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## Open Source Incivility

### Quick Note

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Some of the most influential members of the Open Source community have always been belligerent. Those questioning the purity and superiority of Open Source are commonly abused by the movement's alpha geeks, causing many who admired their accomplishments to deplore their behavior. Sure, plenty of other developers speak their mind without much sugar-coating; many are eccentric, acerbic, or anti-social; that's the way of the clan. But for the most part, discussions remain in the realm of reason, rather than invective (notwithstanding often abrupt responses to "stupid" newbie questions, or even the occasional Usenet "flame war").

That tone has shifted dramatically in recent months, however, as the increasing commercialization of open source has raised both the stakes and the tension level.

From articles to on-line discussion boards to even personal "real world" discussions, there is increasingly the sense of an Open Source orthodoxy that must be defended at all costs, and not just from its enemies. Even supporters come under fire if they seem insufficiently spirited in the defense of Open Source or insufficiently energetic in attacking its enemies.



### The Times They Are a Changin'

It's probably partly a sign of the times, a reflection of relentless partisan politics and attack talk show formats that present debate less as discussion or intellectual give-and-take than as hand-to-hand combat. William F. Buckley's erudite and restrainedly adversarial "Firing Line" has given way to the shouted confrontations of Chris Matthews' "Hardball" and even more combative examples.

However, when it comes to specific precipitating events, the SCO Group's lawsuit against IBM and its follow-up claims against—well, just about everyone—has to rank highly indeed. For, among true Open Source proponents, there are no nuances, no shades of gray, when it comes to SCO. SCO is *Evil*. And, therefore, there can be no defense for any company or person trafficking with it. No matter how indirect, no matter how defensible as a business tactic; traffic with the Devil is a burning offense.

Take the example of EV1—a large Web hosting company that decided to pay up when SCO made it “an offer they couldn’t refuse,” as they used to say in mob movies. EV1 CEO Robert Marsh made it clear paying the tribute was a business decision, not a show of support for SCO. After all, he had 20,000 Linux servers and a customer base that could jump ship quickly if SCO were to file a suit that raised questions about EV1’s right to continue operating those servers. And it’s now unclear how much money EV1 even paid SCO. SCO says seven figures; EV1 says much less.<sup>1</sup> Was it a smart business move? Maybe yes, maybe no. In any case, EV1 saw itself as mitigating a new risk and eliminating uncertainty for itself and its clients—both good things for a business to do. But EV1 finds few supporters among Open Source advocates, who have pilloried it and called for a boycott by its customers.

Even in situations where there is no specific apostate to roast, the SCO case has clearly turned Open Source discussions into the same sort of schoolyard shouting-match format so familiar from cable talk shows. Rather than solving problems, the rule is to level charges and score points against the enemy, leaving no place for genuine debate on any genuine issues. When SCO started showing around (under NDA) what it said were examples of identical code within Linux and System V, those who supported SCO’s contention were attacked on both personal and professional levels by Open Source supporters who took their support of an SCO position as evidence that the “experts” were incompetent, if not corrupt.<sup>2</sup> After all, there was no way such a thing could happen in Linux. Even the normally reticent Linus Torvalds lent his backing to this school of thought. Of course, it turned out that

1. Not particularly surprising given that every one of SCO’s announced licensing deals have turned out to be for less money, fewer licenses, or to be a more trivial part of some other deal than as initially disclosed.
2. Corruption is a constant theme. A major tenet of Open Source community doctrine is that Microsoft funds and directs, at the most micro level, most if not all contra-Open Source activity. Conspiracy theorists would be proud.

there *was*, in fact, identical code, though major questions remain about the degree to which SCO still holds the relevant copyrights and licenses and therefore how relevant copied code is to any SCO case.<sup>3</sup>

## Fear of Obsolescence

However, the generalized unruliness of the Open-Source debates and the particular SCO *causis belli* aren’t the only things going on. There’s also a Linux and Open Source evolution happening that the Open Source purists don’t like one bit. Open Source is going commercial, and users seem to like it that way. That makes the idealists grouchy—perhaps doubly so because many realize that it’s the inevitable result of Open Source’s success.

