. not incorporate. That resolution was passed unanimously. "The collective conscience of A.A." acted before the 12 Concepts existed!

Reading the following report one is impressed with the wording of the nine points:

(CONFERENCE ADVISORY ACTIONS 1953 pg 32)

**REPORT of the COMMITTEE on
CONGRESSIONAL INCORPORATION of AA**

We have reviewed all of the arguments pro and con on this subject, have discussed it with many members of AA within the Conference and outside of it and have come to these conclusions:

1. The evils which caused the question to arise have largely abated.
2. It would create by law a power to govern which would be contrary to, and violative of, our Traditions.
3. It would implement the spiritual force of AA with a legal power, which we believe would tend to weaken its spiritual strength.
4. When we ask for legal rights, enforceable in Courts of Law, we by the same act subject ourselves to possible legal regulation.
5. We might well become endlessly entangled in litigation which, together with the incident expense and publicity, could seriously threaten our very existence.
6. Incorporation could conceivably become the opening wedge that might engender politics and a struggle for power within our own ranks.
7. Continuously since its beginning and today, AA has been a fellowship and not an organization. Incorporation necessarily makes it an organization.
8. We believe that "spiritual faith" and a "way of life" cannot be incorporated.

9. AA can and will survive so long as it remains a spiritual faith and a way of life to all men and women who suffer from alcoholism.

Therefore, keeping in mind, the high purpose of the General Service Conference as expressed by the Chairman last year when he said, "We seek not compromise but certainty", your Committee unanimously recommends that Alcoholics Anonymous does not incorporate.

Those 9 points above are a wonderful spiritual precedent. They stand in stark contrast to the current New York office service corporations and their legal actions.

Spirituality can not be incorporated in A.A. The principle was established. In 1953, the GSConference recommended "Alcoholics Anonymous not incorporate." (ADGSC, p. 145) From 1938 to 1986, various legal changes involving The *Alcoholic* Foundation, Works Publishing, Inc., The Alcoholics Anonymous Grapevine, the General Service Conference, A.A.W.S., the General Service Board, and the World Service Meeting have been approved.

It is important to remember the General Service Conference of A.A. is unincorporated, a service body and not a government for A.A. The Charter is a voluntary compact and also unincorporated. It is not a grant from a state or other jurisdiction. Nor is it a legal contract document. The World Service Meeting also is unincorporated.

The following are all CORPORATIONS: *Alcoholics Anonymous* World Services, Inc.; the General Service Board of *Alcoholics Anonymous*, Inc.; and the *Alcoholics Anonymous* Grapevine, Inc. They are NOT Alcoholics Anonymous. They are service organizations and corporations whose purpose and existence is to serve the Fellowship. In effect, they are temporary, albeit long-lived, committees that could all be thrown away and Alcoholics Anonymous would still exist.

A.A. groups are independent from the NY AA Corporations as it states in their by-laws for incorporation: they were ostensibly organized to serve the autonomous groups that make up the Alcoholics Anonymous movement. Autonomous means 'self-governing' and 'independent from the whole.' The lawsuits (discussed below) clearly demonstrate that the Corporations using the AA name are rejecting the autonomy of the groups and in violation of their own by-laws. It is as impossible to have group autonomy with a central authority that has the power of punishment, as it is to have a government of totalitarian anarchy. These are two dialectically opposed systems in which one cancels out the other and cannot coexist simultaneously under the same roof.

What then is A.A.? It is one alcoholic talking to another alcoholic. That is its essence. "Alcoholics Anonymous is a fellowship of men and women who share their experience, strength and hope with each other that they may solve their common problem and help others to recover from alcoholism. The only requirement for membership is a desire to stop drinking. There are no dues or fees for A.A. membership; we are self-supporting through our own contributions. A.A. is not allied with any sect, denomination, politics, organization, or institution; does not wish to engage in any controversy;

neither endorses nor opposes any causes. Our primary purpose is to stay sober and help other alcoholics to achieve sobriety.” The A.A. Preamble is read at the opening of many A.A. meetings.

A.A. is not legally organized. It is not a batch of corporations. It is two alcoholics talking to each other.

This essay will focus on spiritual principles rather than legal principles. While legal questions abound on the copyright of the first 1939 edition Alcoholics Anonymous and royalties from it, on who really owns the Big Book®, on whether or not the Big Book and other A.A. literature are property (which A.A. is prohibited from owning!), on a legal definition of what is A.A. literature...indeed, a host of questions involving A.A.’s early history and current policy of extreme legalism ...these questions will be approached spiritually rather than legally.

Another author, an excellent researcher and A.A. historian, has been working on a book on all these matters that will expose many of the early A.A. “fairy tales” involving our history. It undoubtedly will address many of these legal issues. We look forward to that volume. Here we shall depend on A.A.’s Twelve Steps, Traditions, Concepts and the Fellowship itself.

Since many of these lawsuits and other legal actions depend on an assumption that A.A. “owns” intellectual property (literature) from which it receives many millions of dollars, the question lingers: If A.A. is prohibited from owning property, how can A.A.W.S. claim ownership and trusteeship of this intellectual property with its multi-million dollar income annually in violation of A.A.’s Traditions?

What is A.A. Literature?

All of the corporate lawsuits and other harassing legal actions by A.A. trusted servants in New York have focused on protecting and defending the A.A. name and its A.A.-approved literature against perceived threats. Those lawsuits and other legal actions on the internet, eBay auctions, in Mexico and Germany and reactions to the publication of the first edition 1939 facsimile of the Big Book and the first paperback reprint of the original Big Book all involved A.A. literature and the *Alcoholics Anonymous* name itself. The legalists in New York have a very narrow definition of A.A. literature. If it isn’t “A.A. Conference Approved Literature” then it isn’t A.A. literature. If A.A.W.S. or the A.A. Grapevine doesn’t publish it, then it isn’t legally A.A. literature.

By that legal measure, many thousands of books, articles, pamphlets, tapes, videos, early original letters, etc. are not A.A. literature! Twenty-Four Hours a Day was the second largest best seller (behind the Big Book) to A.A. members from many years. Biographies of Sr. Ignatia, Ebby T., Clarence S., Sen. Hughes, Bill W., Dr. Silkworth, and others were never A.A. General Service Conference Approved and therefore, the legalists would say, are not A.A. literature. Many histories, from Ernest Kurtz’s NOT-GOD: A History of Alcoholics Anonymous onward, are not legally A.A. literature. We could fill the next fifty pages with hundreds of examples. We note that the A.A. Archives in New York City are bulging with these “illegal” works of A.A. literature.

The Big Book Copyright ... Lost!

Many think the Legalism Movement in A.A. began in 1985 when Jon S. of Akron published a facsimile copy of the first 1939 edition of the book Alcoholics Anonymous. He had discovered the copyright to the first edition Big Book had expired and was now in the public domain (The original text of the First Edition lapsed into public domain in 1967 and the Second Edition in 1983. A.A.W.S. failed to renew the 1939 copyright.) Like Shakespeare's plays and the Bible, anyone could reprint the 1939 A.A. Big Book and not pay royalties. The reaction from A.A. members was mixed: some approved and thought it a worthwhile project; others thought the man was guilty of genocide or the worst serial killer in history. Jon was called a communist; he received many phone death threats! His reputation was slandered. He was harassed. He was a good man. He did nothing illegal under criminal or civil law. He did nothing that violated any of A.A. Steps or Traditions.

