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The OSS community mulls its future

Features

The OSS community mulls its future

When the godfather of open source declares that the initiative has failed, what's next for a movement that has succeeded in deploying its software in over 96 percent of modern IT stacks? Ann-Marie Corvin reports

March 1, 2024

Walking into the Truman Brewery on a dreary London morning in February, Bruce Perens announced to hundreds of developers, maintainers and creators, that the open-source software (OS) movement that he'd helped to create was over. It had failed. The economics just didn't stack up.

Speaking at the State of Open Con – an annual, UK-based event organised by OS support body OpenUK – the 66-year-old Californian-based computer programmer argued that it was time now to consider a “post open” world.

“I'm not a happy speaker,” Perens admitted, “We've failed. Our users are some of the richest companies in the world; We've enabled companies like Google to be created; in contrast if our developers aren't working for those companies, they probably go uncompensated.”

In a world where 96% of all software contains open-source components, one that has transformed many industries, empowering developers to collaborate and create innovative solutions, how can something so ubiquitous be considered a failure?

Amanda Brock, CEO of [OpenUK](https://openuk.uk/), is keen to point out open source is social movement, a coding methodology and a licensing convention – not a business model. And yet it relies on the goodwill of people lending their brains, time and energy for comparatively little or no finance remuneration.

It's hard not to revere the altruistic motives behind open source. Got a piece of software to build a database that could be used in a lot of different markets, so that developers don't have to build the same thing from scratch repeatedly? Just stick the programme into a repository like GitHub, which can then be modified and distributed under the terms of a (free) open-source licence. You will need to maintain this code/ project however, and you won't get paid for this either.

But what you will gain is kudos among your peers and this allows you to become part of a global and largely like-minded community, enabling you to collaborate with engineers in ways that the firms you work for usually can't facilitate. And you get to write the code you want, not what your company has asked for.

D&I problem

For software engineers, achieving mass adoption on a piece of software they've developed in their spare time must be immensely satisfying. Even for contributors it's good for the CV: make around five contributions to an OSS project and it's said that those [Bay Area companies start to sit up and take notice.](https://techinformed.com/uks-submarine-open-source-economy-surfaces-for-recognition/) < <https://techinformed.com/uks-submarine-open-source-economy-surfaces-for-recognition/>>

However, Perens points out that such benevolence is part of the problem and leads to software engineers only making tools for people like themselves.



"We have failed" Bruce Perens at State of Open Con 24

"We have a D&I problem" he declared at the State of Open, adding there are few open-source projects that most people outside software will have heard of – Firefox web browser and Libre Office are among the few exceptions.

One of the issues is that open source has been successful in areas such as operating systems, web servers, middleware, networking and systems software that are invisible to the average user.

Brock has compared the invisibility of open source to pizza dough: "Everyone likes to talk about the toppings, but they are a gooey mess without the foundation."

The problem is, because the creators and maintainers are mostly unpaid, the toppings get left to the corporations to sprinkle – the marketing and design and the comms and service relationships with the end user.

"Users want one support vendor not hundreds," observed Perens. "That's why IBM wins contracts rather than the OS developers, because they promise to support all of their software."

Licences not working

Perens also claimed that open-source licences aren't working either, with big tech taking advantage of the loopholes. "One third of Linux systems are now sold with a GPL circumvention prohibition redistribution of source code. That's billions of dollars in business," he noted.

And then there are the software firms that decide to switch from open source to commercial licence terms to try and earn some money once they've achieved mass adoption.

It's been frowned upon when firms such as Mongo DB, HashiCorp, Confluent, and Docker have changed their terms of use – both among both users and the OS community at large.

And yet, as [Kubernetes king at Google Kelsey Hightower](https://techinformed.com/kelsey-hightower-on-open-source-in-enterprise/) < <https://techinformed.com/kelsey-hightower-on-open-source-in-enterprise/>> has pointed out, is it fair that firms like HashiCorp might struggle with their business model while major multimillion pound cloud providers capitalise on freely available code?

