The Tyranny of Open

nina de jesus
York University

Abstract

An application of Jo Freeman's classic article, "The Tyranny of Structurelessness" to the

Free and Open Source Software (F/OSS) communities (1970). Explores the issue of the

gender gap within the communities by focusing on how the values of decentralization

serve to create unaccountable elites that, in turn, entrench sexism within the structures of

the communities.

Keywords: Software, Free, Open Source, Sexism, Gender Gap.

Introduction

A recently published article "'Free as in sexist?': Free Culture and the Gender Gap," by Joseph Reagle, explored the question of why the gender gap in the free and open source software (F/OSS) communities remains so prominent, despite the movement's stated commitment to 'free' and 'open.' He identifies three possible causes for the gender gap: 1. geek identities, 2. the presence of difficult people, and 3. the ideology of freedom and openness (Reagle 2012).

In his introduction he makes the following parallel of his argument, about how the 'free' and 'open' values work against the inclusion of women, to a classic feminist paper:

> "This argument is akin to that made by Jo Freeman (1996) in 1970. Then, Freeman noted that the values and rhetoric of egalitarianism in feminist collectives could also, ironically, give rise to a "Tyranny of Structurelessness" whereby unelected and unaccountable "elites" come to dominate the group."
> (Reagle 2012)

Yet, this parallel falls a little short of the implications of Freeman's paper and how it can inform our understanding of how sexism has become entrenched within the F/OSS movement and the ways that this creates the gender gap.

I will argue that the ways F/OSS communities organize themselves creates a context in which the social dynamics, identified by Reagle, are not only legitimized and entrenched, but also supported and encouraged. The argument will emphasize that it is not the case that women might find the F/OSS movement unappealing or exclusionary,

but that the communities are organized specifically around an ideology that purposefully excludes women (and other marginalized peoples).

Historical Context

Richard Stallman is often considered the progenitor of the free software movement – after his initial announcement for the GNU Operating System and the Manifesto published a few years later (Stallman 1983, 1985). In the manifesto the values and ideology that would come to structure and organize the F/OSS communities are expressed with a fair amount of clarity:

> "By working on and using GNU rather than proprietary programs, we can be hospitable to everyone and obey the law. In addition, GNU serves as an example to inspire and a banner to rally others to join us in sharing. This can give us a feeling of harmony which is impossible if we use software that is not free. For about half the programmers I talk to, this is an important happiness that money cannot replace." (Stallman 1985)

In the Manifesto, there is no explicit language requiring that F/OSS communities and projects organize themselves in a structureless fashion (or, in today's language, a decentralized manner). However, this organization is implicit in how he describes the 'distributed work' and how the modularity of Unix allows for individuals to work on distinct elements without needing to be heavily coordinated (Stallman 1985).

In any case, it is clear that the ongoing development of the community is mythologized by these principles, as Benkler writes in the Wealth of Networks:

"Free software offers a glimpse at a more basic and radical challenge. It suggests that the networked environment makes possible a new modality of organizing production: radically decentralized, collaborative, and nonproprietary; based on sharing resources and outputs among widely distributed, loosely connected individuals who cooperate with each other without relying on either market signals and managerial commands." (Benkler 2006, 60)

This historical context – and the ways that the community describes itself – suggests that structurelessness, as conceived of a flat, non-hierarchal type of organization of the community, lies at the foundation of the F/OSS movement: "This personal-freedom ethic is not only intact in the free culture movement, the movement is now its most vital and popular manifestation. For example, Richard Stallman, geek exemplar, has 'campaigned for freedom since 1983'" (Reagle 2012).

A Stale Revolution

However, Freeman presents a basic challenge to the ways that the F/OSS community mythologizes itself and its development:

"Contrary to what we would like to believe, there is no such thing as a 'structureless' group. Any group of people of whatever nature, coming together for any length of time, for any purpose, will inevitably structure itself in some fashion. The structure may be flexible; it may vary over times; it may evenly or unevenly distribute tasks, power and resources over the members of the group. But it will be formed regardless of the abilities, personalities, or intentions of the

people involved... This means that to strive for a "structureless" group is as useful

and as deceptive, as to aim at an "objective" news story, "value-free" social

science or a "free" economy. A "laissez faire" group is about as realistic as a

"laissez faire" society; the idea becomes a smokescreen for the strong or the lucky

to establish unquestioned hegemony over others." (Freeman 1972, 151)

While this entire paragraph is critical for understanding, the last part and its connection to

economic theory as well as the way it brings focus to how power is concentrated in

structureless groups, is key for understanding how F/OSS communities come to enforce

and embody societal oppression – rather than challenging it in any significant or

meaningful way.

