

The Social Construction of Freedom in Free and Open Source Software: Hackers, Ethics, and the Liberal Tradition

E. Gabriella Coleman, University Of Chicago

This dissertation, based on fieldwork conducted between January 2001 and May 2003 on the Debian free software project and among hackers living in the Bay area, is an ethnography focused on the ethics and politics of free and open source hackers. My aim in this dissertation is to evaluate the rise of expressive rights among hackers as a historically and culturally specific practice of liberal freedom that can only be made sensible through the lens of a hacker technical way of life—in which their pragmatics and poetics are given serious consideration. Moving and integrating various levels of analysis: the phenomenology of technical praxis, the sociological creation of an ethical practice that unfolds in the hacker public sphere and the FOSS project, and the historical rise of reflective signification through overt political dissent, I offer a comprehensive account of how hackers have come to value and enact freedom, what they mean by it, and suggest some ideas about the broader political effects of their practices. Instead of an emphasis of self-determination and individuality based on the acquisition of property, hackers have placed emphasis on individuality as a form of critical self-determination that requires unrestricted access to knowledge in order to constantly develop technical skills and to progress the state of their technical art. Important for the purposes of this dissertation is that hackers challenge one sacred realm of liberal jurisprudence—intellectual property—by drawing on and reformulating ideals from another one—free speech. Thus, in its political dimension, even if left unstated by developers, FOSS represents a liberal critique from within the liberal tradition. More specifically, FOSS captures the growing fault line between two of America's most cherished sets of rights, both of which have grown in importance and legal scope in the last hundred years: free speech and intellectual property rights. In my conclusion, I argue that while FOSS is a technical movement based on the principles of free speech, its ability to usher political transformation is not primarily rooted in the power of language or in the discursive articulation of a broad political vision. Instead, it effectively works as a politics of critique by performing a political message through acts of labor, one that states economic incentives are unnecessary to secure creative output—a message that a wide range of groups are also willing to entertain because this dominion lacks any overt political affiliation. Through its publicly visible embodiment, the production of this technology has become one of the most striking indictments against long-standing rational choice or free-market justifications for intellectual property principles and has concurrently inspired the establishment of a range of progressive "open source" endeavors in law, journalism, education, and science that emphasize the importance of productive autonomy, volunteer labor, collaboration, and open access to knowledge.