From: bob@grumpydogconsulting.com@inetgw
To: Microsoft ATR
Date: 1/23/02 9:22pm
Subject: Microsoft Settlement

I want you to know how much I object to the proposed settlement regarding Microsoft being a monopoly and using that monopoly to unfairly eliminate competition. I'll just quote Russell Pavlicek's article from InfoWorld.com, as he's summed it as well or better than I can. I hope you will read it and understand how this is not only NOT punishment, and NOT just a slap on the wrist for MS, but actually a boon to them.

Thanks for your time,

Robert Forgey
Valley Center, CA 92082

RUSSELL PAVLICEK: "The Open Source" from InfoWorld.com, Wednesday, January 23, 2002

I'VE RECEIVED A number of requests to address the pending (as of this writing) settlement of the civil anti-trust lawsuit against Microsoft. Under the pending agreement, Microsoft will be obligated to provide hardware and software to thousands of underfunded school districts across the country. The logic, if you can call it that, is that such schools could benefit greatly from receiving the technology they lack.

Undeniably, there is an emotionally compelling case for this. A gigantic company, found guilty of doing wrong, is ordered to help the underprivileged. "We need to do it for the children," cry the politicos. "Think of the children!"

"For the children." That's the phrase politicians in Washington use to justify an action so irrational that it cannot be justified any other way.

How can I properly characterize this solution? It is like a court ordering a convicted drug dealer to give out more free samples of heroin to underprivileged children to ensure that their poverty does not deprive them of the opportunity to become addicted.

Sure, public classrooms need more technology. And it is

especially important that children who don't have as many opportunities in life get assistance. But that is not adequate justification for assigning the fox to guard the hen house.

Personally, I like the counterproposal put forward by Red Hat: Let Microsoft donate money for computing resources for underfunded schools, but let those donations go toward hardware only; then populate those machines with open-source software.

Why open source? Consider the future: What will the schools do when they need to upgrade? If you give schools Microsoft software, they will be caught in the endless upgrade cycle that has characterized life in the Microsoft world. Those upgrades will cost money, money that these targeted school districts, by definition, cannot spare.

Instead, arming schools with open-source software will have two benefits. First, it will set schools down a long-term path that they can afford. The cost of obtaining open-source upgrades is trivial. Without low-cost software upgrades, all those nice shiny computers run the risk of becoming boat anchors in short order. I'm sure someone is saying, "But open source is too difficult to administer!" Such does not have to be the case, but I'll deal with that issue in a future column.

Also, the Red Hat proposal does not reward Microsoft in the long term. If a company is convicted of overpowering markets, why would you reward them by putting one of the few markets they don't lead under their control? This sounds a lot like a seed-unit program for education, not the penalty imposed from losing a trial.

Corporate misdeeds are supposed to earn punishment, not long-term investment opportunities. I believe we would all be better off if the courts acknowledged the difference between the two.