

**Understanding the Undertones of Political Thought within the Politically Agnostic
FOSS Movement**

Rohan Verma

Dept. of CSE - Third Year

1510110508

Introduction to Political Thought

Shiv Nadar University

Submitted to: Prof. Shekhar Singh

SOC114 - Intro to Pol. Thought

Understanding the Undertones of Political Thought within the Politically Agnostic FOSS Movement

The Free and Open Source Software (FOSS) movement, which is now seen as an integral part of the technology sector, is now making its impact outside this domain in various dimensions. It has given rise to the three “Open” pillars - Open Source, Open Standards and Open Content. Ideas formulated during the rise of these new FOSS communities have been able to raise various questions about Intellectual Property, Information Production and other newly formulated concepts. In this paper, we will first discuss the history of FOSS and the creation of the two camps of the FOSS movement. It is important here to remind the reader that the word “Free” stands for free as in “Freedom” and not the economic freebie, but also to note that it has been carefully chosen to highlight that as well. We will analyze this bipartisan community and the implications of their ideology about freedom. Going ahead, we will discuss the copyleft licenses and its impact on intellectual property followed by the emerging future of the new ideologies. Although, FOSS developers and community members are agnostic about politics the aim of this paper is to bring out the underlying political thought behind this recent modern phenomenon.

History of FOSS. The concept of sharing technological information predates computers although this technology along with the internet have enabled sharing of information exponentially. Before the 1960s, most of the source code that was written was academic and usually available under the public domain. But with the advent of commercial software, came licenses for using and distributing software. In 1983, Richard Stallman started work on the GNU project to write a complete operating system free from any constraints on the usage of its source code. In 1985, Stallman published the GNU Manifesto and in 1989 he released the first version of the GNU General Public Licence (GPL) and it was the beginning of the Free Software Movement which would culminate with the creation of the Free Software Foundation (FSF). We should note here that the GNU GPL was a Copyleft license. It was a novel use of the existing copyright law that guaranteed the GPL licensed works to remain freely available even under derivative works and therefore saw extensive use by the community. As an aside, it is important to mention that this was one of the inspirations for the share-alike license provided by the Creative Commons which we will discuss ahead. There seems to be two major highlights for our discussion in context of this paper from Stallman's work. First, being his definition of the "Free" in FOSS to be Free as in Freedom. The freedom he talks about is closer to the positive liberty - which according to Isaiah Berlin would be the possibility of acting and not the negative liberty. This positive liberty is attributed to the collective

community behind the projects and the members of the community. Second, is his argument about the benefits of such projects. In essence, he breaks these benefits into the benefits to the contributors and the benefits to the community as a whole. His work has continued on to become one of the two major philosophies in the FOSS world.

The early 90s saw the rise of the permissive open source licenses, like the Apache License, that were commercially aligned. Permissive licenses allowed users to use these projects and modify them and earn profit without necessarily having to be bounded by the restrictions imposed by the GPL license. In 1999, Eric S Raymond published his essay about the two different software models, “The Cathedral and the Bazaar”. He describes the Cathedral model, in which source is available with each software release but code developed between the releases is restricted to an exclusive group of software developers whereas in the Bazaar model, code was being developed over the internet in view of the public. The bazaar model was only possible with the rise of the internet and now we see the emergence of a new human dynamic that is Peer to Peer which we discuss below.

In 1997, Netscape Navigator’s release of its source code, prompted Raymond and others to rethink about FSF’s social activism since it was not appealing to corporate companies and wanted to rebrand to highlight the business potential of sharing of source code. They adopted the label “open source” and the Open Source Initiative (OSI) was formed thereafter.

The Bipartisan Community. Two major philosophies exist today in the FOSS world today. Both are lead by the two major camps, the FSF camp and the OSI camp. According to the FSF, free software is meant to protect four user freedoms. They term programs that don't give these freedoms to by "non-free". Their argument here is that non-free programs control the users and this makes the program an instrument of unjust power. It is clearly evident how it shares a common vocabulary with Marx, when he talks about class struggle in the Communist Manifesto. Comparing the social groups identified by Marx, the Labour and the Capital, are comparable to the Users and the Developers. To give an example, computer programs developed by hobbyists in the 90's grew into serious competitors to commercial software being produced by large companies. One such community project was the GNU/Linux operating system which is now one of the only competitors to the Microsoft Windows operating system. The question that the FSF's philosophy was in a position to answer was what was whether the Windows ecosystem was ethical or not in its treatment of its users.

