

Re: [opensuse] Linus loves GPL v2 ----- and is not on a crusade

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- *From:* Robert Smits <bob@xxxxxxxxx>
 - *Date:* Sun, 25 Mar 2007 16:50:13 -0700
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On Friday 23 March 2007 21:07, M Harris wrote:

On Friday 23 March 2007 16:08, Robert Smits wrote:

hi Bob, thanks for your comments,

And I think that the distinctions being made between "Free" and "Open Source" are not worth fighting over. When you read the definition of Open Source at <http://www.opensource.org/docs/definition.php> and then look at the FSF at <http://www.fsf.org/licensing/essays/free-sw.html> for their definition of "Free" software it certainly doesn't look like there is very much, if any practical difference.

You are correct in that from a practical standpoint there is not much difference, at least as far as good open software goes. You are also correct that the difference is not worth fighting "over". However, you might consider that the difference (freedom) is still worth fighting "for". The practical aspects of open source have been touted (for good business reason) and have largely been successful; however, "freedom" is seldom mentioned... and that is not a mute point. The practical ends are very similar... good open software; However, the motivations (goals and values) of each are markedly different... and it is those very goals and values of free software that are under attack by M\$--- exacerbated via capitulation by Novell.

What is worth fighting over is the right to use, to create, and to modify non-proprietary software. You insist there is this vast difference between "Open Source" and "Free Software" - I don't see such a vast difference.

The difference is freedom. Not all open source software is free (as in freedom) nor are the goals and values of free software advocates necessarily promoted via open source software. I highly recommend this article by RMS explaining why open source is missing the point of Free

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Software:

<http://www.gnu.org/philosophy/open-source-misses-the-point.html>

(good, that saved me five pages of paraphrasing)

When I look at the article you point to, I see that RMS defines free software thus: "When we call software free, we mean that it respects the users' essential freedoms: the freedom to run it, to study and change it, and to redistribute copies with or without changes."

When I look at the definition of Open Source, it says the following:

Open source doesn't just mean access to the source code. The distribution terms of open-source software must comply with the following criteria:

1. Free Redistribution

The license shall not restrict any party from selling or giving away the software as a component of an aggregate software distribution containing programs from several different sources. The license shall not require a royalty or other fee for such sale.

This certainly appears to meet the first and fourth freedom of RMS's statements about running and redistribution.

2. Source Code

The program must include source code, and must allow distribution in source code as well as compiled form. Where some form of a product is not distributed with source code, there must be a well-publicised means of obtaining the source code for no more than a reasonable reproduction cost preferably, downloading via the Internet without charge. The source code must be the preferred form in which a programmer would modify the program. Deliberately obfuscated source code is not allowed. Intermediate forms such as the output of a preprocessor or translator are not allowed.

This appears to meet the requirement that we have the freedom to study it, since we get the source code.

3. Derived Works

The license must allow modifications and derived works, and must allow them to be distributed under the same terms as the license of the original software. Here we appear to have the right to modify and make changes and re-distribute the software.

I've left the rest of the definition here for the sake of completeness, but as far as I can see, none of the other provisions are in any way opposed to the four freedoms announced by RMS. What freedom is missing?

4. Integrity of The Author's Source Code

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The license may restrict source-code from being distributed in modified form only if the license allows the distribution of "patch files" with the source code for the purpose of modifying the program at build time. The license must explicitly permit distribution of software built from modified source code. The license may require derived works to carry a different name or version number from the original software.

5. No Discrimination Against Persons or Groups

The license must not discriminate against any person or group of persons.

6. No Discrimination Against Fields of Endeavor

The license must not restrict anyone from making use of the program in a specific field of endeavor. For example, it may not restrict the program from being used in a business, or from being used for genetic research.

7. Distribution of License

The rights attached to the program must apply to all to whom the program is redistributed without the need for execution of an additional license by those parties.

8. License Must Not Be Specific to a Product

The rights attached to the program must not depend on the program's being part of a particular software distribution. If the program is extracted from that distribution and used or distributed within the terms of the program's license, all parties to whom the program is redistributed should have the same rights as those that are granted in conjunction with the original software distribution.

9. License Must Not Restrict Other Software

The license must not place restrictions on other software that is distributed along with the licensed software. For example, the license must not insist that all other programs distributed on the same medium must be open-source software.

*10. License Must Be Technology-Neutral

No provision of the license may be predicated on any individual technology or style of interface.

What I do see is that fighting about whether "Free" or Open Source" is the correct model diverts people from dealing with the real enemy – those that want us all in a proprietary, locked down world of copywrongs and patents and DRM.

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That is not without some truth; which is why we must state again and again that the enemy is **not** open source proponents (as such) but proprietary software. Its like having a problem in the family... both partners (spouses) need to focus on the problem and not make the other spouse into the problem.