Sure, there is still plenty of opportunity for programmers to work on little—and even not so little—spare-time development projects here and there. And a variety of collaborative community projects centered on content rather than code, like the increasingly fabulous Wikipedia<sup>4</sup> online encyclopedia, are valuable indeed. But major Open Source development projects like Mozilla (AOL Time Warner) and OpenOffice (Sun Microsystems) are very much underwritten by commercial companies for commercial purposes. Are there less corporate versions of these and similar Open Source projects? Sure, but they’re far less polished and their rate of advance is far slower. Even the Linux kernel itself—while the child of many an Open Source developer’s coding away in isolation—has greatly benefited from the largesse of a multitude of developers effectively “hosted” by companies who saw it in their interest to move Linux forward, as well as from direct vendor contributions of components and capabilities.<sup>5</sup>

3. Some of the issues are covered in Illuminata report “SCO’s Derived Case Against Linux” (August 2003). It’s also come to light that SCO Group’s predecessor, Caldera, apparently released much of the code under a BSD-style license, and that at least some of the relevant copyrights may never have been transferred from Novell in the first place.
4. <http://www.wikipedia.org>.

Yet, despite the obvious contributions of vendors, the Open Source community often refuses to credit, or even acknowledge, the debts.

Red Hat, whose Linux pedigree could scarcely be longer or stronger, may be as popular as ever with the IT managers making buying decisions. But Red Hat's stock in the community plunged after it made a wholesale shift away from free or cheap distributions in favor of pricier enterprise-oriented fare.<sup>6</sup>

And Sun, whose years of Linux-bashing and belated adoption of Linux made it many enemies among the Open Source crowd, is still on the outs with the community despite sizable Open Source contributions. Not only is it the primary supporter of the Open Source productivity application OpenOffice,<sup>7</sup> it also provided internationalization for X Windows, developed JXTA for distributed peer-to-peer computing and sponsors the Grid Engine project for distributed resource management. Indeed, by Sun's reckoning at least, it's the second-largest Open Source contributor behind UC Berkeley. While others might quibble with that reckoning, Sun is a major donor.

But those contributions are often offset, in the rhetoric of activists, by Sun's refusal to release Java under an Open Source license "purer" than the Java Community License (JCL) it currently uses. The JCL gives Sun more control than licenses like the GPL or BSD would. In particular, it prevents someone else from "forking" another flavor of Java that is incompatible with Sun's version.<sup>8</sup>

But Sun's other sins pale beside to its decision to drop its Java-related legal actions against Microsoft for a mere \$2 billion—and—horrors—start cooperating with Redmond in vague and unspecified

5. Merci beaucoup, IBM! Gracias, SGI! Danke schön, HP! Grazie, all the rest!
6. See Illuminata report "Red Hat Applies to the Enterprise Club" (April 2003). Red Hat has since created a "community supported" project called Fedora as a partial alternative to its previous low-cost-retail and free-download versions.
7. Obrigado, Sun!

ways.<sup>9</sup> At best, the Open Source crowd's reaction was sadly regretful: "Sun's in such bad shape that they had to take money from Microsoft to stay afloat." But in the main, the reaction was ugly indeed. "Axis of Evil" was one of many epithets describing the Sun-Microsoft agreement.

This view—in which the long-demonized Microsoft taints all who consort with it and damns those who claim any Open Source credentials—doesn't consider the reality that the settlement actually represents a significant win for Sun in a long-running legal action. Instead, showing any sense of compromise at all represents Sun's shift to the "Dark Side," where it will collude and scheme with Microsoft to crush Linux for the benefit of "proprietary" operating systems. Frankly, it remains to be seen how much genuine cooperation there will be between the two companies. A more realistic concern is that the two companies just paid lip service to future joint efforts, and will in practice cooperate too little, leaving Web Services and various other protocols without the increased interoperability and integration they need to most benefit users.