The FSF's list of four freedoms are listed below:

- The freedom to run the program as you wish, for any purpose (freedom 0).
- The freedom to study how the program works, and change it so it does your computing as you wish (freedom 1). Access to the source code is a precondition for this.

- The freedom to redistribute copies so you can help your neighbor (freedom 2).
- The freedom to distribute copies of your modified versions to others (freedom 3). By doing this you can give the whole community a chance to benefit from your changes. Access to the source code is a precondition for this.

- (*FOSS A General Introduction/Intellectual Property Rights and Licensing*
- *Wikibooks*)

It is hard not to notice the similarity between how this philosophy also calls for a certain set of negative freedoms in Isaiah Berlin's terminology, just like Rawls lists out the primary goods for his first principle. Similar to Rawls use of arguments moral in nature to justify his argument, this philosophy is also justified on the basis of free software's commitment to prevent limiting the freedom of others. The FSF's main contention is the ethical use and creation of software, just like Rawls talks about the ethics of justice.

Another undertone that can be brought about by classifying the user as the labourer in Marxist terms allows us to understand is how free software is in a position to reduce the alienation between the users and the developers. Technology that is designed as a "black box" makes the user to be left without any influence over the functions that the machinery imposes.

OSI's philosophy is a bit different from the FSF. They say, "When programmers can read, redistribute, and modify the source code for a piece of software, the software evolves. People improve it, people adapt it, people fix bugs. And this can happen at a speed that, if one is used to the slow pace of conventional software development, seems astonishing." OSI is more focused on the technical values that make software powerful, reliable and business friendly. It bypasses FSF's moral views on the subject and focuses on the practical advantages offered by FOSS's distributed development model. Just like how Robert Nozick critiqued Rawls work, a similar argument like Nozick's critique of pattern based principles can be extended to critique the FSF moral stand by the OSI.

Even though both FSF and OSI differ immensely in their fundamental philosophy, they both share the same space and cooperate on their common goal. Richard Stallman has himself said that they both are like two political parties in the same community.

Analyzing Copyleft and Intellectual Property. One of the biggest achievements of the FOSS movement is the Copyleft license. The purpose of the license as discussed above was to protect the four essential freedoms. Putting Copyleft in layman's terms, it is a rule that when a program is redistributed, it must not add restrictions that deny others the four central freedoms. It has been successful in rupturing the naturalized form of intellectual property by inverting its singular by using intellectual property itself. This is similar to Marx's inversion of Hegelian idealism, which retained Hegel's dialectical

method to repose history not as an expression of the “Absolute Idea” but as humanity’s collective creation through labor. By utilizing the existing copyright law, copyleft has been in a position to tell us that we are not mere subjects of an unchangeable law but in turn we can actually create and modify the laws to serve other ends. FOSS licenses can be understood as constitutions that serve to credit the researchers, protect them from liability, and then let people do what they want with the product.

Nowadays, a free software user and developer is confronted with a choice of licenses and moral codes. This choice, although, requires prioritizing one group’s freedoms over another. This ethical dilemma can be resolved by favoring the copyleft licenses as they have a better facilitation of freedoms, a broader appeal to the community, and their commitment to an ethical vision for the future. Hobbes is known to have famously defined freedom as the absence of restriction. Political thought from Aristotle to Heidegger has been at odds to differentiate freedom from license. Isaiah Berlin’s characterization of positive freedom as an alternative and negative freedom as the absence of restriction is again valuable here. There is often a critique of positive freedoms called the “paradox of economic freedom” where unfettered freedoms in the form of removing all restrictions on the rich would result in the total exploitation of the poor, and thereby their subsequent loss of economic freedoms. Similarly, non-copyleft

licenses, although operating to grant protection, inevitably fail to provide any means against the exploitation possible.

