Software Eats the (Commons/Public Licensing) World (It Should!)

Mike Linksvayer (@mlinksva)
Linux Foundation Collaboration Summit
San Francisco
2013-04-16
“My theory is that we are in the middle of a dramatic and broad technological and economic shift in which software companies are poised to take over large swathes of the economy.”

By MARC ANDREessen

This week, Hewlett-Packard (where I am on the board) announced that it is exploring jettisoning its struggling PC business in favor of investing more heavily in software, where it sees better potential for growth. Meanwhile, Google plans to buy up the cellphone handset company Motorola Mobility. Both moves surprised the tech world. But both moves are also in line with a trend I've observed, one that makes me optimistic about the future growth of the American and world economies, despite the recent turmoil in the stock market.

In short, software is eating the world.

More than 10 years after the peak of the 1990s dot-com bubble, a dozen or so new Internet companies like Facebook and Twitter are sparking controversy in Silicon Valley, due to their rapidly growing private market valuations, and even moreso, on Wall Street, where a handful of IPOs have gone quietly public. Why Software Is Eating The World

Marc Andreessen

2011-08-20
(software freedom is pretty important!)
(and much more than “the economy” is at stake)
(a conjecture)

To the extent software is *not* eating the [knowledge] commons, they’re dead and just don’t know it yet
(rationale)

relative growth matters a lot

world liberation or remnant defense

proprietary always innovating

peak forms not predetermined, shift to ones amenable to commons creation
computation will be central to all of the next peaks
(floss required)

“free/libre” AND “open source” in all their stereotypical meanings

ethics
practice
software
(liberated via “product” competition)

wikipedia blew up the encyclopedia category; ridiculously better than anything previously by the name

lots of examples in software

little else
(liberation in progress via “policy” competition)

scientific publication

[“product” competition also plays an important role]
The Internet has inspired multiple movements toward greater openness — most prominently, open access, open data, open science, and open educational resources. None of these is based on the belief that there should be such a thing as a free lunch, but each recognizes that the Internet and digital-resource sharing so that changes can feasibly be made to traditional practices that are in some ways “closed,” requiring payment for access to information or prohibiting myriad reuses of accessible information. The quality of “openness” applies to both the terms of access and the terms of use. Advocates in each movement — and I am one, serving on the boards of directors of two organizations promoting open access, Creative Commons and the Public Library of Science (PLOS) — share an understanding that an open resource is freely accessible over the Internet. Opinions vary about the terms of use necessary for a resource to be open.

* In an otherwise excellent article
(silos)

FLOSS

open access
open content
open data
open education
open hardware
...

(ignorance or apathy)

cconcerning FLOSS runs deep in open *

including of  
community 
ethics 
policy 
practices 
software!
(eg software seen as tangential)
Bruce D'Arcus · 3 days ago

Jason - when you say "What I learned was that my next project had to have open at its core, rather than just tacked onto the side," what do you mean by the term "open" here? Last I looked, PeerJ is based on proprietary code. If that's right, isn't your business model closer to Mendeley than this post suggests?

I'm not trolling; a serious question. I really want to see open access innovation in my field. But I'm not sure I see that happening without it being based on open source code, which then allows experiments on different sorts of business models for different fields (philosophy would seem rather different than biology, for example), and so forth.

1  ·  Reply ·  Share ›

Jason Hoyt → Bruce D'Arcus · 3 days ago

Bruce -

1. Mendeley was in a tight spot using other publisher’s material. We had to tread carefully with product development because of that. The proprietary nature of the Mendeley software wasn’t blocking my ability to build new features, it was restrictions to the use of content. In contrast, PeerJ is an Open Access publisher, which means the content is freely available to all to remix and use under a CC-BY 3.0 license. This is what is meant by “open.” I don’t need to be worried about a publisher getting angry at me for distributing content and neither does anyone else.

2. PeerJ is already open sourcing our code frequently at https://github.com/PeerJ if you’re interested. Then there is OJS and Annotum for other solutions to experimenting with publishing. That said, a lack of open source publishing options is not what is holding back Open Access, so I disagree there.

2  ·  Reply ·  Share ›

My thoughts on Mendeley/Elsevier & why I left to start PeerJ

2013-04-09
1337biz 1 day ago | link

I don't get it. It was absolutely clear that they were using a proprietary software owned by a for-profit company.

There are perfectly viable alternatives, Open Source and free to use e.g. Zotero et al.

reply

mjn 1 day ago | link

While true, it seemed like a fairly pro-openness company, which not only said the right things but seemed to have a lot of employees genuinely committed to improving the state of academic literature.

But it does add another example of why we should be wary of even well-meaning for-profit companies, without some kind of more solid guarantee that they won't sell out in the future. For stuff like this, either a nonprofit foundation, or at least a forkable open-source version of the platform, seem like necessary prerequisites if you want to ensure that Elsevier-and-co can't buy it out. I guess a company 100%-owned by a strong open-culture advocate could be reliable also, but it gets more complex when investors are in the mix.

Also a reason I don't trust academia.edu compared to, say, the arXiv.

reply
This is the problem with relying on software as a service. To ensure openness you can’t just put your faith in a single company, Mendeley, Google, whatever. We need distributed tools and open protocols. If all your data is on one company’s servers you are vulnerable. It is reminiscent of the recent Google Reader controversy. If you’re looking for solutions to the fundamental problem in such situations you need two things.