Well interoperability does affect many of the rest of us. We don't live in a world where there aren't real costs to adopting free or open-source software. Interoperability removes barriers to adoption of free or open-source software. The more people who have and use free or open-source software, the more allies we can enlist in overcoming the proprietary world.

I understand this as well; however, think beyond M\$ to MP3 or Flash. We should **never** capitulate to the enemy over their formats... if the format is closed we don't use it--- period. If I can't read your format... I don't need your format. If more folks stood their ground on this point **everyone** would begin using **free** formats, and **free** software. To use RMS' analogy (tired as it is) think free access (as in freedom) instead of price (as in free beer).

As it happens, the first time I got documents in the new Office format, I and others squawked and they were then sent out as pdfs....at least a standard that doesn't require proprietary software to read. Still not as good as .odt, I'll grant.

But it's not always possible to simply reject non-free formats and do without. I'm not willing, for example, to jeopardise my health by refusing to use my glucometer monitoring program for my diabetes because it only comes in a non-free (although free in terms of cost) Windows version.

The question ought to be whether people can do the work they need to do with free or open-source software or not. If they cannot - either because the software hasn't been written in an free or open-source software version or the free or open-source software version doesn't do what the user needs then they are much less likely to adopt free or open-source software and instead will stick to the proprietary versions.

This is where we (respectfully) part company. **My** work must **never** depend upon closed formats or closed (proprietary) software... it never will again... period. (ever!) "Those who give up essential liberty to gain a temporary safety deserve neither liberty nor safety"--- Ben Franklin. Freedom is worth more to me than that. But everyone must make this decision for themselves. Every task must have an open alternative... if it doesn't exist yet, then it is high time to invent it.

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I would certainly prefer an open or free version of all the software I use, but at this point in time it simply is not yet available. I agree we need to keep asking for those versions and to support them wherever we can to improve the situation.

A lot of businesses depend on software for much of their business function. Much of that software is not available in anything but Windows versions, and it simply is not an option to give up using it until there is not only a replacement, but a replacement that meets all the business needs of those using it.

That's why I'm glad to see, for example, the ability to read the new M\$ Office file format for documents being supported in Open Office. Because I NEED the ability, at work, on my Linux computer, to read files sent by those still stuck in the M\$ world. It's not because I want to generate them it's because I need to be able to read them. So interoperability is really useful even if all the software you use is non-proprietary.

This is an example of "interoperability" that is beneficial. The *format* is free (as in freedom) and free software (as in freedom) can be used to read the *free* format. Great! If this is what is meant by interoperability (as an example) then fine. The problem comes in when "interoperability" means that open source software "contains" proprietary (closed) code necessary for the interoperability. This is not acceptable, and this is the design goal of M\$ as they "work" Novell under the table (IMO).

I would certainly agree that it's something to guard against, but speculating about possibilities is different from claiming that it has already happened. I'm not claiming you've said it but there are certainly lots claiming not that the sky might fall, but that it already has.

I'm not arguing against the view that M\$ has that kind of long range agenda. I don't, however, see that the Novell - M\$ agreement moves us down that road.

M\$ is not about freedom, or the free software movement, or open source for that matter. They have an agenda, and Novell is going to get used to help pull it off. I too tend to stay away from the ill reasoning of the slippery slope (if possible)---- but not in this case... because the M\$ history has such a depth and scope that no one can deny that their intentions *this* time are also probably evil. If it smells like a duck, walks like a duck, quacks like a duck, you get the idea.

I agree about Micro\$oft completely. It does not follow that Novell intends to

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help them do it, and there are all kinds of good reasons why it's not in Novell's interest to allow them to.

And your point is that being a crusader lends you credibility?

Of course not... only that just because you're a crusader doesn't mean that you're "bad". Plenty of crusaders have no credibility. The FSF is not one of them, however.

No, it doesn't, but neither does it make the FSF expressed views on other matters above examination or "sainted". I quite agree with the FSF on many if not most issues, including copyright, patents, drm, etc. I still, however, have not been convinced by their crusade against Novell.

Unfortunately, what it may also do is further exacerbate the divisions in the non-proprietary software community. If many of those, like Linus, can't agree to use GPLv3 in its present form, are we going to see more energy dissipated in arguing about which distro can use which software instead of enabling all distros to better combat M\$ and Apple?

Well... no... and of course not. This is where the dialogue becomes key all around... and this is why *none* of you should shy away from the dialogue. The GPLv3 should be discussed... and all inputs should come into play... and a decision that is community based (solidarity) should prevail.

I'd be much more interested in doing just that if the stated goal wasn't to put a spoke in Novell's wheel. If it really was just to update the GPLv2 to enable it to deal with changes in the law, including internationally, there would be much less resistance to proposed changes.

Instead, as I understand it, there are proposals to deal with hardware and DRM that not everyone agrees with. Can't we be opposed to DRM without necessarily putting it in v3?

