"The culture war at the heart of open source" (Steve Klabnik)

If you ask a random developer what "open source" means to them, you won't often hear "software that follows the Open Source Definition." If you ask them "what's the difference between free software and open source software," you'll often hear "aren't those the same thing?" or "you can charge money for open source software, it's not always free." You may even hear "it's on GitHub."

Conflation of issues?

Licenses are not sufficient

So why is it a problem that the concepts of free software and open source are intrinsically tied to licenses? It's that the aims and goals of both of these movements are about *distribution* and therefore *consumption*, but what people care about most today is about the *production* of software. Software licences regulate *distribution*, but cannot regulate *production*. (technically they can, but practically, they can't. I get into this below.) This is also the main challenge of whatever comes after open source; they cannot rely on the legal tactics of the last generation. I don't have solutions here.