AI + ML

23 💬

Meta can call Llama 2 open source as much as it likes, but that doesn't mean it is

For Zuck, it's just another marketing phrase. For developers, it's the rules of the road

Steven J. Vaughan-Nichols

Fri 21 Jul 2023 // 17:28 UTC

OPINION Meta's newly released large language model Llama 2 is not open source.

Yes, I know Meta AI people proclaim: "Llama 2 [is] the next generation of our open source LLM available for research and commercial use." So what? It's not.

I can say I'm a master carpenter too, but that still won't change the fact that if I try to strike a nail into the wall with a hammer, I'm going to hit my thumb every time. Or, in this case, Meta is simply open source washing an open but ultimately proprietary LLM.

**Meta trots out
Llama 2 AI models,
invites devs to hop
on**

MORE INFO

As Erica Brescia, a managing director at RedPoint, the open source-friendly venture capital firm, asked: "Can someone please explain to me how Meta and Microsoft can justify calling Llama 2 open source if it doesn't actually use an OSI [Open Source Initiative]-approved license or comply with the OSD [Open Source Definition]? Are they intentionally challenging the definition of OSS [Open Source Software]?"

I don't think Meta and partner Microsoft are intentionally screwing around with open source. Their programmers certainly know better, but at the highest levels, open source is just marketing jargon.

As Amanda Brock, CEO of OpenUK, said, the Llama 2 community license is "not an OSI approved license but a significant release of Open Technology … This is a step to moving AI from the hands of the few to the many, democratizing technology and building trust in its use and future through transparency." And for many developers, that may be enough.

Meta certainly knows – truly open source or not – that being open will help their product. After all, as Nick Clegg, Meta's global affairs president and former UK deputy prime minister, said on BBC Radio 4's Today, open source would make Llama 2 "safer and better." By using the "wisdom of crowds you actually make these systems safer and better and, crucially, you take them out of the … clammy hands of the big tech companies which currently are the only companies that have either the computing power or the vast reservoirs of data to build these models in the first place."

Eric S Raymond, author of the seminal open source work *The Cathedral and the Bazaar*, could have written this.

But the devil is in the details when it comes to open source. And there, Meta, with its Llama 2 Community License Agreement, falls on its face.

As *The Register* noted earlier, the community agreement forbids the use of Llama 2 to train other language models; and if the technology is used in an app or service with more than 700 million monthly users, a special license is required from Meta. It's also not on the Open Source Initiative's list of open source licenses.

MORE CONTEXT

Red Hat's open source rot took root when IBM walked in

Will Flatpak and Snap replace desktop Linux native apps?

EU's Cyber Resilience Act contains a poison pill for open source developers

Musk said Twitter would open source its algorithm – then fired the people who could

And some argue it doesn't meet the OSI's definition of open source, either.

Stefano Maffulli, the OSI's executive director, explained: "While I'm happy that Meta is pushing the bar of available access to powerful AI systems, I'm concerned about the confusion by some who celebrate Llama 2 as being open source: if it were, it wouldn't have any restrictions on commercial use (points 5 and 6 of the Open Source Definition). As it is, the terms Meta has applied only allow some commercial use. The keyword is some."

Maffulli then dove in deeper. "Open source means that developers and users are able to decide for themselves how and where to use the technology without the need to engage with another party; they have sovereignty over the technology they use. When read superficially, Llama's license says, 'You can't use this if you're Amazon, Google, Microsoft, Bytedance, Alibaba, or your startup grows as big.' It may sound like a reasonable clause, but it also implicitly says, 'You need to ask us for permission to create a tool that may solve world hunger' or anything big like that."

Stephen O'Grady, open source licensing expert and RedMonk co-founder, explained it like this: "Imagine if Linux was open source unless you worked at Facebook." Exactly. Maffulli concluded: "That's why open source has never put restrictions on the field of use: you can't know beforehand what can happen in the future, good or bad."

The OSI isn't the only open-source-savvy group that's minding the Llama 2 license. Karen Sadler, lawyer and executive director at the Software Freedom Conservancy, dug into the license's language and found that "the Additional Commercial Terms in section 2 of the license agreement, which is a limitation on the number of users, makes it non-free and not open source."

To Sadler, "it looks like Meta is trying to push a license that has some trappings of an open source license but, in fact, has the opposite result. Additionally, the Acceptable Use Policy, which the license requires adherence to, lists prohibited behaviors that are very expansively written and could be very subjectively applied – if you send out a mass email, could it be considered spam? If there's reasonably critical material published, would it be considered defamatory?"

Last, but far from least, she "didn't notice any public drafting or comment process for this license, which is necessary for any serious effort to introduce a new license."

We have asked Meta to comment. ®

MORE ABOUT

Large Language Model   Meta   More like these

TIP US OFF

Send us news

23 💬 COMMENTS

Meta trots out Llama 2 AI models, invites devs to hop on

As Microsoft warns it'll charge $30 per user per month for Copilot for Business

AI + ML   5 days | **6** 💬

Norway bans Meta's behavioral advertising with threats of wrist-slap fines

Won't someone think of Zuck's pocket change?

LEGAL   5 days | **17** 💬

Tax prep firms 'recklessly shared' your data with Google and Meta – senators

Lawmakers, yet to pass a national privacy law, demand action on money

PERSONAL TECH   12 days | **20** 💬

Healthcare moves forward in the cloud

How global healthcare and life sciences organizations can derive benefits working with AWS Partners on cloud projects

SPONSORED FEATURE

From cage fight to page fight: Twitter threatens to sue Meta after Threads app launch

Meta rolls eyes at claim it used former Twits to create rival

PERSONAL TECH   18 days | **87** 💬

After Meta hands over DMs, mom pleads guilty to giving daughter abortion pills

Facebook messages, obtained via valid warrant, help make case against women

PERSONAL TECH   12 days | **61** 💬

Meta's data-hungry Threads skips over EU but lands in Britain

Plus: Facebook corp loses appeal on crossing data streams in Germany

PERSONAL TECH   19 days | **78** 💬

Microsoft to hike prices in Australia and New Zealand

ASIA IN BRIEF ALSO: Google Cloud extends support in Korean and Mandarin; Cambodia lashes Meta; MSFT India boss bails; and more

SYSTEMS   14 days | **3** 💬

China eases barriers for cashless foreigners to use local services

ASIA IN BRIEF ALSO: Singapore's government LLM, China beats 5G base station target, and Malaysia telecom gives in to 5G bandwidth purchasing policy

APPLICATIONS   9 hrs | **6** 💬

1 in 4 Brits are playing with generative AI, and some take its word as gospel

Employees are kicking back and letting chatbots do the work

AI + ML   7 days | **43** 💬

Teradata introduces LLMs to predictive analytics

But the outcome is far from certain

SYSADMIN MONTH   10 days | **4** 💬

Funnily enough, AI models must follow privacy law – including right to be forgotten

UPDATED We'll just take a look at the training data, oh... wait

AI + ML   11 days | **64** 💬

About Us

Our Websites

Your Privacy