Be that as it may, Sun is now apparently one of the "bad guys" in the eyes of the community. Which means it deserves no quarter. No less an authority than Sun Fellow Jim Gosling—who managed the group that invented Java—recently wrote a piece that explained both his perspective on the Microsoft agreement and Sun's position on Java licensing.<sup>10</sup> It

8. It isn't an idle concern. Some of the most popular Open Source software like the widely-used scripting language Perl, are notorious for introducing new versions that break code written with a previous version, or introduce a wealth of features incompatible with the existing code base. But it's also not unusual for commercial vendors to keep some measure of control over products they make "open." IBM, whose calls for Sun to open-source Java are louder than almost anyone else's, ran Sun's playbook exactly when it announced it would be opening up its POWER architecture. Architectural control, it argued persuasively, is needed to ensure ongoing compatibility.
9. See Illuminata report "Hell Rather Chilly Today" (April 2004).

was well-reasoned and moderate in tone. Yet, for criticizing the orthodoxy that only certain Open Source licenses—most notably the GPL—are truly “free,” Gosling has come under wide-ranging attack. Indeed, I was led to his article from a comment accusing Gosling himself of launching *ad hominem* attacks on Rich Stallman—a major force behind the GPL. It turns out the “personal attack” in Gosling’s article was Gosling’s description of the GPL as having a “viral infection clause” that requires developers using code under the GPL to apply the GPL to their own code. A bit inflammatory turn of phrase, perhaps, if hardly one that amounts to a personal attack on an *individual*. But in the mindset that pervades so much of the Open Source community these days, even questioning one aspect of a fundamental tenet like the GPL is perceived as a personal attack on its believers, especially if the questioner has been identified as an infidel for his beliefs or associations.

This kind of knee-jerk defensiveness more than borders on paranoia; it exposes a hypocrisy in the Open Source movement in which orthodox non-conformity is lauded, but non-sanctioned non-conformity is considered counter-revolutionary, and therefore corrupt. The next step, one can only surmise, would be to demand that offenders stand up at party meetings for bouts of self-criticism and recantation, then ship them off to training camps for re-education.

## Conclusion

This purge-and-burn mentality can only slow down the progress of Open Source software and its anti-monopolist effect. Even in the corporate world,

10. <http://programming.newsforge.com/article.pl?sid=04/04/13/2023217>

Open Source is gaining tremendous ground. Linux is surging on so many fronts it may even become a significant presence on the desktop in the not too distant future.<sup>11</sup> SCO’s legal shenanigans and shady financing may sour the atmosphere, but seem unlikely to have a significant effect on Linux at this point. Open Source is increasingly a presence outside the OS from databases (MySQL and PostgreSQL) to office suites (OpenOffice) to application servers (Apache, Tomcat, JBOSS) and far beyond. It’s an important part of the computing landscape, influencing the way development is done even outside the software arena—*viz* IBM’s opening up of its POWER architecture, the better to foster collaboration.

Yet, the Open Source community shows all the outward signs of fighting a pitched—and counter-productive—battle. No quarter. No compromise. You’re with us or against us. You’re against us if you don’t march in step, even if what you do contributes to the effort overall.

This community has always been feisty. It has always hammered out technical and philosophical issues in blunt and hard-fought debates that, even at their most petty and personal, recognized the value of varying opinions. But the tone is becoming so strident that it creates an atmosphere in which healthy argument is quashed and a dissent is unacceptable on a variety of topics, from Microsoft to Digital Rights Management (DRM) to sustainable Open Source business models. That’s not healthy. That’s not Open Source. That is, most ironically, monopolistic mind control at its worst.

11. See Illuminata report “Penguins on the Desktop” (December 2003).