I bought ten or twenty copies from him. It was a great idea, especially celebrating the 50th anniversary of Alcoholics Anonymous' founding in 1935. Caused quite a stir at GSO in New York though. In 1977, years earlier, the General Service Conference recommended that "publication of a facsimile of the first edition of the Big Book should NOT be undertaken as it would destroy the sentimental value of the actual first edition (Floor Action)(1)." I don't know anyone who's complaining about the destruction of the sentimental value of actual BB first editions. I know thousands of A.A.s who are very grateful he published the facsimile. Many thousands of copies were bought and continue to sell briskly in further reprints.

Was the loss of the copyright for the first edition 1939 Big Book a spiritual coincidence? A.A. had lost its first intellectual property, its basic text, its Bible if you will. What horrible catastrophe has been visited on the Fellowship because of that? None. Of course, the field here is open to lots of interpretation. Maybe someone at GSO called in sick with the "flu" the day the copyright renewal papers were to be processed. A sense of humor, please! Nothing bad happened. It's part of A.A.'s legal history that's not written up in any "official A.A. history."

The 1939 facsimile BB published by Carry The Message sold thousands of copies. Anonymous Press in recent years acquired it and continues to sell thousands of copies. In 1985 *this must certainly have shaken up* A.A.W.S. After all, they were selling many thousands of copies of the Big Book and here was the first real threat to their chief literature moneymaker. They certainly reviewed their copyrights program and soon employed a law firm specializing in that area.

The Paperback AA Big Book

In 1992, Intergroup World Service (IWS) (not affiliated with AAWS or any other A.A. corporation) reprinted the first 1939 edition first printing of the AA Big Book in paperback. They sold it for peanuts... \$2.50. In quantities of 100 copies it could be bought for 85 cents. For 500 or more copies: 55 cents each. The book included the forwards, Dr.'s Opinion, the first 164 pages and Dr. Bob's story. They sold thousands. I remember A.A. groups buying 25, 50, 100

copies and giving them away. Obviously, it was needed. In the first year IWS gave away about 2,000 free and sold the remainder of the initial printing of 4,500. IWS cost per book including printing, paper, cover material and shipping was 45 cents.

The legalists in A.A. reacted very quickly to this real threat to A.A.'s big moneymaker, the Big Book®. In 1993, the Literature Committee of the General Service Conference recommended, "A.A.W.S. produce a pocket-sized (read: paperback) version of the Big Book with all front matter (preface and various forewords, Doctor's Opinion), basic text, Dr. Bob's Story and Appendixes." In 1958, in a Floor Action, the GSC recommended, "a paperback edition of the 'Big Book' not be published." In 1987, that G.S.C. committee advised "Although there is some desire to publish the first 181 pages of the Big Book, Alcoholics Anonymous, in soft-cover (read paperback), there is not sufficient need at this time." In 1976, the Literature Committee and the G.S.C. in Floor Action recommended "We keep the Big Book, Alcoholics Anonymous, as it is at this time and not publish a paperback edition." The above recommendations are quoted from Advisory Actions of the General Service Conference of Alcoholics Anonymous 1951-2004. So for about 35 years, AAWS and the GSC ignored or defeated any request to reprint the Big Book in paperback. One major reason often quoted was that it would "cheapen" the Big Book. It certainly did "cheapen" the Big Book when thousands of A.A. members could buy it for \$2.50 or much less in quantities (55cents including shipping) from IWS.

Less than a year after the IWS paperback reprint, AAWS rushed into print with its own "cheap" Big Book paperback. Why? Money. AAWS's first printing run of the now A.A.-Approved Big Book paperback was 100,000 copies. They used the same printing company as IWS: Rose Printing of Tallahassee, Florida. AAWS provided the paper and cover material and the completed AAWS book had 16 fewer pages than the IWS paperback. Cost to AAWS was .67 cents per book. The AAWS paperback was printed at the identical plant, on the identical presses, bound in the same bindery, by the same workers. Two months after the IWS paperback reprint, IWS met with concerned AAWS officials and began receiving harassing legal letters from AAWS. AAWS accused IWS of "unfair competition" (the low price of the book?) AAWS continues to print the BB paperback for \$5.60 each. Finally, in 1995, IWS and AAWS met and worked out a settlement.

In a telephone interview with John G. of IWS, he detailed the main points of the settlement:

- 1) AAWS would apologize to every A.A. group in the world for its legal harassment of IWS, Inc. That AAWS apology was published in Box 4-5-9 and in the 1995 Final Report of the General Service Conference.
- 2) IWS would stop printing in Spanish.
- 3) IWS would stop selling its paperback in Canada.
- 4) IWS would submit all future reprints before printing to AAWS for review. Shortly thereafter, IWS dissolved. A new group, Anonymous Press, has taken over printing and sales of the former IWS paperback BB, as well as the facsimile of the original 1939 BB in hardback and soft back. (see <http://anonpress.org/>).

The Medallions Lawsuit

In the late 1980s, another thorny legal problem emerged concerning the circle and triangle symbol used at that time to identify A.A.-Approved Literature. "AAWS decided to withdraw all permission to use the AA logo that had been freely granted up to that time. Its use had been mainly by jewelry and trinket manufacturers for making and marketing their products to A.A. members (2)." About 170 permits were granted by that time. "AAWS notified them all about the withdrawal of permission and asked them to discontinue any current or future use of that symbol. All but two agreed:

After further negotiations with the two who refused failed, it was decided by AAWS to bring suit against the offenders. The General Service Conference was never consulted, although there was no emergency of any kind existing that made immediate action necessary.

It was after some \$180,000 spent on legal fees, and it became apparent that AAWS was going to lose the lawsuit, AAWS agreed with the defendants in this case to allow the circle and triangle to enter the public domain.

After this fiasco, AAWS decided to no longer use the circle and triangle as an official logo on any AA literature. However, they did state that A.A. members could continue to use this logo if they so desired. This action was (also) taken without consulting the (GS) Conference.

This is what I know about this matter. The rest is all history, except the Trustees have repeatedly thwarted any attempts to put this issue on the Conference agenda to be discussed by the entire Fellowship. Such discussions that have taken place, have been in a time and place that the Trustees could control the outcome.(2)

One source pointed out that the lawsuit was dropped when the defendants sought "the right of disclosure" which could have led to A.A. members and A.A. trusted servants having to break their own anonymity and that of others in a public court of law.

Having lost the lawsuit, what "amends" were made to the defendants?

In 1994, the General Service Board of A.A. formed an ad hoc committee to discuss the policy on protection of trademarks and copyrights. "The committee was unable to achieve agreement on the issue of litigation, but recognizes that we are a spiritual Fellowship with some business and as a matter of policy our Steps, Traditions and Concepts should direct the nature of that business." The committee recommended:

- 1) That A.A.W.S. follow the policy of identifying trademarks and copyrights as guidelines until the 1996 Conference allowing time for the Fellowship to consider the concerns surrounding this issue. And, this policy be reviewed by the 1996 Conference.

