

Mozilla's Gay-Marriage Litmus Test Violates Liberal Values

The forced resignation of Brendan Eich will have a chilling effect on political discourse.



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A half-dozen years ago, Brendan Eich donated \$1,000 to the campaign for Proposition 8, the California ballot initiative that set out to ban same-sex marriage. It passed with 52 percent of the vote, but was later overturned by the courts.

I hated and opposed that ballot initiative. That same year, in fact, I spent more time arguing in favor of gay marriage than any other issue. In private, I tried to

persuade various family members and acquaintances that they ought to cast ballots against Proposition 8. At [Culture11](#), a now-defunct web magazine where I worked, my boss Joe Carter and I went countless rounds during spirited intra-office debates about whether there was, in fact, a strong conservative case for gay marriage, a position that I maintained and that he rejected. And I published a lot of pro-gay marriage commentary for public consumption.

Discussing the issue with such frequency, in public and private, as far back as 2003 or 2004, I've had many occasions to observe that an individual's position on the policy question turns out to be a flawed proxy for his or her attitude toward gays and lesbians. Gay-marriage supporters may have been more likely to be tolerant of gays. But I encountered people who'd say things like, "Look, I don't want gays looking at me in the shower at the gym, but why should I care if they want to marry each other?" And I also encountered gay-marriage opponents who were, apart from opposing marriage equality, model parents to gay sons or daughters, exceptionally supportive to gay friends, and wonderful bosses to gay subordinates. This will seem perfectly rational to some readers and weirdly inconsistent to others. (For the latter, note that people are often weirdly inconsistent.)

These interactions came to mind on Thursday, when Eich, the pro-Proposition 8 donor, stepped down as CEO of Mozilla, a company he co-founded, because various stakeholders at the company objected to his political donation from six years ago.

At that time, a majority of Californians and an even bigger majority of Americans, including Barack Obama, the commander-in-chief who "evolved" to end the ban on gays and lesbians in the military, believed that gay marriage ought to be illegal. (In fact, that same year, [around 40 percent of Americans thought gay sex should be illegal](#).) Now? "The backlash against Mozilla, which produces the Firefox Web browser, included calls for his resignation from developer groups and Mozilla's employees," the *San Jose Mercury News* reported, "as well as [a widely discussed block on Firefox browsers by the dating site OKCupid](#), which asked users to switch their choice of Web browsers to show their support for gay marriage."

Eich was not saved by a blog post he wrote making [these commitments](#) to Mozilla employees:

- Active commitment to equality in everything we do, from employment to events to community-building.
- Working with LGBT communities and allies, to listen and learn what does and doesn't make Mozilla supportive and welcoming.
- My ongoing commitment to our [Community Participation Guidelines](#), our [inclusive health benefits](#), our anti-discrimination policies, and the spirit that underlies all of these.
- My personal commitment to work on new initiatives to reach out to those who feel excluded or who have been marginalized in ways that makes their contributing to Mozilla and to open source difficult. More on this last item below.

In other words, no one had any reason to worry that Eich, a longtime executive at the company, would do anything that would negatively affect gay Mozilla employees. In fact, Mozilla Executive Chairwoman Mitchell Baker, his longtime business partner who now defends the need for his resignation, said this about discovering that he gave money to the Proposition 8 campaign: "That was shocking to me, because I never saw any kind of behavior or attitude from him that was not in line with Mozilla's values of inclusiveness." It's almost as if that donation illuminated exactly nothing about how he'd perform his professional duties.

But no matter.

Calls for his ouster were premised on the notion that all support for Proposition 8 was hateful, *and* that a CEO should be judged not just by his or her conduct in the professional realm, but also by political causes he or she supports as a private citizen.

If that attitude spreads, it will damage our society.

Consider an issue like abortion, which divides the country in a particularly intense way, with opponents earnestly regarding it as the murder of an innocent

baby and many abortion-rights supporters earnestly believing that a fetus is not a human life, and that outlawing it is a horrific assault on a woman's bodily autonomy. The political debate over abortion is likely to continue long past all of our deaths. Would American society be better off if stakeholders in various corporations began to investigate leadership's political activities on abortion and to lobby for the termination of anyone who took what they regard to be the immoral, damaging position?

Punishing people in business for bygone political donations is likely to entrench powerful interests and weaken the ability of the powerless to challenge the status quo.

It isn't difficult to see the wisdom in inculcating the norm that the political and the professional are separate realms, for following it makes so many people and institutions better off in a diverse, pluralistic society. The contrary approach would certainly have a chilling effect on political speech and civic participation, as does Mozilla's behavior toward Eich.

Its implications are particularly worrisome because whatever you think of gay marriage, the general practice of punishing people in business for bygone political donations is most likely to entrench powerful interests and weaken the ability of the powerless to challenge the status quo. There is very likely hypocrisy at work too. Does anyone doubt that had a business fired a CEO six years ago for making a political donation *against* Prop 8, liberals silent during this controversy (or supportive of the resignation) would've argued that contributions have nothing to do with a CEO's ability to do his job? They'd have called that firing an illiberal outrage, but today they're averse to vocally disagreeing with allies.

