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Left not Right:

### The Ethics of Licensing in Computer Science

When Charles Babbage invented the Babbage Difference Engine, he knew two things: One, his invention would one day revolutionize how humans performed calculations; And two, that the key to that advancement was through sharing his invention with the world. Little did he know that his computer would not only change how people perform calculations but would become the repository for all human knowledge. Still, the spirit of Charles Babbage lives on, and it is the duty of all responsible creators on the Internet to keep the Internet free, fair, and open. As such, I will explain in this paper what copyright and copyleft are as they pertain to computer science, why bridging the gap between the two via the Berkeley Software Distribution (BSD) license tacitly enables copyright, and as such why we as programmers have a duty to our field and our community to use copyleft licensing on our work, to preserve our obligation to use our skills for the benefit of society.

To understand the different forms of licensing of software, we must first define them. First is copyright, the licensing defining the legal right of an owner of intellectual property to exclusively control the terms of use of their software. In opposition to copyright licensing is copyleft, a licensing format that requires that an intellectual property remain available to all users regardless of their relationship to its creator, as well as all derivative software ("What is Copyleft?"). BSD licensing is

theoretically a bridge between the two in that it maintains that the licensed software remains free but allows for the copyright of derivative works (“The 3-Clause BSD License.”).

Copyright, however, is unethical under the ACM Code of Ethics and Professional Conduct, as it violates the first, second, and fourth tenets of ethical conduct. Copyright implicitly does not acknowledge that “all people are stakeholders in computing,” (*Code of Ethics*) the first tenet. It does this by establishing a sole stakeholder, the creator, and as such flies in the face of the fourth tenet, to “be fair and take action not to discriminate” (*Code of Ethics*). Furthermore, copyright inflicts massive harm on peoples’ ability to engage in the advancement of computing by mandating away users’ ability to further contribute to society and to human well-being, again the first ethical tenet of the Code of Ethics. Through this it is apparent that as a community it is our ethical responsibility to stand against copyright. As such, BPD licensing may maintain that a software remains free, but does nothing to prevent the copyright of future software, which is why I believe copyleft to be the only fair license agreement on principle. As such, as programmers we have a moral obligation, especially if we reuse code from the internet, to not only cite our sources but to maintain that our code is available to all as well, regardless of our motivations.

Computers are integral to the maintenance and advancement of our society as humans. For better or worse, this will remain the case for decades, if not centuries to come. We as programmers have an ethical duty to maintain the free and fair use of our creations, for the betterment of society, regardless of fame or profit. Copyright inherently flies in the face of this duty, and BPD licensing does not do enough to prevent the encroachment of copyright on this space. As such, we should adopt copyleft licensing whenever possible, regardless of the reasons for our work.

## Works Cited

“The 3-Clause BSD License.” *The 3-Clause BSD License | Open-Source Initiative*,

<https://opensource.org/licenses/BSD-3-Clause>.

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“What Is Copyleft? - GNU Project - Free Software Foundation.” [*A GNU Head*],

<https://www.gnu.org/licenses/copyleft.en.html>.

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