- 2) That information and questions about these issues be furnished to the Fellowship at large and input be sought from the group level. Regional Forum workshops and Delegate presentations within their area could be possible avenues for dissemination of this information. Specific questions should include our society's responsibility to A.A.'s intellectual properties, basic message and the A.A. name itself.
- 3) That litigation is a matter for thorough and cautious consideration and should not be undertaken without consultation with the General Service Board."(3) (No consultation with the General Service Conference?).

Please note that AAWS was not required to submit matters of possible litigation for review or approval or disapproval to the General Service Conference.

Consultation with the General Service Board is consultation with the Trustees who, apparently, are in agreement with AAWS about lawsuits.

In 1994, the GSC of A.A. recommended "The circle and triangle logo be discontinued on all Conference-approved literature" and "The words 'This is A.A. General Service Conference-approved Literature' be displayed on the front cover of all A.A. Conference-approved literature wherever possible." (5)

Remember that AAWS did not ask permission from the GSC (the Delegates) to file a lawsuit on the circle and triangle symbol. The GSC has become over the years a mute rubber stamp approval by inaction for AAWS legal actions ... after the fact. The GSC has never put the whole issue of lawsuits and other legal actions on its agenda for discussion and policy action.

The following two major lawsuits are a direct result of a change in the A.A.

Charter that gave A.A.W.S. the right to delegate to only one General Service Conference in a foreign country permission to print A.A. literature. A.A.W.S.'s legal actions over recent years in initiating lawsuits and other harassments resulted in a breach of trust and ten delegates signed a motion to censure the GSBoard. This was the only major censure motion in A.A. history! In ACGSCAA, p. 147, in 1995, a recommendation that "the proposal to censure the General Service Board (the Trustees)" was "dismissed (by the Trustees)." For a full discussion of this censure go to: <http://gsowatch.aamo.info/ce/cens94.htm>.

Here is the essence of what the ten delegates said:

"Alcoholics Anonymous, either directly or indirectly, has found itself engaged in activities formerly considered well outside the realm of our spiritual path. Our service boards have begun to engage in struggles over power and property and have provided the opportunity for a small minority to seek prestige."

The German Big Book Lawsuit

(An A.A. Trusted Servant wrote the following summary. For more information go to:
www.heise.nu/AALawsuit.)

In the 1970s, the official German edition of the Big Book of Alcoholics Anonymous had a number of translation flaws. The most serious problem was that nearly all appearances of the word "spiritual" had been translated as "mental" or "psychological." (the word "spiritual" occurs in the Multilith manuscript of the Big Book 108 times and 106 times in the third edition. The German GSO translation of 1983 contains the word "spiritual" only 8 times.) (Later research has showed that this translation issue was misunderstood, secondary and resolved. The translation issue was not the real problem.) See also postings at:
<http://groups.yahoo.com/group/AAHistoryLovers/>).

The official German translation was priced nearly five times higher than the cost to produce it, compromising its ability to carry the A.A. spiritual message.

Hundreds of A.A. members in Germany felt these wrongs with the official German translation should be corrected and began working with the German General Service Conference (GGSC) in the 1980s to effect change. The GGSC was unwilling to correct the text or lower the price. In 1995, concerned AA members formed an AA Big Book Study Group (AABBSG) and offered three translations of the first chapter of the basic text to the German GSC and German GSO at no cost. The GGSO refused and returned them to the AABBSG. At this point the AABBSG printed and mailed about 10,000 copies to the groups and called for a group conscience. In early 1996 the AABBSG registered with the European GSO. During a visit with the Gen. Mgr. of the GGSO in Feb. 1996, the AABBSG learned the GGSO had no objection to distribution of the free corrected Big Books. By this time the AABBSG had prepared their own translation of the basic text from the original Multilith text (which had no copyright) and had paid a professional book manufacturer to print 10,000 copies. They gave them away free during the German convention and mailed them free. A second printing was soon needed and big book studies sprang up all over the country.

In summer 1996, AABBSG began translating and giving away two pamphlets because they were badly needed for 12th Step work. In August 1996 Gen. Mgr. George D. of AAWS, Inc., went to Munich and arranged a license agreement for the Big Book and these two pamphlets. These agreements were kept secret and unknown to the Fellowship until Dec. 10, 1997. Under the agreement, the German GSO was authorized (and required) to take legal action against AABBSG. Gen. Mgr. George D. of AAWS urged GGSO Gen. Mgr. Hans P. to sue, or else risk being sued himself (by the executors of the Wilson estate, Michael Alexander and Owen Flanagan?) (or by AAWS?).

In 1997, a criminal investigation of the AABBSG was conducted by local police. Although it was unsuccessful, some members of the AABBSG (afraid of further consequences) signed agreements with AAeV (the German GSO) to

never again give away a Big Book, or else pay \$6,000. fine for each one to the German GSO. A few AABBSG members refused to sign and continued to give away copies of the original Multilith text.

At this point, the German GSO singled out one individual (Matthew, the book manufacturer) and added civil lawsuits to the ongoing criminal prosecution. The AABBSG responded by printing copies of the first edition of the Big Book, for which the U.S. copyright had lapsed and was thought to have been forfeited by unrestricted publication of the Multilith draft without copyright notice. These were printed in languages other than German.

At AAWS, Inc.'s request, the German GSO sued Matthew and another individual for the foreign language editions, requesting up to \$250,000. in fines for each language. When the German GSO lost this lawsuit, AAWS, Inc. itself brought suit for about \$200,000. directly against Matthew for the free distribution of the foreign language editions of the first edition Big Book by AABBSG, as well as purchasing a few Big Books in the U.S. and reselling them in Germany.

Although many A.A. members in more than one location carried out the printing, AAWS, Inc. brought suit against one A.A. individual. More ominously, the actions of AAWS, Inc. have been diametrically opposed to A.A.'s principles --- most notably Step 12, Tradition 5, and Concept XII, Warranty Five. In their zeal to win the lawsuit, AAWS, Inc. testified to the German court that they were in no way bound by A.A. Traditions, and indicated that the corporation bylaws of both AAWS, Inc. and the German GSO do not prohibit bringing lawsuits, in the expectation that the corporations sometimes must bring lawsuits in order to protect their assets.

AAWS Inc. has also stated that they will continue to sue Matthew (and others) by all means possible. Although the German Delegates and Committees were asked to consider the topic and voted UNANIMOUSLY in 2002 that the AAeV/German GSO is bound to adhere to the AA Steps, Traditions and Concepts, their President wrote a letter to the court that the German GSC had approved the lawsuits (did they?) and he had no choice but to continue with litigation.

By October 2003 Matthew had exhausted all his funds and became unable to pay for any further legal defense. The legal costs and probable punitive damages resulting from the AAWS, Inc. lawsuits will probably send him into bankruptcy, and possibly jail.

Since April 2003 Matthew has been making regular payments on the judgment to AAWS and AAeV. Apparently, this payment plan has become unacceptable, most likely because Matthew has not been willing to agree to other conditions requested by AA Inc.... specifically to: 1) reveal full names (break the anonymity) of others involved in these 12th Step efforts; and 2) agree to never hand out another piece of A.A. literature--- regardless of who published it.

