

Packages - Freedom Issue #2938

free license concern

2020-11-26 06:33 AM - telur

Status: not-a-bug	% Done: 0%
Priority: discussion	
Assignee:	
Category:	
Description	
please enlighten me if im wrong	
in fsf essentials freedom, freedom 1 stated that everyone that choose to distribute libre software are obliged to release the source code as well.	
lately i found that bsd family licenses doesnt enforce one to release source code, thus they are not obliged to make source available if they want.	
im confused:	
1.are bsd license fall into nonfree by these definition, because they allowed distribution without source code ?	
2.and what about other license that had these similiar problem (non copyleft license in general) ?	
some resources:	
"The BSD license (unlike some other licenses) does not require that source code be distributed at all"	
https://en.m.wikipedia.org/wiki/BSD_licenses	
"The GPL is copyleft. It requires you have to disclose your source code and make the modified version open source as well. The BSD license family (including the Modified License), on the other hand, doesn't compel you to do any of the above. They have fairly relaxed redistribution terms."	
https://resources.whitesourcesoftware.com/blog-whitesource/top-8-bsd-licenses-questions-answered	
"	
The Linux GPL license tends to be more strict on the developers, forcing a release of all modified source code. BSD developers on the other hand have no such restrictions. The thing to keep in mind is what the non-developing public gets out of all this. Manufacturers may opt for BSD as their operating system of choice when creating new devices instead of Linux. This would allow them to keep the code modifications to themselves as the use of Linux would have come with the stipulation of releasing the source code to the public.	
The restrictions set on Linux by their license provides those seeking applications for the system an assurance that if one is made, they will have access to it. The BSD license allows its developers the choice to remain greedy and tight-lipped on kernel and system modifications, meaning that even if something is made, the general public may not even have a clue to its existence.	
"	
https://www.google.com/amp/s/helpdeskgeek.com/linux-tips/bsd-vs-linux-the-basic-differences/amp/	

History

#1 - 2020-11-28 02:53 AM - bill-auger

if this ticket is not related to any specific parabola package, it would have been more useful as a discussion topic for the forum or mailing list - i will need to close it as 'not-a-bug' - if you care to re-post it on the forum, i would copy over my response

#2 - 2020-11-28 03:06 AM - bill-auger

freedom 1 stated that everyone that choose to distribute libre software are obliged to release the source code

the four freedoms do not state that precisely - freedom#1 states that some software provides freedom#1, *IFF* the source code is freely available, modifiable, and re-distributable - it is not implying that binaries compiled from freely licensed source code, must themselves be freely licensed - inherently, binaries can never provide all four freedoms - it is generally not possible to determine which source code any binary was compiled from; so binaries are not *the_thing* that one wants (or has any use for) regarding software freedom - that inversion is subtle; but it is asymmetrical for binaries (one does not imply the other) - only the GPL makes it symmetrical for binaries - the confusion you have there is probably regarding the difference between the four essential freedoms, and the extra stipulations of the GPL,

in short, the four freedoms apply to the case where one has acquired some freely licensed source code - it is not implying that one must be able to acquire the source code, in order for the source code to be considered as libre

all of the popular permissive licenses provide all four freedoms to anyone who acquires the source code; which is why they are approved by the FSF and the OSI - the GPL goes beyond the four freedoms, to ensure that everyone who acquires binaries without source code, can claim the four freedoms, simply by asking the person who gave them the binary, to also give them the source code

perhaps it helps to look at it this way: executable binaries are not *the_thing* which license cover essentially - binaries are a convenience service, which someone provides for users, on the behalf of those users - that person is most often not the author; and it is not done on the behalf of the author

if one has only a binary and no source code, it is true that one does not have all four freedoms - in that case, one probably does not have the license either, unless it is a GPL program - without some form of license, one has none of the four freedoms - much less, one probably does not have so much as the permission to possess a copy

if one wants all four freedoms, then one should ask the person who compiled and distributes that binary, for the source code - in the case that the source code from which it was compiled is GPL-licensed, and if that person refuses to provide the source code, then that person would forfeit the permission to distribute it - it would also imply that even the person who asked for the source code, would have no permission to possess the binary, and must delete it - in the case that the source code from which the binary was compiled is permissively-licensed, there is no obligation for that person to provide the source code upon request - some licenses do not even require binaries to convey any license or attribution, in which case, one may not even know the author was or who to ask for source code - the binary is essentially proprietary in such cases (so perhaps one should simply delete it)

regarding those quoted bits of advice: though they are essentially correct, they are either confused or are intentionally confusing, regarding the terms of the GPL - the subtext is a common mis-conception/dis-information, due to casting the issue in terms of "open-ness" or "generosity" on the part of the author - that mis-conception, leads people to describe the GPL as more "restrictive" than permissive licenses - the restriction (if youd call it that) is merely such that people must not restrict others; in the same way as a civil law may "restrict" people from committing some offense against others, in contrast to: "do as you please - just dont blame me" - permissive licenses are mainly about satisfying the legalities of software distribution, analogous to commercial laws - the GPL is more akin to civil laws, with the emphasis on how people treat each other in a civilized society; a concern which is absent from the open-source philosophy - the four freedoms address neither activity; but only static, objective properties of the license - they are just criteria, useful when discussing the issue of software freedom, or as a guide when choosing software

whenever people describe the GPL as more "restrictive", the implication is regarding the freedom and interests of the author, exclusively - anyone who describes it that way, is not at all considering the freedom or interests of users - from the point-of-view of 'open-source', the license exists only to protect the author from copyright violation or warranty claims - the GPL does that too; but furthermore, the GPL is primarily concerned with protecting the freedom of the software users, by protecting the software itself from being proprietary - it is an agreement between the author and users - permissive licenses do not consider users of the software to be party to the agreement, nor as any sort of stake-holder; so there are no prescriptions regarding the interests or actions of users

#3 - 2020-12-04 08:44 AM - bill-auger

- *Priority changed from bug to discussion*
- *Status changed from unconfirmed to not-a-bug*