

An Open Letter to the A.A. Fellowship
on
“Spirituality versus Legalism in Alcoholics Anonymous”©

By Charlie Bishop, Jr.

For over 70 years, Alcoholics Anonymous has enjoyed a sterling reputation. Its fellowship is viewed as the gold standard among the worldwide community of Twelve Step groups. As is true of any living reality, A.A.’s early experiences led to the formulation of its Traditions, the Tenth of which reads: “Alcoholics Anonymous has no opinion on outside issues; hence the A.A. name ought never be drawn into public controversy.” That spiritual Tradition, which is enshrined also in its First Legacy of Unity, has preserved Alcoholics Anonymous from public disputes over religious, legal, political, economic or treatment issues involving alcoholism.

Since its first 1939 publication, the book Alcoholics Anonymous: the Story of How Many Thousands of Men and Women have Recovered from Alcoholism has served as the virtual Bible of the A.A. fellowship, with over 21 million copies in some 40 languages sold to members currently numbering over two million in over 100 countries.

Alcoholics Anonymous World Services, Inc., (A.A.W.S.) a corporation and service committee, publishes and annually sells about a million copies of the A.A. book, affectionately nicknamed "the Big Book." The same corporate service entity also sells over 100 other books, pamphlets, tapes, films, CDs and other materials. Those sales brought in \$11.6 million in 2005. Also according to a report made to the delegates at A.A.'s 2005 General Service Conference (GSC), a sister corporation and service committee, the AA Grapevine, Inc., realized income of about \$2. million in 2005 sales of its monthly magazine and other works.

Although Alcoholics Anonymous is “fully self-supporting” as mandated by its Seventh Tradition, A.A. group contributions, coming from only about 45 % of U.S. and Canadian groups, provide less than 50% of the funds needed to support the fellowship’s various service

committees and corporations headquartered in New York City. Because Alcoholics Anonymous declines “outside contributions,” the balance of the funds necessary to support these entities came from the profits from the literature sales noted above.

Literature sales, then, are essential to the operation of the Alcoholics Anonymous General Service Office and its related corporations. Because of this, it seems, in recent years, the employees of Alcoholics Anonymous World Services – the “trusted servants” of A.A. members according to the fellowship’s Second Tradition – have seen fit to initiate legal actions and threats in U.S., Mexican and German public civil and criminal courts of law against A.A. members who have reprinted A.A. literature whose copyrights have expired

To put the matter bluntly, the “trusted servants” of A.A. members have sued A.A. members for their attempts to carry the A.A. message to alcoholics who still suffer from the alcoholic affliction!

Although admittedly a painful exercise, what follows will attempt – out of love and respect for the A.A. fellowship, its program and Traditions and Legacies – to explore these happenings in an attempt to inform A.A. members of what is being done to other A.A. members in their name.

The First Reprint

Many think the “legalism” movement at A.A.W.S. began in 1985 when Jon S. of Akron published a facsimile copy of the first 1939 edition of the book Alcoholics Anonymous. He discovered AAWS had failed to renew the copyright and the book was subsequently in the public domain. Anyone could reprint it(or the Bible or Shakespeare) (the first edition copyright expired in 1967 and the second edition in 1983). In 1977, the General Service Conference of A.A. 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)

Jon’s company, Carry The Message, published the reprint. He did nothing illegal under criminal or civil law. He did not violate any of A.A.’s Steps or Traditions. A.A.s appreciated the 50th Anniversary of A.A. reprint project and bought many thousands. Other A.A.s

slandered his reputation and called him a communist. He received telephone death threats! AAWS threatened him with legal action but took none.

This was the first real threat to AAWS's chief literature moneymaker, the Big Book. They reviewed their copyrights program and employed a law firm specializing in that area.

The AAWS Logo Lawsuit

The second legal event concerned the circle and triangle logo AAWS used in the 1980s to identify "A.A.-Approved Literature." AAWS had previously given permission to about 170 jewelry and trinket manufacturers to use it on their products sold to A.A. members.

"AAWS decided to withdraw all 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 of A.A. was never consulted...

"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 symbol to enter the public domain.

"After this fiasco, AAWS decided to no longer use the symbol as an official logo on any A.A. 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 General Service 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)

Having lost the lawsuit, AAWS made no "amends" to the two defendants who suffered financial damage in the lawsuit as suggested in A.A.'s Eighth and Ninth Steps: "Made a list of all persons we had harmed, and became willing to make amends to them all" (and) "Made

direct amends to such people wherever possible, except when to do so would injure them or others.”