Without Matthew's acceptance of these conditions, AAWS and AAeV have been unwilling to agree to any payment schedule, and have insisted he must pay all fines, penalties, interest and principal of the judgment by July 20 or he will experience "Zwangsvollstreckung" ("further law enforcement punishment).

Almost no financial support has come from fellow AA members. Matthew has personally borrowed funds equivalent to \$50,000. (US Dollars) in order to fully meet AA Inc. attorney's demands – that they will receive the money on

July 20. This is the remainder (unpaid portion) of the initially demanded payments that are now required to be paid in full. Although AAWS financial demands will be met as required, the AAWS attorney Roth has informed Matthew in a recent letter that AAWS will now proceed with litigation and prosecution for “Schadenersatz” (punitive damages) which will likely result in considerably greater financial debts for Matthew.

As of December, 2004, Matthew has paid AA Inc. about 40,000 Euro (about \$53,208. US Dollars) out of his own pocket. One unseen document, a 2004 financial report from the German GSO lists a gain of about 20,000 Euro from “other sources.”

Looking over this mess in Germany, one A.A. member said that March 26, 1998, when the trial began against Matthew, was “the saddest day in A.A. history.” “The German AAeV (GSO) wants to take all of the (A.A.) literature owned by this individual A.A. member and the Group he belongs to and destroy it. This writer wonders if the German General Service Office remembers in the world’s not too distant past, the practice of book burning once so prevalent in Germany?” he said.

What did it cost A.A.W.S. to do all this? Legal fees and related expenses over the seven year period, 1998-2004, totaled \$227,707., according to the April, 2004, report of Elaine McDowell, Ph.D., Chair of the A.A. General Service Board. (That report is available from GSO). And it cost Matthew many thousands of dollars.

Was the message of the Big Book in any way “diluted,” or changed, or harmed by Matthew’s efforts? NO. Did Matthew and his friends try to “carry the message”? YES. Did A.A.W.S. start this whole batch of lawsuits? YES.

The Mexican Big Book Lawsuit

I have listed several links to web sites that provide extensive information on the history of the Mexican lawsuit involving AAWS, Inc.:

First go to: <http://www.aagso.org/>

Then scroll down to: [AAWS License Agreement](#) with Central Mexicana

Then at the top of that page, [click here.](#)

Then at the top of that page click, [background information](#)

There are 62 different listings here, a wealth of information.

Please note listings # 60 and 61 among many important ones.

In 1986, a section of AA groups broke off from the Central Mexico Service Structure to form their own group, called Section Mexicana composed of over 2,000 groups with some 20,000 to 28,000 members in 19 areas.

In 1987, the General Service Conference (USA/Canada) modified Article II of our Conference Charter to authorize the USA/Canada Conference to DELEGATE the sole right of literature publishing to the General Service Board of each country. This change replaced the former autonomy of foreign structures with a form of government where one conference

has authority over another conference. (Compare the Original Charter, Article II with the Current Conference Charter, Article II of *The AA Service Manual*)

In October 1990, in a signed AAWS License Agreement (read: franchise agreement), AAWS Inc. authorized the Central Mexico group to be the sole publisher of A.A. literature in Mexico. Sect. 2 showed that AAWS “may use the licensed trademarks for itself or through written sub-licenses granted to the service centers and traditional AA groups.” So it was and is possible and legal for AAWS to grant permission to publish A.A.-Approved Literature to more than one AA group in a country.

In July 1994, Central Mexico sued the Section Mexicana for publishing A.A. literature. AAWS has claimed it was not a party to the Central Mexicana lawsuit but this is not true: Consider the following [quote from AAWS General Manager George D.](#) concerning the foreign licensing/franchise agreements: "Our licensing agreements have also included a REQUIREMENT that the necessary actions to protect the copyrights which were licensed." Central Mexico had to sue, according to AAWS's licensing/franchise agreement, or else risk a lawsuit against itself by AAWS.

In July 1994, Mexican law officials entered the offices of Section Mexicana and impounded two truckloads of AA Big Books, pamphlets and other AA literature. Section Mexicana spent some \$300,000. (US Dollars) defending itself. One Section Mexicana trusted servant, Javier G., was convicted in criminal court of violating copyright laws and sentenced to one year in prison. AAWS was a legal party to that criminal proceeding. There were public news reports of the raid on

Section Mexicana's offices.

At their national convention at Nezahualcoyotl City, June 7, 1997, after many failed attempts to communicate with AAWS and Central Mexico GSC to resolve the dispute, Section Mexicana adopted the following "Declaration of Mexico" (I have condensed and underlined certain sections):

Section Mexico adopts the original conference charter offered by Bill W. and unanimously acclaimed in 1955 by the A.A. collective conscience. The General Service Conference shall be a service body only; never a government for Alcoholics Anonymous.

Our World Services should always conform to the Composition Concept outlined in Article Two of the original Conference Charter.

We suggest that the collective world conscience speak out their disapproval of the updating made in 1987 to Article Two of the Conference Charter, for this action has whereupon nullified the group-autonomy concept among the different sections of the conference, and has, consequently, placed one conference in a position of unqualified authority over any of the others.

In all its proceedings, the World Service Conference shall observe the Spirit of A.A. Traditions, taking great care that the conference never becomes the seat of perilous wealth and power...

None of the World Service Conference members shall ever be placed in a position of unqualified authority over any of the others; that all important decisions be reached by discussion, vote, and whenever possible, by substantial unanimity.

No World Service Conference action shall ever be personally punitive or an incitement to public controversy.

The World Service Conference...shall never perform any acts of government; and that, like the Society of A.A. which it serves, the Conference itself will always remain democratic in thought and action.

The spiritual force of A.A. has proved, as our own painful experience has taught the A.A. World Fellowship, to be stronger than any legal power. Accordingly, this First A.A. World Service Meeting solemnly declares that in A.A. there should not be any litigation, ever.

...that the A.A. Literature shall not be considered a source of income.

...and that A.A. should remain being its own publisher and editor so that A.A. literature keeps its spiritual message.

Section Mexico's General Service Conference after eleven years of serving its Fellowship, has the deepest conviction that the Conference Plan is a Warrantee that our movement-wide service would continue to function under all conditions, God willing...

This first A.A. World Service Meeting calls the world group conscience to (return) to the A.A. principles, the only way to keep our blessed fellowship united for ourselves and future generations...

Our long journey from the devasting prosecution we were subjected to, to today's blessings, and a promising future, are rich experiences that we would like to share with our A.A. Fellows from abroad. We also propose you to make all necessary arrangements so as to celebrate our next A.A. International Meeting in the year 2001."

The A.A.W.S. = eBay controversy

Alcoholics Anonymous World Services, over the past two years, has removed hundreds, perhaps thousands, of books and other items for sale on eBay auctions because A.A.W.S. says the listings offer "counterfeit or unauthorized items that violate a trademark," namely the name "*Alcoholics Anonymous*."

And many Fellowship members, AA archivists, collectors, buyers and sellers, and booksellers of *Alcoholics Anonymous* historical literature are upset and describe A.A.W.S.'s actions as "punitive." They further say A.A.W.S. is violating several of A.A.'s Twelve Traditions and Concepts. And...that A.A.W.S.'s actions, while legal, have taken the Fellowship into the public arena where lawsuits, punitive actions and public controversy may occur.