Peer Production and the Gift Economy. Peer to Peer (P2P) is a newly emerging human dynamic which is giving rise to a third mode of production, governance and property. It is poised to have deeper impacts, even more than the impact of Marx's identification of the manufacturing plants of Manchester as the blueprint for the new capitalist society. To understand what P2P is, we must first understand P2P processes. These processes produce use-value through the free cooperation of producers who have access to distributed capital and it is termed as the P2P production mode. These processes are governed by the producers themselves and make the use-value freely accessible universally. These processes occur in distributed networks where there is decentralization like the internet. P2P is often incorrectly described as a Gift Economy. This is because it is not based on equality matching but on reciprocity. Taking inspiration from Marx's slogan "From each according to his ability, to each according to his needs" P2P does not involve obligatory reciprocity. Each contributes according to his capacities and willingness and each takes according to one's needs. In the purest form of Peer Production, producers do not get any payment. P2P processes and P2P as a model itself might be important to read and understand and question as it might slowly but eventually be a factor for future economies and social policies. Take into account the emerging

welfare states which might be able to sustain such individuals who partake in P2P processes since the current form of the economy cannot.

Creative Commons. The commons movement, another much recent phenomenon, is centered on the idea of creating public goods to reinvigorate democratic principles. FOSS has enabled like-minded projects in art, law, and science to release all their archives under a Creative Commons license. Commons are universally available and regulated by global cyber collectives. A license called the “Share-Alike” licenses provides a similar to the Copyleft licenses that allows redistribution and derivative works only if they are also released under a commons license. This commons phenomenon is in contrast to the Communal lands of the past which were localized and regulated by communities usually limited by location. Creative Commons have therefore given an example of the spreading of the ideology generated by the FOSS movement might eventually lead to a different future.

Summary. The Open Source Initiative’s efforts to popularize free software by divorcing it from politics seek to increase greater acceptance among corporate developers has although increased the exposure of FOSS to the world. Although, with this divorce, the underlying and foundational political and ethical message have been lost into the

underground. Therefore, it is important to not forget these underlying message of liberty and revolution created by the origins of the FOSS movement.

Works Cited

Benkler, Yochai, and Helen Nissenbaum. "Commons-based Peer Production and Virtue."

Journal of Political Philosophy 14.4 (2006): 394-419. Print.

Berlin, Isaiah. "Two Concepts of Liberty." *Liberty* (2002): 166-217. Print.

Chopra, Samir, and Scott Dexter. *Decoding Liberation: The Promise of Free and Open*

Source Software. New York: Routledge, 2008. Print.

Cohen, G. A. *Karl Marx's Theory of History: A Defence*. Princeton: Princeton UP, 1978.

Print.

Coleman, Gabriella. "The Political Agnosticism of Free and Open Source Software and

the Inadvertent Politics of Contrast." *Anthropological Quarterly* 77.3 (2004):

507-19. Print.

"Copyleft vs. Copyright: A Marxist Critique | Söderberg | First Monday." *Copyleft vs.*

Copyright: A Marxist Critique | Söderberg | First Monday. Web. 11 Dec. 2016.

"FOSS A General Introduction/Intellectual Property Rights and Licensing." *FOSS A*

General Introduction/Intellectual Property Rights and Licensing - Wikibooks, Open

Books for an Open World. Web. 11 Dec. 2016.

"FOSS A General Introduction/Introduction." *FOSS A General Introduction/Introduction*
- Wikibooks, *Open Books for an Open World*. Web. 11 Dec. 2016.

"The Open Source Initiative" *About | Open Source Initiative*. Web. 11 Dec. 2016.

Nozick, Robert. *Anarchy, State, and Utopia*. New York: Basic, 1974. Print.

Rawls, John. *A Theory of Justice*. Cambridge, MA: Belknap of Harvard UP, 1971. Print.

Weber, Steve. *The Success of Open Source*. Cambridge, MA: Harvard UP, 2004. Print.

"Gnu.org." *The GNU Operating System and the Free Software Movement*. Web. 11 Dec.
2016.