

# Technology's Survival of the Fittest

BY MICHAEL NORTON

Competition is at the heart of the theory of evolution, its core premise. Others, including Darwin's own grandfather, had hinted at the idea, but were at a loss regarding the mechanism. French biologist Lamarck, for instance, proposed that stretching to reach leaves in tall trees caused giraffes' necks to grow, a trait which was then somehow magically passed on to the next generation. Darwin's genius was not in observing that species change over time. As heretical as the concept was, the intellectual community had already begun to accept that the natural world had once been remarkably different. What was lacking was a mechanism, a force, that would explain the phenomena. Darwin's contribution was the theory of natural selection, that all of creation competes to exist. Darwin's slogan was survival of the fittest; individuals pitted against each other for the resources necessary to procreate and perpetuate the genes proven for survival.

Darwin was only expounding a scientific theory to explain natural phenomena, but it did not take long before "survival of the fittest" found its way into political, ethical and economic thought. Social Darwinism proposed that the poor and downtrodden are poor and downtrodden because they are inferior. This ideology provided the infrastructure not only for Nazi racism but for the financial excesses leading up to the Great Depression. Thus, this justified the ruthlessness of the great business tycoons and barons of earlier this century — the Morgans, Gettys, Rockefellers, and Carnegies. The disparity in wealth eventually sparked an intellectual and literary protest with writers such as Upton Sinclair and F. Scott Fitzgerald questioning the philosophical viability of Social Darwinism. Eventually, a populist president named Teddy Roosevelt

would lead the way in government intervention into the monopolies.

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## BATTLING THE POWERS THAT BE

The DOJ/Microsoft struggle eerily echoes the big business busting of the first part of the century and highlights a certain peculiarity of the American character. While we certainly love a winner, we quickly grow weary of a dynasty. Recently, while watching people's reaction to the NBA Chicago Bulls/Indiana Pacers matchup when waiting for a flight at the airport, I was reminded of just how much we Americans love the drama of the up and coming underdog battling the powers that be. Remember when the Bulls were in the same position as the Pacers, struggling to get past the Pistons, and the knock on Michael was that, while he was a prolific scorer, he couldn't win championships? Remember when Microsoft, before Netscape, was the darling of the computer press, standing valiantly against the oppressive IBM?

What happened? What is Microsoft's sin? Gates has a point: The DOJ proposals

would most certainly inhibit Microsoft's ability to compete. The browser represents the first real threat to Windows, a symbol of its impending obsolescence. Windows is a relatively old technology designed on the anachronistic premise of the individual machine. Browsers, on the other hand, are an interface to the network which, with a little work, can also interface with the individual machine — for example, Active Desktop. Thus, if Microsoft loses the browser wars, it will lose control of the Desktop, and if the Desktop goes so goes its lock on the operating system. Microsoft is quite literally struggling to survive.

When our romance with Cinderella ends and the dynasty begins to wear on us, we tend to view the dynasty not only as boring but actually evil. This evil is often embodied by one individual. The Pistons had Bill Lamber, the Bulls have Dennis Rodman, and Microsoft has Bill Gates. I suspect that the gut-level antipathy many people feel personally for Gates has clouded the issue. I've been reading somewhat incredulously as a number of columnists question why Gates would force the issue with the DOJ, with the almost universal assessment that this is another classic example of hubris. While there is certainly enough arrogance to go around, vilifying the dynasty does not explain the real issue, but indeed, obfuscates it. The real issue is the future of the user interface, and, since the user interface has been Microsoft's flagship product, consequently, the future of Microsoft. Gates is correct when he protests that the DOJ action would restrict Microsoft's ability to compete.

But following that logic so is Dennis Rodman when he protests a referee blowing

the whistle foul. For that matter, so is any competitor when he or she complains regarding any limitation external to his or her capabilities. The analogy between competition in nature and competition in human civilization breaks down simply because in nature there are no referees. The only rule is survival. You will not see a lion pause to allow another lion to precede him to the carcass (unless, of course, the other lion is the alpha male — but that begs the question.) Fairness and courtesy are alien concepts in the animal kingdom.

And here we are beginning to approach the deeper drama underlying the DOJ/Microsoft case. Ultimately, human society embraces the idea of competition only marginally. Indeed, humanity's spiritual leaders have all espoused anti-competitive philosophies. While it is obviously prosaic to note that in some small way the resolution to the Microsoft problem will define our humanity, it is also true. It is somewhat disingenuous to argue that the courts are ill equipped to rule on cases involving technology. The

real issues are only incidentally technological. Courts by definition have always been concerned with issues of ethics, morality, fair play. These are the real issues before the court. **ts**



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