Since Freeman was talking about women's organizing, she had no real reason to

explore the how a small handful of people (what she calls 'elites') come to exert

hegemonic control over structureless groups. Freeman's largely attributes elite formation

to something she calls 'friend networks', which are largely about communication outside

of the organization avenues (Freeman 1972) However, since this is an exploration of the

gender gap (and other oppressive gaps by extension) of F/OSS communities, there is a

different way to understand elite group formation.

The F/OSS community, contrary to the mythology surrounding how Stallman

started the movement, arose in a particular historical context. If the tech community has a

problem with a gender gap now, this problem was only more pronounced thirty years ago.

Absolutely nothing in his manifesto challenged his contemporary social structures; it

focuses solely on means of production, labour, and capital. This means that he is implicitly subscribing to and enforcing the systemic oppression that is the context for his movement (in this case, women's oppression). This is evident in the gendered language of manifesto: "shouldn't a programmer be able to ask for a reward for his creativity?" (Stallman 1985).

Almost thirty years after the inception of the movement, with its gendered language, we can see that the progenitor of the free movement, Richard Stallman, has at least one documented instance of him expressing sexism in recent times.[1] His keynote at the Gran Canaria Desktop Summit had him making a joke about virgins that caused some outcry amongst women ("EMACS virgins joke" 2013). Very little, it seems, has changed whom Stallman understands as constituting F/OSS communities and whom he was attempting to reach with his message.

Lest anyone think that this is just about sexism, there is also a persistent racial gap in the tech world, as well as an ongoing class gap, gaps in both physical and cognitive abilities, all manner of gaps. These gaps persist because the leaders of the F/OSS community never challenged the systemic oppression that underlies our society – something that, in many ways, remains unchallenged and unexplored by the movement. This was, in part, a result of focusing on legal and economic frameworks for their movement – but not forms of economic justice.

_____

1   By sexism, contra to Reagle, I mean the expressions and actions used to convey an attitude of the superiority of men over women. Reagle's definition de-genders the notion of what sexism is and why it exists: for men to exert power over women (Reagle 2012).

That we live in a culture and society with pervasive and persistent oppression is the historical context Benkler erases in his book:

> We are beginning to see a series of economic, social, and cultural adaptations that make possible a radical transformation... It seems passé today to speak of "the Internet revolution." In some academic circles, it is positively naive. But it should not be" (Benkler 2006, 1)

While it may be 'passé' to speak of the Internet revolution, the F/OSS community definitely frames itself as new and revolutionary. In turn, this creates an environment of dogmatism since criticism of the movement necessarily becomes counter-revolutionary, while never challenging the implicit values inherited by the larger socio-political context.

However, there is nothing new about a mode of production that places able, white, cis, hetero men as the prominent leaders and as the primary recipients of the movement's rewards – both economical and social. The only thing 'new', perhaps, about this, is the ways that this movement convinces many of it's participates that their contributions of free labour will be equally rewarded or that, when exploitation is enjoyable, it magically stops being exploitation.

A Decentralized Elite

The F/OSS community forms elites by simply replicating the hierarchical social structures of our culture, rather than being based on anything even closely approaching a meritocracy. It is especially true of a field where many of the early people involved with creating it are still alive, like Stallman, Tim Berners-Lee, and the other prominent white

men of the tech industry. They all rose to their current positions during a time when the barriers for entry to the tech community, if you were a woman, racial minority, etc, were much more rigid and harder to breach than they are today.

However, the ways that the community emphasizes a decentralized method of organizing, creates exactly the problem that Freeman identified for structureless organizations:

> "All groups create informal structures as a result of the interaction patterns among the members. Such informal structures can do very useful things. But only unstructured groups are totally governed by them. When informal elites are combined with a myth of "structurelessness," there can be no attempts to put limits on the use of power... informal structures have no obligation to be responsible to the group at large. Their power was not given to them; it cannot be taken away." (Freeman 1972, 157)

It is possible that this problem becomes far worse in F/OSS communities. I've been careful, in this paper, to continuously refer to the F/OSS community as a pluralistic one. There is more than one F/OSS community. This is particularly important since specific communities tend to coalesce around specific projects. Although there is an inter-project sense of community and identity, it is better to understand the many communities as overlapping, related ones rather than as a unitary monolith.