And what about the pressure placed on volunteer maintainers by commercial and public sector users: "They are asking the equivalent of commercial service level agreements, and maintainers are burning out," Brock warned.



OpenUK CEO Amanda Brock

For Brock, the solution is global government support. “The open-source coding tradition allowing the world’s finest developers to collaborate must be supported as a digital public good and governments across the planet invest financially and in skills to support open source if it is to survive.”

Perens said that it was time to think about a different paradigm. He called it “Post Open”. The idea would be to create a third-party nonprofit body, like the music copyright collection societies, whose job would be to distribute funds to developers and maintainers based on contributions on GitHub and other platforms.

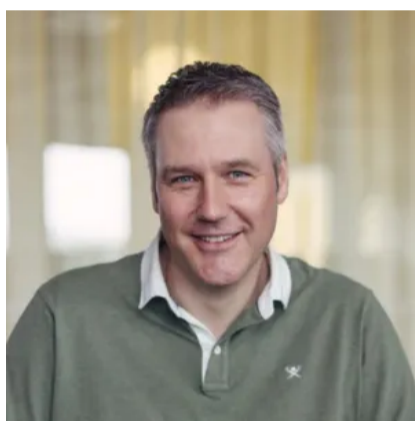
Funding would come from companies that use the software: enterprises, big tech firms that earn over \$5m a year and entities that wish to keep modifications private. There would be a threshold to allow free use for small firms.

The model would involve issuing just one licence and one contract for paid for users and one operating agreement for developers. Because this is not how open source has worked so far, however, Perens anticipates this aspect of the proposal will receive the biggest pushback.

Freemium

There are those who think that Perens’ approach is not compatible with the existing way open source is being used today.

“My view of open-source programmes and initiatives is that there are very few that are working for free or altruistically,” says Patrik Backman, a general partner at early-stage European VC OpenOcean.



Patrik Backman, general partner, OpenOcean

Finland-based Backman was cofounder of Maria DB, a popular open-source database (20m users) and was also the former director of software engineering at MySQL, offering both open source and commercial products.

“Typically, most open-source development is happening in companies – the OS companies themselves give out software because they want to drive adoption awareness popularity and involvement,” he adds.

Backman stops short of calling open-source a marketing play (MongoDB’s CEO Dev Ittycheria freely admits to using OS as “A freemium strategy”) but he pretty much echoes this sentiment.

“Most developers and maintainers usually have some business model; be it support of services, or they have a licensing model where they can sell commercial licences.”

“Some developers might be actively contributing to software they are not using, but that might be because they want to be on the bleeding edge of new, cool things – but it’s about building their own careers, fame, being part of this movement. They don’t do it for purely altruistic purpose,” he claims.

Backman adds, however, that no one would disagree with the fact that companies that derive a lot of business value from OS for free or for very little or should contribute in some way.

“They big players have taken it all and commercialised it. At MSQl we thought in the early days when AWS got serious about using our DB code then would get part of that business. We never did!”

“Amazon pays very little if at all to the open-source vendors that they utilise, big enterprises do the same. You could say that was immoral, but they are doing nothing against the terms of the licence which allows for it. But it is against the spirit.”

“Mongo DB noticed this early and changed their licence. Elastic was mistreated by Amazon and AWS released a direct competition on the commercial side of things. The successful start ups learned how to manage the licences smartly.”

“There needs to be a balance between the free and commercial side, it’s about finding the right balance.”

That said, working towards some kind of doctrine, even if it is to ensure fair competition in the market seems probable in the world

of open source.

As Brock says: "Open source is nuanced and complex and a huge proportion of its users and even some of its creators don't understand these. If they are not observed and its free flow unmanaged it will be a flash in the pan."

Perens, meanwhile, has put in a grant request for \$100,000 of legal money to develop policies and processes. "If that doesn't come through, I have several companies who are looking to fund the process," he said.

After all, he added, he invented open source – and whoever thought that would fly? Perens has a history of making improbable ideas work.

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