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Freeing Up the Freedom in Free Culture: Compatibility Between Public Licenses

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Abstract

Promoting public licenses has been a crucial approach and strategy to free culture movement supporters. These licenses not only enlarge the scope of intellectual commons, but also reinforce the value and social norms underlying the movement. Nonetheless, as more and more public licensees emerge in the free culture communities, the freedom granted by these licenses is not elevated accordingly. On the contrary, intellectual commons, communities, and creators are increasingly fragmented because of the incompatibility between different public licenses.

Using two of the most important licenses—Creative Commons licenses and GNU Free Documentation License—in free culture movement as examples, this Article illustrates how license incompatibility has become an obstacle for peer production and remixing creativity. This Article also analyzes the subtle differences between the two aforementioned licenses. Such analysis may help explain dissimilar preferences of a wide range of licensors and why various licenses simultane-

ously exist in the free culture communities. Furthermore, this Article provides a strategic guide for communities to solve the incompatibility problem.

Keywords: Public License, Creative Commons, ShareAlike, GNU Free Documentation License, GFDL, Copyleft, Free Culture, License Compatibility