The implication is that the decentralization of the F/OSS community is not quite the same as it being entirely 'structureless': rather, these two things operate in tandem to

create a context where there is no single elite, but many elites. Members of one elite can be members of other elites and – because of current communication technology – the elites will often have a shifting membership (to a certain extent, but there will also be a certain amount of stability depending on how much the individual man has invested in the community).

This results in a situation where you have many unaccountable elites and a F/OSS community that has (white, cis, hetero) men wielding varying levels of power and influence, but who have zero responsibility and accountability to the communities that they inhabit. It creates a situation where we have racism without racists or, in this case, sexism without sexists.[2] We can clearly see from various studies and statistics that the F/OSS community has a disproportionate amount of able, cis, hetero white men – from leadership to grunt positions – yet few are willing to state outright that this is because the communities are fundamentally organized in ways that support institutional oppression. Or, as is more accurate, that by never explicitly challenging institutional oppression, they come to be another facet of it.

All of which makes it nearly impossible to challenge oppression within the F/OSS community, since there is no one who can be held accountable. Moreover, there are few, if any, formal institutions where injustices can be redressed in any meaningful way. By meaningful, I mean in ways that do not only address individual incidents but also work towards dismantling the causes of the incidents themselves (as in, actually make inroads

---

2   See Bonilla-Silva's (2010) book of the same name, *Racism Without Racists: Color-blind Racism and the Persistence of Racial Inequality in the United States*.

at dismantling the intersecting cultures of sexism, racism, ableism, classism, cissexism, and any -ism left out).

Free and Open to Some

That institutional oppression and implicit biases become entrenched in F/OSS communities is further supported by their stated values and how this structures the community: "Cooperation in peer-production processes is usually maintained by some combination of technical architecture, social norms, legal rules, and a technically backed hierarchy that is validated by social norms" (Benkler 2006, 104).

Some people might be inclined to frame the 'social norms' as those governing geek culture, as sub-culture, which is the tactic that Reagle takes. His first two points about the gender gap revolve around the sub-culture dynamics of the geek/tech community:

> I argue the gender gap is, in part, a consequence of the culture, dynamics, and values of these communities. First, free culture can be unappealing to those unable or unwilling to hew to the stereotypical features of the online geek (i.e., an identity associated with an intense and narrow interest and argumentative style). Also, these communities' openness means that a minority of difficult members (including, for example, a sincere misogynist or an insincere troll) can disproportionately affect the tone and dynamics of interactions. (Reagle 2012)

These are important points for understanding how the specific social norms of F/OSS communities work to discourage women from participating. However, it fails to take into

account the larger context in which F/OSS communities exist, since the social norms and dynamics that operate in the community are exactly the same as the societies in which they exist.

F/OSS communities are not the only ones with a persistent gender gap. It is widely known that in many professions, industries, and communities that there remains a significant, uneven distribution of high paying professional jobs, such that women (people of colour, disabled people, etc.) are often under-represented. So any examination of the gender gap in F/OSS communities must take into account the ways that the gender gap, and the sexism that causes it, is partially inherited from its larger context, essentially, the normative, social values that are implicitly accepted because they are never explicitly challenged.

These normative (and often oppressive) values become unquestioned parts of F/OSS communities, in part, because of the commitment to a myth of structureless order and, more damaging, because of the commitment to their core values of freedom and openness. We can partially see how this plays out in the communities discussions around free speech, since this comes up frequently, but rarely is there any discussion about hate speech and the role it plays in the community.

The relationship between hate speech and free speech is a troubled and oft contested one. The F/OSS community's rhetoric surrounding free speech often makes it clear that they advocate for a type of speech that is completely without restriction, something unsurprising given the anarchist-libertarian ethic Reagle explicates (Reagle

2012). However, Reagle only discusses free speech in the context of how F/OSS community members enact free speech by a type of "adversariality" (Reagle 2012). Certainly, this is one problem with the community's stance on free speech, but it isn't the most significant one.

