

„Because hackers challenge one strain of liberal jurisprudence, intellectual property, by drawing on and reformulating ideals from another one, free speech, the arena of F/OSS makes palpable the tensions between two of the most cherished liberal precepts – both of which have undergone a significant deepening and widening in recent decades. Thus, in its political dimension, and even if this point is left unstated by most developers and advocates, F/OSS represents a liberal critique from within liberalism. Hackers sit simultaneously at the center and margins of the liberal tradition“ (Coleman 2013: 3).

Coleman refers to David Harvey's „Brief History of Neoliberalism“ where he indicates that „[n]eoliberalism is in the first instance a theory of political economic practices that proposes that human well-being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by strong private property rights, free markets, and free trade“ (Harvey 2005: 2). Hackers, therefore, do not only reveal the tensions underlying the concept and its legal consequences, but furthermore offer a „targeted critique of the neoliberal drive to make property out of almost anything, including free software“ (Coleman 2013: 4). But not only in terms of a neoliberal dynamic is this relevant. Ray Patterson (1968: 224) pointed out that it is fundamental democratic principles clashing in a society „which has freedom of expression as a ba-