What A.A.W.S. has done with these legal actions is attack the very heart of A.A., its history. Many hundreds, probably thousands, of A.A. members, archivists and collectors as well as scholars searched and found and bought thousands of books, articles, and other material by and about A.A. They all love A.A. history and these eBay auctions were one of their primary sources for finding it. Yes, trinkets were sold on the site. Everyone knows a lighter or a candle with a picture of Dr. Bob is not A.A.-Approved. If someone advertised a Sr. Ignatia Sacred Heart medal from St. Thomas Hospital, what great harm is done? Everyone knows it's not A.A.-Approved Literature.

As an Antiquarian Bookseller-Appraiser specializing in the literature of Alcoholism and Alcoholics Anonymous for the past 30 years full time, I recently had several "Alcoholics Anonymous" literature items removed from my eBay auctions for the first time in my career. Over the past two years, I have received emails from others complaining about their advertised "AA" items for sale on eBay auctions also being removed. One gentleman had 50 items removed.

A current GSO research report I requested revealed that from December, 2002, to September, 2005, a total of 735 items advertised as "Alcoholics Anonymous" auctions have been removed by AAWS under the eBay VeRO program. There were many hundreds, probably thousands that could have been removed but were not...which amounts to selective punishment.

Here is the eBay email others and I have received:

Dear Charles Bishop,

****PLEASE READ THIS IMPORTANT EMAIL REGARDING YOUR LISTING (S)****

We would like to let you know that we removed your listings:

4573581620 *Alcoholics Anonymous*: Washingtonians!

4573583256 *Alcoholics Anonymous*: Road Back history

because an intellectual property rights owner notified us, under penalty of perjury, that your listing offers a counterfeit or unauthorized item that violates a trademark.

We have credited any associated fees to your account. We have also notified the bidders that the listing was removed, and that they are not obligated to complete the transaction.

If you relist this or any other similar items on eBay, your account likely will be suspended.

If you believe your listing was ended in error, or have questions regarding the removal of this listing, please contact the intellectual property rights owner directly at: *Alcoholics Anonymous* World Services, Inc. (AAWS) ebayqueries@aa.org. (is that email address affiliation with eBay?)

eBay is available to answer questions, but since it is the intellectual property rights owner that requested the removal of your listings, we encourage you to contact them first.

For more information on the VeRO Program, and a list of rights owner About Me pages, please visit:

<http://pages.ebay.com/help/confidence/vero-removed-listing.html> and

<http://pages.ebay.com/help/community/vero-aboutme.html>

Thank you for your cooperation. Regards,

Customer Support (Trust and Safety Department), eBay Inc." (END eBay email)

The VeRO program is explained in the two websites above. Just click either and the two eBay links will provided you with complete information.

Basically, since “eBay is generally unable to determine whether a particular item on eBay is authorized or not, eBay has reached out to intellectual property rights owners for their help. eBay established the VeRO Program in 1997 to enable intellectual property rights owners to easily report and request removal of listings offering items or containing materials that infringe their rights.”

The words “*Alcoholics Anonymous*, A.A.,” are federally registered trademarks owned by A.A.W.S. They are intellectual property of *Alcoholics Anonymous*. In a letter from the law firm representing AAWS to a person who objected to having her eBay auction listing removed, it stated “We represent A.A.W.S. with respect to trademark and copyright matters. We requested that your particular listing be removed because of the use of either, or both, *ALCOHOLICS ANONYMOUS* or *AA* in the title of the item. We requested removal because the use of those marks in the title suggests that AAWS sponsors, approves, etc., the item you listed. The item listed is not approved AAWS material.” Clearly, AAWS removes the items; not eBay.

My first item removed was: “The Road Back: A Report on *Alcoholics Anonymous* by Joseph Kessel. First American Edition. 1962. 244pp. French journalist explores AA.” It is not A.A.-Approved literature but the entire book is about AA and the title includes “Alcoholics Anonymous.” For many years the easiest search category for literature by or about AA on eBay auctions was “Alcoholics Anonymous.” Now the only items legally permitted in that category by AAWS are “A.A.-Approved publications.”

If I relist that item under the eBay category “Alcoholics Anonymous,” I risk having my eBay account suspended. That’s certainly a punitive action. When AAWS removed it and 3 other items, I found my description of the items disappeared entirely from eBay. So my work was gone. That’s punitive.

I reprinted the The Washingtonian book of 1842 in 1992 and reprinted that

twice more and have sold several hundred copies over the years to AA archivists and others. Milton Maxwell, a non-alcoholic A.A. Trustee, who wrote about the Washingtonians, read the book. Bill W., AA Co-founder, obviously talked with Maxwell about it and Bill took to heart the mistakes of the Washingtonians when he was writing the 12 Traditions. The Washingtonians were the subject of several AA Grapevine articles. Legally the book is not A.A.-Approved literature but it certainly is A.A. literature in the spiritual and practical realm. Bibliographies of AA include it and the book by Kessel mentioned above.

The very first Advisory Action from the General Service Conference (GSC) Literature Committee in 1951 reads, “In future years, A.A. textbook literature should have Conference approval (Agenda Committee). Prior to the vote on this subject, it was pointed out that the adoption of the suggestion should not preclude the continued issuance of various printed documents by non-Foundation sources. No desire to review, edit or censor non-Foundation material is implied. The objective is to provide, in the future, a means of distinguishing Foundation literature from that issued locally or by non-A.A. interests.” Of course, the question remains of how binding are “Advisory Actions of the GSC” on AAWS or GSO or GSBoard? Apparently not very binding at all.

A.A.W.S.’s action kicking people off eBay “Alcoholics Anonymous” auctions certainly seems to be “censor of non-Foundation material.” And GSO servants certainly “review” non-Foundation material on that website.

AAWS is using a very narrow, legal definition of what constitutes A.A. literature that excludes literally hundreds, indeed many thousands, of books and other works from being advertised in eBay auctions under the category “Alcoholics Anonymous.” Consider: the number two best-selling book for AA members for many, many years was Twenty-Four Hours a Day, outsold only by the Big Book.

AAWS could remove it from eBay auctions since it is not A.A.-Approved Literature.

A signed 1941 letter about anonymity from Bill W. on his AA letterhead would not qualify for sale on eBay under “Alcoholics Anonymous.” Nor would Ernest Kurtz’s

Not-God: A History of Alcoholics Anonymous. Nor would the 1941 Saturday Evening Post magazine article on A.A. that resulted in our membership jumping from 2,000 to 8,000 in a year or so. Nor would thousands of other items. In the extreme, AAWS could remove Alcoholics Anonymous, the facsimile 1985 reprint of the first edition of the Big Book, since it is not A.A.-Approved Literature (and would certainly risk a lawsuit!).

If AAWS-GSO applied that narrow, legal definition of A.A.-Approved Literature to itself, maybe the A.A. Archives in New York might have to be “reviewed, edited, and censored” for all the non-Foundation and non-A.A.-Approved literature it houses. (Here comes the book burning!)