Copyrights and Trademarks Policy

In 1994 a General Service Board ad hoc committee discussed 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.” It recommended the policy be reviewed by the 1996 General Service Conference of A.A.; information be furnished to the Fellowship-at-large including “our society’s responsibilities to A.A.’s intellectual properties, basic message and the A.A. name itself; and that litigation ...should not be undertaken without consultation with the General Service Board.” (3)

One notes that A.A.’s Sixth Tradition prohibits the Fellowship from owning “property” (which includes “intellectual properties ...copyrights and trademarks).” AAWS was not required to submit possible litigation for review or approval or disapproval by the General Service Conference of A.A. And consultation with the General Service Board is consultation with the Trustees who, apparently, are in agreement with AAWS about lawsuits.

What is Alcoholics Anonymous?

Before discussing AAWS lawsuits against A.A. members in Germany and Mexico and related matters, an overview of A.A. is necessary. “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 A.A. preamble states. It is not a corporation. It is not a service committee. It is not a publishing empire. It is a spiritual fellowship of one alcoholic talking to another.

Alcoholics Anonymous World Services, Inc.; (AAWS) The General Service Board of A.A., Inc. (GSB)(the Trustees); The AA Grapevine, Inc. (GV); and The General Service Office (GSO) are all corporations or service committees whose primary purpose is to serve

the A.A. fellowship. When any of these corporate entities begin to exercise power or authority beyond their limitations and keep their actions hidden from the fellowship itself or removed from approval or disapproval by the General Service Conference of Delegates of A.A., the voice of the fellowship in the U.S. and Canada, they have undoubtedly violated A.A.'s Steps, Traditions, or Concepts.

A.A. shares its experience and this very problem of corporations and lawsuits surfaced early in A.A. history. It 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 following report is spiritually and historically impressive:

**1953 REPORT of the COMMITTEE on
CONGRESSIONAL INCORPORATION of AA (4)**

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)

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 \$2.50. and in quantity for 55 to 85 cents. The book included the forwards, Dr.'s Opinion, the first 164 pages and Dr. Bob's story. They sold thousands. Many A.A. groups bought 25, 50, 100 copies and gave 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 Conference recommended, "a paperback edition of the 'Big Book' not be published."

In 1976, the Literature Committee and the Conference in Floor Action recommended "We keep the Big Book, Alcoholics Anonymous, as it is at this time and not publish a paperback edition."

In 1987, a Conference 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.” (5)

So for 35 years, *AAWS* and the Conference ignored or defeated any request to reprint the Big Book in paperback. One major reason often quoted was it would “cheapen” the Big Book. It did “cheapen” the Big Book when thousands of A.A. members bought it for \$2.50 or much less in quantities 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 phone 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 of the former IWS paperback BB, as well as the facsimile of the original 1939 BB in hardback and soft back. Anonymous Press continues to sell thousands of copies. (see <http://anonpress.org/>) (www.?)

Worldwide Authority !

In 1987, a significant change to the original 1955 Conference Charter was passed. Article Two then stated: “But no Conference Section shall ever be placed in authority over another.”(6) In 1987, that was deleted and the following added: “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.”(6) 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.

Following the 1987 Charter change, A.A.W.S.’s legal actions in recent years in initiating lawsuits and other harassments resulted in a breach of trust and ten delegates signed a motion to censure the GSBoard.

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.”

This was the only major censure motion in A.A. history! a recommendation that “the proposal to censure the General Service Board (the Trustees)” was “dismissed (by the Trustees).”(7)

With the Trustees’ backing, AAWS in New York City now had authority over all other countries’ A.A. Conferences to control all A.A. literature.

That authority and power resulted in the following lawsuits by AAWS against A.A. members in Mexico and Germany as well as on the internet. (rather world wide web?)

The Mexican Big Book Lawsuit (8)

In 1986, a section of A.A. 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. Section Mexicana began reprinting the Big Book and several A.A. pamphlets.

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.

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. Obviously, AAWS felt that A.A. Twelfth Concept did not apply: "...that its actions never be personally punitive nor an incitement to public controversy."

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 (condensed) "Declaration of Mexico":

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 A.A. principles, the only way to keep our blessed fellowship united for ourselves and future generations...

Our long journey from the devastating 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."

The German Big Book Lawsuit

In the 1990s, several A.A. members felt the official German translation of the Big Book was priced very high. They formed their own A.A. Big Book Study Group (AABBSG) and in 1996 printed 10,000 copies of the Multilith, the draft text for the first Big Book. They gave them away free at a German convention and mailed them free. A second printing was needed and soon A.A. big book study groups sprang up around the country.