A recent case decided by the Supreme Court of Canada explored the relationship between freedom of expression and the laws against hate speech. The Court had this to say about hate speech:

> "Hate speech is at some distance from the spirit of s. 2(b) because it does little to promote, and can in face impede, the values underlying freedom of expression. Hate speech can also distort or limit the robust and free exchange of ideas by its tendency to silence the voice of its target group." (Saskatchewan (Human Rights Commission) v. Whatcott 2013)

It is, perhaps, one of the interesting contradictions of free speech that, when exercising it, a person can limit or reduce the freedom of a marginalized person to exercise it. Worse, as happens in many cases, advocates for completely unregulated speech can and do weaponize their notion 'freedom of speech' with the express purpose of shutting down debate and discussion about the necessary restrictions on free speech that serve to protect the right for all individuals to exercise it equally.

Conclusions

It is in this way that Free/Open comes to be tyrannical in its practice and communities. This is easily visible in the large blowout and discussion concerning the

recent events at PyCon (see "PyCon forking and dongles incident" 2013). This incident speaks to how nascent awareness of the issue of sexism (much less other forms of oppressive behaviour) is in the F/OSS community, since – despite having community guidelines – it is pretty clear that Adria Richards had very little support on an organizational and infrastructural level. There were, it seems, little-to-no clear mechanisms and structures through which she could have safely and effectively addressed the sexist comments.

While some might say that one of the men, by loosing his job, was held accountable, we can also see that Richards was punished far worse (as she lost her job and dealt with a great volume of violent harassment). It is the harassment from people external to the incident that is concerning, since it is evident that – beyond the issues of anonymity on the Internet – there is no way to effectively hold the larger tech community accountable for not only the direct actions taken against Richards, but also for creating a sub-culture where a women speaking out against sexism will be punished more severely then a man for being sexist.

This sort of thing only stands as one example of how institutional oppression and implicit bias comes to be entrenched in communities that organize around some principle of structurelessness. Since, rather than representing a "new modality of organizing production", the F/OSS community is deeply embedded within the historical, social, and political environment that created it (Benkler 2006, 60). Yet, it must be noted that for all

that 'Donglegate' seems trivial, as far as the originating incident is concerned, the

consequences were quite real, serious, and far-reaching:

> "This is why tiny, individual acts of sexism – like innocent dongle jokes – matter.
>
> Such 'microaggressions' combine to reinforce structural sexism... In such a
>
> context, what happened to Richards has very little to do with the impact of her
>
> tweet and much more to do with deterring future women from speaking out."
>
> (Marwick 2013)

References

Benkler, Y. 2006. *The Wealth of Networks: How Social Production Transforms Markets And Freedom*. New Haven: Yale University Press.

Bonilla-Silva, E. 2010. *Racism Without Racists: Color-blind Racism and the Persistence of Racial Inequality in the United States*. Lanham: Rowman & Littlefield.

"EMACS virgins joke". 2013. *Geek Feminism Wiki*. Accessed July 10. http://geekfeminism.wikia.com/wiki/EMACS_virgins_joke

Freeman, J. 1972. The Tyranny of Structurelessness. *Berkeley Journal of Sociology* 17: 151–164.

"Incidents". 2013. *Geek Feminism Wiki*. Accessed July 13. http://geekfeminism.wikia.com/wiki/Category:Incidents

Marwick, A. 2013. "Donglegate: Why the Tech Community Hates Feminists". *Wired Opinion*. http://www.wired.com/opinion/2013/03/richards-affair-and-misogyny-in-tech/

"PyCon forking and dongles incident". 2013. Geek Feminism Wiki. Accessed July 10. http://geekfeminism.wikia.com/wiki/PyCon_2013_forking_and_dongles_incident

Reagle, J. 2012. "Free as in sexist?" Free culture and the gender gap. First Monday 181. http://journals.uic.edu/ojs/index.php/fm/article/view/4291

Saskatchewan (Human Rights Commission) v. Whatcott. , No. 33676 (SCC February 27, 2013).

Stallman, R. M. 1983. "Initial Announcement". GNU Operating System.

http://www.gnu.org/gnu/initial-announcement.html

Stallman, R. M. 1985. "The GNU Manifesto". GNU Operating System.

http://www.gnu.org/gnu/manifesto.html