

WORLD SERVICE CONFERENCE OF NARCOTICS ANONYMOUS



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To: World Service Conference participants
From: Ed Duquette, Chairperson, WSC Administrative Committee
Jack Bernstein, Chairperson, World Service Board of Trustees
Stu Tooredman, Chairperson, WSO Board of Directors
Date: Monday, December 3, 1990
Re.: Summary and update on illegal Basic Text publication and the filing of a
U.S. federal copyright infringement suit

This year, as most of you know, a small group of N.A. members in various locations throughout the United States have been illegally publishing an altered version of your Basic Text. Their pirate version contains Chapters 1-5 and 7-10 of the Third Edition, Revised, of the Basic Text, and Chapter 6 of the Second Edition. (The currently approved version of the Basic Text is the Fifth Edition.) Their actions have been taken without the permission of the N.A. Fellowship, and in violation of U.S. and international copyright law.

The members who have taken the Basic Text, altered it, published it, and distributed it for their own purposes have done so, we are told, for a variety of reasons: dissatisfaction with the price of the Basic Text, with the editing that had produced the Fourth and Fifth Editions of the Basic Text, with the essays on Traditions Four and Nine in the text, with the personal recovery stories included in our book, with the World Service Conference's decision-making process, and with N.A. world services in general. Over the years, the fellowship has considered the concerns expressed by these members numerous times, and each time has decided against their ideas. Now, in frustration, these members have decided to take matters into their own hands, regardless of the desires or best interests of N.A. as a whole.

This matter was first brought to our attention at a joint meeting we held over the weekend of June 9, 1990. Since that meeting, we have issued several communications addressing the matter, mailed either to World Service Conference participants or fellowshipwide. If you have not read those reports, or desire additional copies, please write us. Those communications include:

On **June 29, 1990**, an open letter from the trustees explained the problem, asking N.A. members not to accept copies of the illegal book and not to support those who are publishing it.

In **September 1990**, a fourteen-page documentary report, "The N.A. Literature Trust," prepared by WSO staff and legal counsel, reviewed decisions

made since 1971 by the N.A. Fellowship. The paper examined the World Service Office's role as our literature publisher, and also described the World Service Conference actions which had resulted in the First through Fifth Editions of the Basic Text.

On **October 12, 1990**, a memo described our meeting of the previous weekend with one of the key individuals behind the illegal publication and distribution of your Basic Text. Though we had hoped to come to an agreement that he would cease his own illegal publishing activity, and encourage others to do the same, no agreement was reached.

N.A. internal concerns dictate that decisive action be taken immediately to stop further illegal publication. With each passing day, the few individuals first involved in illicit printing are spreading more discord among more members, groups, areas, and regions, diverting us all ever further from our primary purpose. With each passing week, the few individual members originally responsible for illegally altering and publishing the Basic Text are persuading others, in other places, to do the same. The unity of the N.A. message, and the unity of the N.A. Fellowship, is being diluted further and further with each passing month. We have received dozens of letters detailing the tumult being generated by the illegal book, and asking us to act swiftly and decisively in this matter.

U.S. copyright law also dictates that legal action be taken immediately. If we do not take swift legal action, we will say, in effect, that N.A. no longer cares if others change our written message for their own purposes, or print and sell our literature for their own profit. If we do not file suit, we will be giving up the fellowship's ability to determine what its own written message says. We will be giving government agencies, treatment facilities, publishing companies, religious organizations, and private individuals permission to alter the N.A. Basic Text in any way they see fit, and to publish it for personal gain. If we do not immediately file a copyright infringement suit in U.S. circuit court, Narcotics Anonymous may lose the legal rights to its own Basic Text forever.

The unauthorized alteration, publication, and distribution of your Basic Text is a serious challenge to the welfare and survival of Narcotics Anonymous as a fellowship. The personal ideas of the individual N.A. members who have bootlegged the book cannot be allowed to take precedence over the common welfare of the entire fellowship. As trusted servants of the N.A. Fellowship as a whole, we must heed our First Tradition: "Our *common* welfare must come first; personal recovery depends on N.A. unity."

We had hoped to settle this matter directly with those who have illegally published your book, not because these individuals are N.A. members, but because our principles require it. The N.A. membership of these individuals is not

relevant to the issue at hand; membership in Narcotics Anonymous does not relieve anyone of their obligation to obey the law. The plain fact is that these individuals, N.A. members or not, have stolen the fellowship's Basic Text. If we do not pursue legal action against them, we will leave our fellowship's literature open to theft by others as well.

Having failed to reach an amicable agreement, we are now obligated to go to court to protect your Basic Text from further unauthorized alteration, publication, and distribution. On Monday, October 29, 1990, we each polled our respective boards and committees with the question, Should federal copyright infringement charges be filed against those who are illegally publishing and/or distributing N.A.'s Basic Text? Each of the bodies we chair was in unanimous support of filing charges immediately. The votes tallied as follows:

WSC ADMINISTRATIVE COMMITTEE..... YES--4..... NO--0..... ABSTAIN--0

WORLD SERVICE BOARD OF TRUSTEES..... YES--10..... NO--0..... ABSTAIN--0

WSO BOARD OF DIRECTORS..... YES--12..... NO--0..... ABSTAIN--0

On Friday, November 30, 1990, we filed a federal circuit court copyright infringement suit in Pennsylvania. We have engaged a Pennsylvania law firm to represent the fellowship's interests in this case, subject to the advice of our California counsel. As soon as possible, we will ask the court to issue a preliminary injunction against further illegal publication or distribution of N.A.'s copyrighted literary properties. It is the belief of the world-level trusted servants and of our legal counsel that the case is solid, based on substantial documentary records of the decisions our fellowship has made over the years concerning responsibility for publication of N.A. literature.

The courts can *help* N.A. enforce its rights to its own literature. But, while current copyright infringers are being brought to trial, one by one, others are being persuaded to begin new bootleg publishing operations. The courts alone will not be able to halt unauthorized alteration and printing of your Basic Text. In this matter, only N.A. unity can preserve our common welfare.

Should Narcotics Anonymous remain one fellowship, with one written message? Or should we become many fellowships, with many messages? The officers of the World Service Conference, the trustees, the directors of the WSO, the courts--none of them can preserve the integrity of N.A.'s written message if N.A. itself does not *want* its integrity preserved. Please give this matter your thoughtful, prayerful consideration. Talk about it with your sponsor, your friends, your group, your area and regional committees. In the final measure, *you* will decide the fate of Narcotics Anonymous.