But to say that the GPLv2 is fine just the way it is won't fly. The GPLv3 needs to be refined and that takes discussion... not hatred or name calling... let's call it BrainShare... and let's see what we can come up with----- but from my perspective freedom has the highest priority, and whether you agree with that statement or not perhaps we all might consider that freedom needs to be in the discussion for the GPLv3 dialogues to be successful.

What I see critics of v3 saying is that they want to distinguish the desire to

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keep the GPL current from the desire to move forward the particular agenda of the FSF.

I suspect you mean that everyone should be able to freely choose whatever software they want to use on their computer, and in that I completely concur.

Its way more than that... free to select, free to examine, free to distribute (even for a fee), free to modify, free to document and redistribute (even for a fee), and free to use in further innovations *freely* without patent restriction, asking for permission, paying a fee for the *right*, or being sued for any reason.

Yes, I mean all of that, and agree with it.

If you mean that everyone should get computers at no cost, I disagree.

Free Software does not---- has not----- and never will---- mean free of cost. Free Software means (freedom) not free as in price---- not like free beer.

No, of course that's not what you meant, but it's a complication of using the term "Free Software".

"Most of the Linux community" isn't discussing the Novell M\$ deal. Most of it is just using their Free or Open Source software to do their computing in their daily lives.

You may not be paying attention to *most* of the writing that is going on blogs, slashdot, the news, etc. Most linux users are absolutely talking about it... all around the world... just take a look at Dell right now... the M\$---Novell thing is going to have a huge impact there... maybe for the worse.

My point is that most Linux users aren't necessarily paying attention to blogs, or even know what Slashdot is. The Linux community has grown way beyond the realm of Linux aficionados like us who eat and breathe this stuff.

Having Dell offer an off the shelf computer with Linux preinstalled would certainly make adoption of Linux by more people likely. I'm not at all sure it's going to happen, though.

Unless Dell settles on a distribution that provides the level of support that

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Dell does now for its Windows computers (for the cynics among you please refrain from responding crappy, slow and untalented) it will run a huge reputational risk in selling Linux computers to the mass market. They simply must have SOME level of support to get people up and running when they have problems.

I mean... as the **only** linux to be **recommended** by M\$-----
Dell might just want to stick with openSUSE (not that I'm apposed to that) and the **rest** of the linux community **might** be a little peeved about it... do you see my point ?

Absolutely. Sometimes the linux community is its own worst enemy. Instead of rejoicing that someone provides a distro we can send newbies too where they can get everything working without too much effort, we grouse that real linux users had to use the command line, and so these distros aren't worthy of the name Linux.

A relatively small, very vociferous contingent have viewed the agreement more like a woman scorned than as a rational observer sees by what Novell has actually agreed to. They are so offended that anyone would have ANY truck with M\$ that Novell has become their target instead of Microsoft. And they seem to have read into the agreement all kinds of things others don't see there at all.

Just remember my friend... "hell hath no fury like a woman scorned..."

That's my point. It's often emotional and not rational disagreement.

We need to see that the "Free" and "Open" software advocates have far more in common than separating them, and that even though there are disagreements about the ultimate goal, cooperation on a whole range of issues is both possible and desirable. You don't get there by vilifying those who need to cooperate with each other.

You make a good point that Free and Open must work together against a common enemy... but you're still missing the main point----- we disagree about the motivating goals and values (up front), and we pretty much agree on the ultimate goal of displacing proprietary software (on the back end). The main practical difference is that Open Source is a development methodology (or model) and Free Software is a social movement. The difference is staggering.

I wonder if everyone regards it this way. I see both Open Source and Free

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Software proponents at slightly different places on a continuum that goes from Free Software on one side to completely closed proprietary software on the other. I'm not even sure I wouldn't describe Open Source as much of a movement as Free Software. Perhaps it's because so many of us support both.

Having said that I concur that in all ways and dialogues it must be stated again and again that the proponents of Free or Open software are *not* adversaries... and as a proponent of Free Software I do not (and will not) see open source proponents as the enemy; however, I will strive fervently to exchange a meaningful dialogue with all interested parties to advance the idea (education) that freedom is most important, and to focus all eyes and attention on the enemy---- namely proprietary software.

Freedom to do WHAT, exactly?

You seem to be saying that all free software is open source but not all open source is free software. When I look at the definitions of what constitutes free software and what constitutes open source software I don't see any glaring differences. (It looks like a duck, it sounds like a duck....etc). I'm not trying to be obtuse, but I still don't see what freedom is missing under open source that is present under free software.

Thanks again for discussing this with me... I appreciate the opportunity and I respect your input.

Thank you. I'm really trying to see the distinction, and I appreciate civilised discourse about it.

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Bob Smits bob@xxxxxxxxxx

"...I'm not one of those who think Bill Gates is the devil. I simply suspect that if Microsoft ever met up with the devil, it wouldn't need an interpreter." (From N. Petreley's column, "Down to the Wire", sept. '96 issue of Inforworld)

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