

# Protecting the Commons: The Case for the Public Interest Software License (PISL)

PISL Stewardship Initiative

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## Abstract

The Public Interest Software License (PISL) emerges as a powerful legal and ethical framework for students, researchers, and institutions seeking to ensure that software developed for public good remains in the public domain. This white paper explains the unique principles behind PISL, compares it with popular licenses like MIT, GPL, Apache, and modern ethical licenses like the Hippocratic License, ELv2, and the Cooperative Software License. It argues for broad adoption of PISL, especially across universities and global research communities, and makes a compelling call to action.

## 1 Introduction

In an era of widespread digital infrastructure privatization, publicly funded or socially valuable software projects are increasingly enclosed by proprietary systems. The **Public Interest Software License (PISL)** is designed to counteract this trend.

PISL ensures that civic, academic, and research-based software remains open, ethically used, and protected from misuse—especially by commercial actors who extract value without reinvesting in the commons.

## 2 Why We Need PISL

- **Ethical Use:** Prevents software from being used for surveillance, discrimination, or extractive commercial platforms.
- **Public Reciprocity:** Mandates that public money funds public outcomes.
- **Attribution and Transparency:** Credits creators and requires open modification disclosures.
- **Patent Peace and Non-Subversion:** Stops commercial lock-in and prevents license subversion.

## 3 Comparative Overview

### Traditional Open Source Licenses

- **MIT/BSD:** Maximal freedom, minimal protection. No ethical safeguards.

- **GPLv3:** Strong copyleft, good for freedom but not tailored for public interest or ethical enforcement.
- **Apache 2.0:** Business-friendly, permissive, includes patent protection—but allows commercial capture.

## Modern Ethical Licenses

- **Hippocratic License:** Emphasizes human rights. Ethically strong, legally vague.
- **ELv2:** Lists prohibited industries. Practical but allows proprietary modification.
- **Cooperative License:** Only allows use by cooperatives. Great for co-op software, too narrow for academic use.

## PISL Distinction

- **Combines strong copyleft with ethical guardrails.**
- **Protects software intended for public health, education, climate, civic infrastructure, and justice.**
- **Global-first design:** Suitable for cross-border academic and civic collaborations.

# 4 Country-Specific Applications

## United States

Public universities like UC, SUNY, or UW produce software often privatized later by large corporations. PISL prevents this and supports the White House 2023 Open Science directive.

## China

Research is often absorbed by state or private sectors without proper recognition. PISL empowers academic transparency and protects diaspora contributions.

## India

Students and professors contribute to open-source projects that are routinely exploited. PISL supports attribution, prevents commercial misuse, and protects grassroots innovations.

## Global South

Independent and underfunded researchers need tools that remain accessible, especially when addressing local challenges (e.g., climate, health). PISL ensures their software remains public-serving.

## 5 Call to Action

### For Professors and Universities

- Adopt PISL for all university-funded software and student projects.
- Encourage departments to include it in open science policies.
- Join a global PISL consortium for shared public-good innovation.

### For Students

- Use PISL to retain control of your code and protect it from commercial abuse.
- Share your work under PISL to contribute to a lasting public commons.

### For Independent Researchers

- License your civic or scientific software under PISL to prevent enclosure.
- Collaborate with others who share your values—freedom, justice, and transparency.

## 6 Conclusion

Public infrastructure increasingly runs on software. If that software is not protected by the right license, it becomes vulnerable to privatization, misuse, and unethical exploitation.

**PISL offers a new path: a legal tool to preserve our digital commons.** Let us move from open for profit to open for people.