After several conversations with the GSO general manager in New York and the trusted servant who handles copyrights and trademarks, they informed that AAWS and its law firm do not usually initiate the eBay removal process. Most of the time, they say, an AA member calls them about an item that is not A.A.-Approved Literature and then AAWS calls eBay and requests removal. GSO trusted servants suggest sellers list their non-approved items in other categories, perhaps a category like “12 Step Literature.” In all cases, the market audience of AA collectors, etc., is drastically reduced in number and, therefore, usually results in a lower final auction bid.

Some sellers have tried several ways to keep their items in the “Alcoholics Anonymous” category: a disclaimer in the description that states the item is not A.A.-Approved Literature; use of “Not AA”; use of “About AA”; inserting a word between Alcoholics and Anonymous; etc. None have been acceptable to AAWS.

And several hundred AA members, collectors, archivists, historians, sellers and buyers of non-A.A.-Approved Literature are not too happy about the AAWS’s legal actions through eBay’s VeRO program. They have been punished by AAWS’s actions and threatened with suspension of their eBay accounts. They have lost time and work and money.

Why didn’t AAWS take a softer approach from the beginning? They could have sent out an email to the “offending” party and asked them to respect A.A.’s intellectual property. They could have asked eBay to initiate a new category, “12 Step Literature,” and post a message on the Alcoholics Anonymous category directing sellers and buyers to that site for non-A.A.-Approved Literature. They could have accepted sellers’ disclaimer in the description of the item: “This is NOT A.A.-Approved Literature but the content is about A.A. history,” etc. Dealers offering a glow-in-the-dark cigarette lighter with “It Works” and other trinkets know they are not A.A. approved. What great harm is done by its sale? AA archivists, collectors, historians, and other buyers know it’s not A.A. approved.

Again AAWS has stepped into the outside world and imposed itself legally on an outside business. Doesn't the preamble say A.A. neither opposes nor endorses outside issues?

This eBay-AAWS mess is not just speculation. Here is just one email from an A.A. member who was banned: "A few years ago I was converting AA Talks from cassette to CD and listing them on eBay, using the *"Alcoholics Anonymous"* name because they were Alcoholics Anonymous talks. eBay, at the request of AAWS, banned me. Several people are doing exactly what I did and eBay (and AAWS) does nothing about it. The "crime" I committed is no longer against eBay rules. eBay refuses to listen to my argument." How many others have been banned from eBay by AAWS?

A.A. Legal Rights

Does A.A.W.S. have the legal right to defend the A.A. name, identity, and intellectual property in the public sphere? Defend it against what? A.A. has been blessed with great press support and cooperation from the media. It has a gold standard reputation. The Fellowship/society of A.A., consistent with Traditions is not organized nor so it is not a "non-profit organization and, as such has no legal rights, including protection of its name and no intellectual or tangible property. A.A.W.S. is a legal corporation under the laws of the state of New York and the right accorded a corporation. The real question is how far should A.A. go in the legal sphere.

Two examples on the thorny problem: first, many telephone books list Alcoholics Anonymous but some disreputable treatment centers have listed themselves as *"Alcoholics Anonymous Referral Service"* to get patients. A drunk calls A.A. and gets the treatment center. Currently A.A.W.S. through its trusted servant for copyrights and trademarks actively pursues such false advertising. And 99% of A.A. members would probably agree those treatment centers should stop their counterfeit phone listings. However, some of those phony listings offer an A.A. referral service and a drunk can be given information on where AA meetings are in his geographical area. There is no doubt the treatment center is fishing for new patients and abusing the A.A. name; we went through that "institutional profiteering" by the treatment industry back in the 1980-90s. Remember in the early days when a national magazine article criticized A.A. meetings for the sexual "13th step" activities going on. Bill Wilson laughed and said maybe a drunk would come for sex and get sober.

The second example: a website called "Alcoholics Anonymous.org" was not an official A.A. website. *Alcoholics Anonymous* filed a claim with the World Intellectual Property Organization's (WIPO) Arbitration and Mediation Center against them, but lost the case because WIPO said the site displayed an adequate warning "which goes much further than an ordinary disclaimer." The WIPO board also noted AA encourages anonymity and a decentralized structure. (for more information see <http://news.com.com/2100-1023-807196.html?legacy=cnet>).

In 2000 AAWS went to the WIPO Arbitration and Mediation Center to have “aarecovery.com” transferred to AAWS. Aarecovery.com is a chat room that did not sell products. AAWS accused them of “confusing the relevant purchasing public.” What AAWS really objected to was the use of “aa” in their website address. AAWS lost its case. There are undoubtedly many other examples pro and con.

When one considers our new universe of the World Wide Web, the problem gets really big. A Google® search turns up over 130,000 links to “Alcoholics Anonymous.” Some are not official A.A. sites. For book hunters, a link to ABE booksellers site reveals over 70 million books from almost 15,000 booksellers.

Many probably list books under a generic “alcoholics anonymous” name which is not A.A.-Approved Literature. A web search for “alcoholism treatment” turns up over 375,000 listings. Some of these websites probably are abusing the name “Alcoholics Anonymous.” Bloggers, chat rooms, advertisers ... an endless internet. The world is huge and next-door and A.A. is in it. How extensive should A.A.W.S.’s protection of A.A.’s identity and name be? Do they really own the name Alcoholics Anonymous? Certainly AA does not need a staff of ten or twenty-five plus more lawyers to begin policing the entire Internet world.

American society has become increasingly litigious. Have a dispute? Sue! Don’t settle and sign, get a lawyer! The largest section in my local telephone book is lawyers, over 30 pages of ads, including the front and back covers. More than doctors, car dealers, insurance companies, restaurants, anything. And AAWS and the other corporate legalists in New York have elevated the legal law above the Steps, Traditions, and Concepts.

What harm has been done to A.A. by the Akron A.A. member and I.W.S. who published the facsimile 1939 A.A. Big Book and the paperback big book?

None. What harm has the Mexican and German A.A. members done by reprinting the AA Big Book? None. What harm have booksellers on eBay done to A.A. by offering thousands of A.A. literature works to A.A. members seeking A.A. history? None. For the first 50 years of A.A. the Fellowship has had a sterling reputation and been recognized as the gold standard in the field because it avoided self-promotion, public controversy, outside issues (lawsuits), and the pitfalls of greed, power, and authority.

A.A. has not needed to defend itself against critics and enemies because it has had very few and many more who have praised A.A.

Sadly, since the 1980s A.A.W.S. has employed lawyers and made enemies within the Fellowship in Mexico, Germany, the United States and worldwide on the web and eBay.

And lawyers are not cheap. I requested a research report from GSO on the cost of lawyers to A.A. From 1993 to 2005, A.A.W.S. and GSO have spent \$1,527,415. on various legal fees and lawyers. That’s an average of \$117,493/yr. for the 13 years to protect *their* copyrights, trademarks, to kick people off eBay and the internet.

That was the cost to A.A.W.S. The cost to A.A. members in the U.S., Mexico, Germany, etc., is hard to estimate, but we know it was \$300,000 in Mexico, over \$100,000 in Germany and who knows how much money, time and work it cost the A.A. members who had 735 items kicked off eBay. GSO furnished that 735 number in another research report I requested. My thanks.

