

Re: GNU Public Licences Revisited (again)

Source: <http://coding.derkeiler.com/Archive/General/comp.programming/2005-08/msg00967.html>

- *From:* Randy Howard <randyhoward@xxxxxxxxxxxxxxxxxxxx>
 - *Date:* Fri, 26 Aug 2005 19:17:19 GMT
-

Rob Thorpe wrote

(in article

<1125080649.650054.60790@xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx>):

> Chris Sonnack wrote:

>> David Golden writes:

>>>

>>>> The slavery example shows that what is considered property by the

>>>> lawyers can change, anyway.

>>>

>>>> A bad example, I think, due to the implication that it was just a

>>>> matter of law that allowed and now prohibits slavery. The presumption

>>>> is that, all things being equal, the law could change back again.

>>>>

>>>>> I do not believe all things ARE equal. We realized that we were WRONG

>>>>> about slavery and corrected that wrong. Actually, we always pretty

>>>>> much knew it was wrong—the error was in trying to pretend that the

>>>>> folks we stole from Africa were not really people, but some form of

>>>>> two-legged, articulate cattle.

>>>>>

>>>>>> I VERY much doubt that the laws that have evolved to protect the

>>>>>> efforts of the author/musical/programmer/architect will ever be

>>>>>> viewed as immoral.

>>>>>>>

>>>>>>>> There aren't really any laws that have been created to protect the

>>>>>>>> programmer, laws have been created to protect the author, musician and

>>>>>>>> architect, yes. But it's those same laws that have been applied to

>>>>>>>> "protect" the programmer also.

>>>>>>>>>

>>>>>>>>>> The situations are in fact completely different.

Not really. If you slice and dice properly, you can pretend

otherwise though, as we see.

> There is no concept

> of source and object code for example in any of those other

> occupations.

And there is no concept of a saxophone reed in software

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developemnt, but that is irrelevant. What is common is the idea of work product. Not to mention the more general 'trade secrets' that allow companies (of any kind) to protect their work, such as pharmaceutical companies, 3M to protect the formula for the famously bad glue responsible for sticky notes, or even for McDonald's to pretend that 'secret sauce' isn't really watered down Thousand Island dressing.

- > An author, musician or architect can't hide how their
- > creations actually work,

Sure they can. does a guitarist /have/ to tell you what sort of home grown effect he built in his garage for that really cool sounding 3rd track on his debut CD? No.

- > as a programmer can be copyrighting an almost
- > incomprehensible blob of machine code generated by a compiler.

It's not incomprehensible to someone sufficiently skilled. Analyzing modern art and finding meaning in it is as opaque to me as reading even the source code, much less the binary of a large software project is to a performance artist.

- > The other professions are also not incremental. I think I could, with
- > enough time to understand the problem, add a useful feature to any
- > piece of software in existence. I think most programmers could. I
- > doubt though that I could improve on Chapter 4 of "The Great Gatsby",
- > "Mr Tambourine Man" or King's College Chapel, and I doubt anyone else
- > could.

Because you are not trained in it. I have talked to plenty of artists (and especially architects) that firmly believe they could improve on famous products in their field, just as software developers often claim they could make software work better if they just had access to the source. Some are right, some are full of crap, it's true in every profession where you find opinionated people.

- > Lastly, ask users of software whether they think the laws that protect
- > it are correct. Many will tell you that they protect one guy, and his
- > name's Bill.

They don't have to buy his software. The fundamental problem is the consumer herd mentality, not the law. If consumers only were willing to pay for quality, and actively boycotted bad software, bill gates would not be a billionaire today. He'd probably be selling used cars.

—

Randy Howard (2reply remove FOOBAR)

- *Follow-Ups:*

- ◆ ***Re: GNU Public Licences Revisited (again)***
 - ◇ *From:* Rob Thorpe
- ◆ ***Re: GNU Public Licences Revisited (again)***
 - ◇ *From:* Chris Sonnack

- *References:*

- ◆ ***Re: GNU Public Licences Revisited (again)***
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