FREE SOFTWARE

Essentials Reference Sheet

Free Software has become an issue of increasing importance in all political fora, national and international. This paper aims to provide a reference of some Free Software essentials to allow delegates to focus on the substance.

Free for freedom, not price

Free in Free Software exclusively refers to freedom, it never refers to price. This fact warrants highlighting because it is at times obscured by a particular weakness of the English language that is generally not shared by other languages. Primarily used in this definition since the 1980s, Free Software is defined by four fundamental freedoms:

1. **The freedom to run the program, for any purpose.**
   *Placing restrictions on the use of Free Software, such as time (30 days trial period",
   "license expires January 1st, 2007") purpose ("permission granted for research and non-commercial use") or geographic area ("must not be used in country X") makes a program
   non-free.*

2. **The freedom to study how the program works, and adapt it to your needs.**
   *Placing legal or practical restrictions on the comprehension or modification of a program,
   such as mandatory purchase of special licenses, signing of a Non-Disclosure-Agreement
   (NDA) or making the preferred human way of comprehending and editing a program
   (and its "source code") inaccessible also makes it proprietary.*

3. **The freedom to make and redistribute copies.**
   *If you are not allowed to give a program to someone else, that makes a program non-free.
   This can be done for a charge, if you so choose.*

4. **The freedom to improve the program, and release improvements.**
   *Not everyone is a programmer, or a programmer equally good in all fields. This freedom
   allows those with the necessary skills to share them with those who do not possess them.
   This can be done for a charge.*

Rights, not obligations

These freedoms are rights, not obligations. Any institution and person can choose to not make use of them, but may also choose to make use of all of them. In particular, it should be understood that Free Software does not exclude commercial use. If a program fails to allow commercial use and commercial distribution, it is not Free Software. Indeed a growing number of companies base their business model completely or partially on Free Software, including some of the largest proprietary software vendors. Free Software makes it legal to provide help and assistance, it does not make it mandatory.

Implemented in Copyright

These freedoms are generally implemented by means of copyright, although not in all cases: public domain software is also Free Software, although a special case. For the vast majority of Free Software it is the copyright license that determines whether a particular program is indeed Free Software. If a copyright license grants the freedoms described above, it is a Free Software license, of which between 50 and 150 are in use today.

This suprisingly low number is caused by the tradition to choose established and well-understood licenses for Free Software, rather than writing a new license for every program. Thus, by examining a handful of comparatively simple licenses, it is possible to understand the licensing terms of more than 90% of all Free Software, greatly reducing the overhead of licensing administration and compliance.

Terminology

Free Software is discussed under various headings, with alleged antonyms and synonyms, which frequently cause confusion and doubt and will therefore be explained briefly.

Antonyms

The antonym of Free Software is proprietary software, or non-free software. Commercial software is not an antonym to Free Software, being commercial is unrelated to freedom. Commercial Free Software is just as normal as non-commercial proprietary software, sometimes also referred to as "freeware".

Synonyms

As of 1992, the term "Libre Software" was promoted as a synoym to Free Software in parts of Europe to address the particular confusion of the English language. The term "Open Source" was proposed in 1998 as a marketing term for Free Software by the Open Source Initiative (OSI). The OSI definition of "Open Source" covers an identical body of copyright licenses to that of the 1989 Free Software Definition explained above.

From the copyright licensing viewpoint, both "Libre Software" and "Open Source" are Free Software synonyms. Combination of terms, such as "FOSS" and "FLOSS" combine synonyms, redundantly identifying the same body of software.

Ambiguities

The term "Open Source" was occasionally used in various ways before its 1998 definition, and is used in several meanings today, which are often mutually exclusive with each other, and in particular the Open Source Definition of the OSI. So "Open Source" can refer to Free Software, but it can also refer to software not meeting the criteria above. It is also at times used to describe a particular software development model, although some parts of Free Software are developed in closed development models, and proprietary software is increasingly experimenting with open development approaches. This makes the term "Open Source" highly ambiguous, and indeed difficult for all areas that depend on precision in their language, such as science, law and politics.

Public Policy Considerations

Unlike proprietary software, there is never any single company that has absolute control of a Free Software solution. By choosing Free Software, governments protect their independence from the corporate interests of any single vendor, local or foreign. Maintaining their ability to freely and independently live up to their political mandate is the sovereign right of any government. Preferring or mandating Free Software promotes this goal and is always non-discriminatory. It preserves technological and political neutrality because Free Software belongs to no single vendor or organisation, and any vendor is welcome to supply Free Software of third parties. If vendors seek to do business with governments, they can make the decision to give them independence by releasing their own software under a Free Software license.

About the FSFE

The Free Software Foundation Europe (FSFE) is a European NGO dedicated to all aspects of Free Software. It provides a competence center for industry, politics and society at large and participates in numerous activities, including as fiduciary for Free Software authors, and participates in research and development activities on European and national levels. More information at `http://fsfeurope.org`. To contact the author of this document, send email to Georg C.F. Greve <greve@fsfeurope.org>, comments and questions welcome.