In summer 1996, the AABBSGroup 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 the study group. Gen. Mgr. George D. of AAWS urged GSO Gen. Mgr. Hans P. to sue, or else risk being sued himself by AAWS.

In 1997, a criminal investigation of the AABBSG was conducted by local police. Although 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 A.A. text.

At this point, the German GSO singled out one A.A. 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 the deadline or he will experience "Zwangsvollstreckung" ("further law enforcement punishment).

As of December, 2004, Matthew has paid *AA Inc.* about 40,000 Euro (about \$53,208. US Dollars) out of his own pocket.

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.

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 *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 say *A.A.W.S.* is violating A.A.'s Twelve Traditions and Concepts and 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. 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*, what great harm is done?

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. 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. If you relist this or any other similar items on eBay, your account likely will be suspended. For more information on the VeRO Program, please visit: <http://pages.ebay.com/help/confidence/vero-removed-listing.html> and <http://pages.ebay.com/help/community/vero-aboutme.html> (signed) eBay Inc.”

Since “eBay is generally unable to determine whether a particular item on eBay is authorized or not, 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, my description of the items disappeared entirely from eBay. 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 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!)

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. 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? The Fellowship/society of A.A., consistent with Traditions, is not organized nor is it a “non-profit organization and, as such has no legal rights, including protection of its name and no intellectual or tangible property.” But *A.A.W.S.* is a legal corporation under the laws of the state of New York. The Big Book reminds “And we have ceased fighting anything or anyone ---even alcohol.” (p.84)

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 ... endless websites. The internet world is huge 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! 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 have 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. 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.

A GSO research report revealed A.A.W.S. and GSO have spent \$1,527,415. on legal fees and lawyers from 1993 to 2005 . That's an average of \$117,493. a year 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.

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 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 for speaking out and publishing much of the material here. 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/oppf2005mav.pdf>

What can Individual A.A.s do about this Mess ?

- 1. Step Eleven: “Sought through prayer and meditation to improve our conscious contact with God as we understood Him, praying only for knowledge of His will for us and the power to carry it out.”**
- 2. The Power of the Purse (Concept VII). Write *A.A.W.S.* your group will no longer send contributions or buy *A.A.* literature until the original Article 2 is reinstated and this legal and spiritual mess is placed on the agenda for the next General Service Conference.**
- 3. Homework. Search the websites listed. Inform yourself. Hold a group conscience (Tradition Two). Talk to your delegate.**

Footnotes

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.)

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. CONFERENCE ADVISORY ACTIONS 1953, page 32.
5. These three recommendations are quoted from Advisory Actions of the General Service Conference of *Alcoholics Anonymous* 1951-2004.
6. 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

7. In ACGSCAA, p. 147, in 1995. For a full discussion of this censure go to: <http://gsowatch.aamo.info/ce/cens94.htm>.
8. Several web sites provide extensive information on the history of the Mexican lawsuit involving AAWS, Inc.: www.aagso.org/, scroll to “[public controversy on behalf of AAWS Inc. in Mexico](#).”

About the Author

The Bishop of Books is celebrating 35 years as a full-time Antiquarian Bookseller-Appraiser specializing in the Literature of Alcoholics Anonymous and Alcoholism. Bishop has published 11 books on A.A. and The History of Alcoholism. He co-authored To Be Continued...The Alcoholics Anonymous World Bibliography 1935-1994. He has appraised the libraries of Dr. Robert H. Smith, Co-Founder of A.A.; of Ernest Kurtz, author of "NOT-GOD: A History of Alcoholics Anonymous"; of Clarence Snyder, Cleveland A.A. founder; and of Wiliam Duncan Silkworth, M.D. (see the "Doctor's Opinion" in the Big Book@); and The Hazelden Archives, as well as numerous private collections. 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 published the national annual AA History Calendar 1990-2002 and 2009-2012. Over the years Bishop has issued 50 sale catalogs of Literature about Alcoholism and Alcoholics Anonymous. He served as Area 73 Archivist for West Virginia A.A. for six years. He serves on the Board of Directors of the Institute for Research, Education and Training on Addictions (IRETA) in Pittsburgh, Pa. Bishop is a 1960 B.A. graduate of Wheeling Jesuit University. He lives in Wheeling, West Virginia. He can be emailed at bishopbk@comcast.net

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