Once the door was opened to lawsuits by A.A.W.S. against A.A. members, is it any wonder that A.A.W.S. would be sued in turn? It is not within the boundaries of this article to pursue this but one can see what happens by going to <http://www.aagso.org/#new>, dropping down the page to "Baldwin Institute" and clicking there. You will find a ton of new information on a \$20 million lawsuit against A.A.W.S. by the Baldwin Institute. More lawsuits... more MONEY. The point is that this legal road A.A.W.S. is traveling is costing a ton of money that could be used to carry the message to the suffering alcoholic.

Minority Voices

"...making the minority voice both clear and loud." (Bill W. 1965)

Many minority voices deserve our thanks and commendation for speaking out and publishing much of the material in this essay. Work on this paper has included many prominent A.A. historians, authors, GSC Delegates, collectors and archivists, trusted servants, and fine A.A. members. They have agreed with the basic thesis of this paper and provided material, guidance, and criticism. Protecting their anonymity, they know who they are, and I thank them.

They are knowledgeable but the Fellowship-at-large has been kept in the dark about these issues. These legal controversies have been kept off the agenda of the General Service Conference, buried in Trustees committees (often controlled by those who favor legality over spirituality), and sidetracked through parliamentary rules. The majority voice, the thousands of A.A. Groups, the Fellowship, has been consciously ignored. No regional forums devoted to the entire topic. No mention in the AA Grapevine, Box 4-5-9, or any other A.A. communications with the groups.

One past delegate from a Northern state had these comments: The General Service Board of Trustees and AAWS puts "business before principles. And the delegates are uninformed and not good enough. The General Service Conference is so weak. There is entirely too much publishing. It is time for some of these trusted servants in New York, including the general manager of GSO and some Trustees, to either resign or be fired!" He attended the GSConference, the last one where Lois W. and Dr. Jack Norris appeared. He met them. "Back then we couldn't get any background material from GSO except for the committee we served on. We changed that," he said.

Thus, it is paramount that the minority voice here and elsewhere speak out.

In that spirit, we recommend the following websites that have extensive information on the German and Mexican Big Book disputes, the medallions AA lawsuit and related topics:

<http://aagso.org/>

<http://www.aamo.info/oppf/OPPF-March2005.pdf>

<http://www.aamo.info/oppf/OPPF2April2005.htm>

<http://www.aamo.info/oppf/oppf2005may.pdf>

Spiritual Principles

What spiritual principles of A.A. apply to these problems? Clearly a review of the Twelve Steps, Twelve Traditions and Twelve Concepts is in order. Here are some of the principles cited by those involved in these lawsuits and other problems:

- Steps Eight and Nine: the Amends Steps. Clearly harms have been done to many individuals in these lawsuits, etc.
- Step Four: Has the General Service Conference taken a “fearless, searching and moral inventory” of itself?
- Step Twelve: practice these principles in all our affairs. The argument that the Steps apply “only” to individual A.A. members will be used by some to justify and rationalize their corporate legal actions that have caused much harm to A.A. Trusted A.A. servants at AAWS, GSO, GSB, the Grapevine, and Trustees as well as Delegates to the General Service Conference of A.A. and other A.A.’s cannot ignore the Steps in their personal lives nor in their service lives to A.A.
- Tradition Two: one ultimate authority...a loving God in our group conscience...our leaders are but trusted servants; they do not govern. The ultimate authority in A.A. is the thousands of A.A. groups which finds its expression in the General Service Conference of A.A.
- Tradition Four: Each group should be autonomous except in matters affecting other groups or A.A. as a whole.
- Tradition Six: ...lest problems of money, property and prestige divert us from our primary purpose.
- Tradition Seven: ...fully self-supporting, declining outside contributions. Collective poverty. Necessity of separating the spiritual from the material. Decision to subsist on A.A. voluntary contributions only.
- Tradition Nine: The General Service Conference, the board of trustees and group committees cannot issue directives to A.A. members or groups. A.A.’s can’t be dictated to---individually or collectively...but we may create service boards or committees directly responsible to those they serve.
- Tradition Ten: A.A. has NO opinion on outside issues; hence the A.A. name ought never be drawn into public controversy.
- Tradition Eleven: ...we need always maintain personal anonymity at the level of press, radio, and films (and in courts of law by avoiding them in the first place).
- Tradition Twelve: Principles before Personalities.
- Concept Two: The General Service Conference of A.A. is the actual voice and effective conscience for our whole Society. It has complete authority for the active maintenance of our world services. Sadly, it has been blocked from exercising that authority by GSO and AAWS trusted servants in New York. And...it has itself failed to exercise that authority over them.
- Concept Three: the “Right of Decision.” Every trusted A.A. servant has the right to make decisions in his particular area of service. This right “ought never be used as a reason for constantly exceeding a clearly defined authority, nor as an excuse for persistently failing to consult those who are entitled to be consulted before an important decision or

action be taken.” Clearly, the G.S.C. has not been consulted about these major lawsuits and other legal actions taken in the public domain outside the Fellowship.

- Concept Four: “the ‘Right of Appeal’ ... assuring us that minority opinion will be heard and that petitions for the redress of personal grievances will be carefully considered.” The minority opinion, perhaps the majority opinion, has not been heard in the General Service Conference on these matters. The topic of lawsuits has never been on the GSC agenda. The Mexican A.A. to this Right of Appeal has been totally ignored.
- (Concept Six will undoubtedly be used by those supporting the corporate legal actions of AAWS, etc. Still the GSC has the “final decision respecting large matters of general policy and finance.”)
- Concept Seven: The Conference Charter ... relies instead upon the force of tradition and the power of the A.A. purse for its final effectiveness.”
- Concept Twelve: “...the GSC shall observe the spirit of the A.A. Tradition...never becomes the seat of perilous wealth or power...that none ...shall ever be placed in a position of unqualified authority over any of the others...all important decisions be reached by discussion, vote, and whenever possible, by substantial unanimity...no Conference action ever be personally punitive or an incitement to public controversy... it shall never perform any acts of government...the Conference itself will always remain democratic in thought and action.”
- Most importantly, the defendants in the German and Mexican lawsuits cite Warranty Five “That no Conference action ever be personally punitive or an incitement to public controversy.”

It’s All About \$\$\$

A.A. is self-supporting through its own contributions from members and A.A. groups? The GSC 2005 Final Report revealed that 44% of the groups contributed to New York slightly more than \$5million. Literature sales brought in a profit of \$5.7 million. The loss for the year was \$312,000. Literature sales are not group contributions. Clearly the New York office is dependent on lots of literature sales and a stream of new publications is necessary. And anything that threatens those literature sales is indeed a threat. Is it any wonder then A.A.W.S.’s actions against anyone or any organization that reprints the Big Book or other works about A.A.?

Underneath it all is the fact that A.A. is NOT self-supporting. As one delegate said it’s “business before principles.” The largest single buyer of Big Books is reportedly Hazelden. And they are not charged shipping. Hazelden sells the Big Book for \$10.75 each plus shipping. AA headquarters in New York sells it for \$5. (winter catalog 2003-04) plus shipping.

Conclusions

1. Somewhere in the 1980s, probably, a landmark decision in A.A.

history was made to defend and protect the *Alcoholics Anonymous* name, the A.A. identity, and A.A.'s intellectual property of copyrights and trademarks both within and outside the Fellowship in public courts of law, both civil and criminal, and in the World Service Meeting and other A.A. service entities inside the Fellowship.