1. All the software needs to be open source (or at least have open versions available) so that it can’t be “taken away” by a single company or individual.
2. Anyone should be able to install their own server and have that server and their client be able to talk to other servers/clients.

This is why email is so great.

Remember these abuses if you are a Dropbox, Facebook, Google or Twitter user. What happens when the company gets taken over by someone “evil” or the company simply decides that profits trump its “products” i.e. you.
(eg copyleft = *blank stares*)
glynmoody

about 15 days ago from web at London, England, United Kingdom

csolisr
@glynmoody And what about share-alike?

about 15 days ago from mustard.mod at Cantón de Santa Ana, Provincia de San José, Costa Rica

mlinksva
@csolisr whatever its value in theory, copyleft advocates have utterly failed to communicate across whatever divide exists to OA.

about 15 days ago from web at South Berkeley, Berkeley, California, United States

cwebber
@mlinksva I'm convinced you're right on that one.

about 15 days ago from web at Madison, Wisconsin, United States

trc
@cwebber I feel the same about @mlinksva.

about 14 days ago from web

mlinksva
@csolisr BTW one of the "stylized facts" I'll talk about at http://collaborationsummit2013.sched.org/event/9e7eac36c4aa839f60a0cd5890b2630d

about 15 days ago from web at South Berkeley, Berkeley, California, United States

csolisr
@mlinksva Remember to upload your presentation! I'd like to check it myself.

about 14 days ago from web at Cantón de Santa Ana, Provincia de San José, Costa Rica

2013-03-28
Directory of Open Access Journals

[note majority are gratis, no license at all; OA started as “post-open source”]

<table>
<thead>
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<th>License</th>
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<td>555</td>
<td>19%</td>
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(OA people really smart ... situation worse elsewhere in many ways)
(overall harm)

lack of scale

lack of network effects

each silo a dwarfish form
(knowledge harm)

too much reinvention

too little copying

too much ignorance
(ethics harm)

[software] freedom not transmitted

not critiqued and strengthened

dependence rotting in obscurity
(ruinous failure harm)

DRM

monopoly abets monopoly
(policy harm)

no coordination except on rearguard action

no vision for potency of commons building

constrained to personal ethics and domain-specific lobbying
(license harm)

incompatibility by rule and expectation

acceptance of non-free

[and all previously mentioned harms, applied specifically to licenses]
(it’s FLOSS fault!*)

* Admittedly ungenerous. FLOSS is visionary; I just wish it were moreso.
(abdication of other domains)

licenses

advocacy
(pollution of other domains)

licenses

advocacy
(communications failure)
(lack of policy vision)
(result)

pre-creative commons license mess

creative commons license suboptimal apparent order

and see previous harms
Anti-Copyright License, Comic Book Public License, Design Science License, Distributed Encyclopedia General Public License, EFF Open Audio License, Electrohippie Collective’s Ethical Open Documentation License, Ethymonics Free Music License, Free Art License, Free Media License, Free Music Public License, GNU Free Documentation License, No Type License, OpenBits License, Open Content License, Open Directory License, the Open Music licenses, Open Publication License, Open Source Music License, Public Library of Science Open Access License, QING Public License, Phyd’eau — License of Intention for Liberty in Expression and Creativity
only small part of problem, but due to totemic status, a barrier and potential lever
(long term)

one interoperable commons

[and world liberation]
(short term)

opportunities, trends...
(CC-BY-SA-4.0)

hopefully one-way GPLv3+ compatible

[and other compatibility improvements]
A HANDY GUIDE TO CREATIVE COMMONS

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Everybody can freely download and share your work without modifying it, which they'd be able to do anyway since you can't afford to sue them.

Everybody can do whatever they want with your work as long as it's not commercial (whatever that legally means), if you can afford to sue them.

Everybody can do whatever they want with your work, as long as they don't stop people from doing stuff with their work, if you can afford to sue them.

Everybody can do whatever they want with your work as long as they give you credit, if you can afford to sue them.

Screw it. Just use this one and save everybody the headache. People are probably just going to do whatever they want anyway.
(software-centric licenses, new/versioned)
(simple more inclusive language changes (e.g., software > work))

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(talk to other communities, eg hardware design)

Proposed License - Hacked Apache 2.0

Andrew Katz — Wed 07 Mar 2012 05:27:02 AM PST

Dear All

Sorry for launching myself into the list like this, but hello, everybody!

Here’s a link to a licence I’ve been working on and I’d like to propose as a conformant licence. It’s intended for open hardware, but can equally be used for software (the eagle-eyed will note that it bears an uncanny resemblance to the Apache 2.0 license).

http://solderpad.org/licenses/SHL-0.5/

The backstory is this: I’ve been working with a number of open hardware projects, and I’m slowly coming to the conclusion that a permissive licence makes more sense than a copyleft licence. The only two licences currently proposed for covering open hardware are the TAPR and CERN licences, both of which have a copyleft element. I posited the idea of using Apache as a base, and taking a look at it, it is remarkably simple to convert it to cover hardware.

[I’m fairly critical of this particular proposal, but contains some good pointers, see http://web.archiveorange.com/archive/v/EfptdcGQLun4lRPG95vz]
(reformation)

is here-coming: be crushed or leverage translate and justify forced sharing (copyleft) as policy knowledge commoners of all domains are needed
(imagine a world in which FLOSS and Wikipedia are not unusual)
where mass collaboration obtains...
disruptive innovation
superior “product”
greater equality
greater freedom
...in all of the most crucial human enterprises
**links:** convey yourself to

gondwanaland.com/mlog

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