Most vexing of all is Mozilla's attempt to present this forced resignation as if it is consistent with an embrace of diversity and openness. Its public statements have been an embarrassment of illogic, as I suspect the authors of those statements well know. "Mozilla believes both in equality and freedom of speech," the company wrote. "Equality is necessary for meaningful speech. And you need

free speech to fight for equality. Figuring out how to stand for both at the same time can be hard."

This is a mess.

Proposition 8 was overturned. Gay marriage is legal in California. Having a CEO who opposed gay marriage now would in no way diminish equal marriage rights for gays.

And equality is not "necessary for meaningful speech," unless you think the speech of Martin Luther King Jr., to take one example, was not in fact meaningful. The sloppy logic here is indicative of a company doing damage control, one trying to placate its critics but implicitly disrespecting them by doing so with nonsense.

"Our organizational culture reflects diversity and inclusiveness," the statement goes on. "We welcome contributions from everyone regardless of age, culture, ethnicity, gender, gender-identity, language, race, sexual orientation, geographical location and religious views. Mozilla supports equality for all." But the company is plainly taking the position that it won't employ, in leadership positions, anyone who publicly holds orthodox Christian or Muslim views on gay marriage.

Agree or disagree, they aren't being welcoming of "everyone." They should have the courage to say so.

The statement continues, "our culture of openness extends to encouraging staff and community to share their beliefs and opinions in public." But this forced resignation sends exactly the opposite message: that if you want to get ahead at Mozilla, you best say nothing about any controversial political issue, which could affect your career, whether now or years from now in a changed political environment.

Mozilla says, "While painful, the events of the last week show exactly why we need the web. So all of us can engage freely in the tough conversations we need to make the world better." Again, Mozilla's actions will undercut tough conversations by making fewer people willing to engage in them. If you believe

that an open, robust public discourse makes the world better, as they purport to, they've made the world worse. This action is a betrayal of their values, not a reflection of them.

At least that's what this Mozilla user and fervent gay-marriage proponent believes. In that same statement, Mozilla states, "We know why people are hurt and angry, and they are right: it's because we haven't stayed true to ourselves. We didn't act like you'd expect Mozilla to act. We didn't move fast enough to engage with people once the controversy started. We're sorry. We must do better."

I wonder if, now that I'm upset, Mozilla will move quickly to engage me. I wonder if they'll engage Andrew Sullivan, who [wrote](#), "This is a repugnantly illiberal sentiment. It is also unbelievably stupid for the gay rights movement. You want to squander the real gains we have made by argument and engagement by becoming just as intolerant of others' views as the Christianists? You've just found a great way to do this. It's a bad, self-inflicted blow. And all of us will come to regret it."

Do they believe in engagement in principle, as they claim? Or do they regard the gay-marriage proponents threatening boycotts to be more worthy of engagement?

Some of the people responsible for this forced resignation have offered [their own conclusion](#):

First, I want to say how absolutely sad to hear that [Brendan Eich stepped down](#). I guess this counts as some kind of "victory," but it doesn't feel like it. We never expected this to get as big as it has and we never expected that Brendan wouldn't make a simple statement... People think we were upset about his past vote. Instead we were more upset with his current and continued unwillingness to discuss the issue with empathy. Seriously, we assumed that he would reconsider his thoughts on the impact of the law (**not** his personal beliefs), issue an apology, and then he'd go on to be a great CEO.

The fact it ever went this far is really disturbing to us.

[The Mozilla blog post](#) really warmed our hearts. We've been working directly with Mozilla and Brendan to try and find a positive resolution to this. We really do [love the Open Web](#) and to see it threatened by this issue was heartbreaking for us as advocates of both open source software and our own equality under the law.

We think Mozilla put it the best: "Mozilla believes both in equality and freedom of speech. Equality is necessary for meaningful speech. And you need free speech to fight for equality. Figuring out how to stand for both at the same time can be hard." That's exactly how we have felt. We absolutely believe people should be allowed to have personal opinions, but we also believe that we are allowed to disagree and to try and change someone's mind by expressing our own personal story.

Those words make me think that the people who wrote them like to think of themselves as the sort of people who do the right thing. The hint of humanity is there. But they're evasive words, and their authors don't have the courage of their convictions. They didn't merely "try and change someone's mind" by expressing their personal story. Disinclined to stop at personal persuasion, they waged a pressure campaign that could be summed up as "change your mind, or else."

Now that the ultimatum has been rejected, they're not taking their share of responsibility for the outcome. They should face and own up to the fact that they helped force out a CEO solely because he disagreed with them about same-sex marriage. Put in their position, I'd feel uneasy about admitting that too. The rise of marriage equality is a happy, hopeful story. This is an ugly, illiberal footnote, appended by the winners.

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