2. This has resulted in a long list of lawsuits against A.A. members and others outside the Fellowship. Hundreds of thousands of dollars have been spent in the lawsuits by A.A.; money not used to carry the A.A. message to the suffering alcoholic. Punitive actions, public controversy, and disunity in A.A. have resulted.

A.A. corporations have done all this under the legal umbrella of corporate law.

Lawsuits will inevitably require the right of disclosure that will mean that trusted servants and other A.A. members will have to break their anonymity in public courts of law. Lawsuits will spawn news coverage and public controversy about A.A. as well as disunity, financial difficulties, and struggles over power and authority within the Fellowship.

3. The spiritual principles of A.A., the Steps, the Traditions and the Concepts and Warranties therein, have been ignored and superseded by corporate

legalism. In 1987-88, the General Service Conference approved a major Charter change in Article 2, paragraphs 2, 3, and 4: "In countries where a General Service Conference exists, the United States/Canada Conference will delegate (franchise) sole right to publish our Conference-approved literature to the General Service Conference of that structure." This has been used to sue A.A. members in other countries and place one Conference in authority over another. The Mexican and German lawsuits are clear examples of this. The GSC did not intend nor approve of this use of the new Article 2.

4. The General Service Conference of A.A. has seemed powerless to date to correct these legal abuses of the spirituality of the Fellowship. The GSC has not discussed the topic of these lawsuits and other legal issues. It has not even been put on the GSC agenda. Some trusted servants in A.A.W.S., GSO, GSB, and Trustees, as well as GSC members, have blocked any effort to discuss these legal and spiritual matters in the GSC.

Two advisory actions of the GSC that the GSB, A.A.W.S., Inc., and the AA Grapevine initiate NO litigation in defense of copyrights and trademarks as per Tradition Ten and Warranty Five failed to pass in 1995-96.

5. The Fellowship has not been informed of all this by many Delegates. No regional forums on the topic have been held. No A.A. communications, letters to A.A. groups, Box 4-5-9, the AA Grapevine, etc., have mentioned the topic. The thousands of A.A. members in the U.S. and Canada have been kept in the dark. As one GSO servant justified: "This doesn't rise to the level of a GSC agenda item."

These legal matters have never reached the floor of the General Service Conference of A.A. The Fellowship's group conscience where the will of God is to be found? The GSC has not been consulted about all these legal matters.

6. "There is only one place where spirituality and money mix and that's in the Seventh Tradition basket."

7. A.A. is a Fellowship of men and women; not a corporation. One alcoholic talking to another alcoholic, sharing their drunk story and their recovery story. A.A. corporations allegedly were created to serve that purpose, not thwart it.

and Solutions...

1. Prayer.
2. The Power of the PURSE. Stop sending your MONEY to A.A.W.S. !
This is the only recourse ordinary A.A. members have left.
3. Email this article to all your A.A. Friends !
4. Discuss this with your home group, district, assembly and delegate.
5. Ask your Delegate to repeal the Article 2 Charter change and put this mess on the April 2006 General Service Conference agenda.
6. Ask your Delegate to support a moratorium on all lawsuits or other legal actions involved in suing or harassing anyone about copyrights, trademarks, or the A.A. identity inside or outside of A.A.
7. Ask your Delegate to put a motion on the floor at the coming Conference to censure A.A.W.S., GSO, GSB, GV, and Trustees for a conspiracy of silence on this mess and failure to observe A.A.'s Steps, Traditions, and Concepts

Footnotes:

NOTE: Quotes of the Steps, Traditions and Concepts have been taken from "official" A.A.-Approved Literature listed herein.

NOTE: The terms "*Alcoholics Anonymous*," "A.A." and "AA" when used to identify a business entity have been italicized in this article to make clear they ARE not The Fellowship of Alcoholics Anonymous and ARE one of the entities and corporations using the name "A.A." A.A.W.S. is not the A.A. Fellowship.

NOTE: The term "Big Book®" is a registered trademark of *Alcoholics Anonymous*

World Services.

1. Advisory Actions of the General Service Conference of *Alcoholics Anonymous* (ADGSCAA) 1951-2004, page 60.
2. summary from an anonymous AA trusted servant
3. Report of Ad Hoc Committee, Feb. 19, 1996.
4. The A.A. Service Manual – combined with = Twelve Concepts for World Service by Bill W. A.A.W.S., 1962-2002, see page S86. And Advisory Actions of the General Service Conference of *Anonymous Alcoholics* 1951-2004. A.A.W.S., 1978-2003, pp 100-101.
5. ACGSCAA, p67.

Bibliography

1. Advisory Actions of the General Service Conference of *Alcoholics Anonymous* 1951-2004. A.A.W.S., 1978-2004. 151pp.
2. The A.A. Service Manual - combined with – Twelve Concepts for World Service by Bill W. A.A.W.S., 1962-2002. Revised edition, pp S113 and 75pp.
3. *Alcoholics Anonymous*, 1939-2004, the Big Book.
4. Twelve Steps and Twelve Traditions, 1953-2004.
5. *Alcoholics Anonymous Comes of Age: A Brief History of A.A.*
6. Extensive interviews with A.A. members and trusted servants, archivists, collectors, authors and historians.
7. Extensive use of minority voice websites on these topics. (thank God for the internet and world wide web)

Other Resources

Below are some excellent websites for your perusal in addition to the ones listed in the article. This essay could not have been written without the internet, world wide web, and the computer. Explore! It's called open-mindedness.

<http://groups.yahoo.com/group/AAHistoryLovers/>

<http://alcoholism.about.com/cs/history/a/blmitch.htm>

<http://aagso.org/>

<http://alcoholicsanonymous.9f.com/>

<http://hindsfoot.org/archives.html>

<http://www.aamo.info/oppf/>

http://www.facesandvoicesofrecovery.org/resources/support_groups.php#aa

About the Author

Charles Bishop, Jr. is celebrating 30 years as a full-time Antiquarian Bookseller-Appraiser specializing in the Literature of Alcoholics Anonymous and Alcoholism. Over the years he has issued 46 catalogs of books about alcoholism for sale. The Bishop of Books is his company name. He is the co-author with Bill Pittman of To Be Continued...The Alcoholics Anonymous World Bibliography 1935-1994. He has published 11 books on A.A. and The History of Alcoholism. He has appraised the libraries of Dr. Robert H. Smith, Co-Founder of A.A.; Ernest Kurtz, author of NOT-GOD: A History of Alcoholics Anonymous; Clarence Snyder, Cleveland A.A. founder; as well as numerous private collections. For 12 years he published an annual Sobriety Calendar. He sold his private alcoholism library of 15,000 items to Brown University where it resides as The Chester Kirk Collection of Alcoholics Anonymous and Alcoholism. He has presented topics on alcoholism history and A.A. at St. Francis Hospital and IRETA, Pittsburgh, Pa.; Bethany College, Bethany, WV; West Virginia University Mining School; and Gateway Treatment Center. He was the West Virginia Area 73 A.A. Archivist for six years. He is a 1960 graduate of Wheeling Jesuit University, Wheeling, WV.

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Thanks, God bless, servus, Charlie Bishop, Jr.