

Institutional Parasitism in Open Technology

Communities:

Elite Overproduction, Managerial Revolution,

and the Mechanisms of Meritocratic Capture

A Comparative Case Study of Governance Failures in FOSS

Contributor Covenant, Hippocratic License, GNOME Foundation,

NixOS, Python Software Foundation, LLVM, and Debian Project

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Abstract

This paper investigates the systematic penetration of ideologically motivated actors into the governance structures of Free and Open Source Software (FOSS) communities. Drawing on seven primary case studies and three control cases, the author identifies a recurring pattern in which individuals with limited technical contributions ascend to leadership positions in projects previously governed by meritocratic principles. Eight theoretical frameworks are employed: Peter Turchin's elite overproduction theory, James Burnham's

managerial revolution thesis, Eric Hoffer's analysis of mass movements, Nassim Taleb's intolerant minority model, Robert Michels's iron law of oligarchy, Jonathan Haidt's moral foundations theory, Vilfredo Pareto's circulation of elites, Joseph Schumpeter's theory of capitalism's self-destructive intellectuals, Christopher Lasch's revolt of the elites, and Antonio Gramsci's cultural hegemony theory. These are supplemented by heterodox contributions from the dissident right, Spandrell's bioleninism, L0m3z's longhouse metaphor, Bronze Age Pervert's vitalism/bugman distinction, and Carl Schmitt's friend-enemy distinction, as well as left-wing self-critique (David Graeber's bullshit jobs taxonomy) that unwittingly confirms the institutional parasitism thesis. At the individual level, the paper applies the Dark-Ego-Vehicle Principle (Krispenz & Bertrams, 2024), Geoffrey Miller's costly signaling theory, and Baron-Cohen's empathizing-systemizing axis to identify the personality profiles and evolutionary strategies driving anti-meritocratic activism. The paper proposes a five-stage model of institutional capture, validates it against empirical data from the GitHub Open Source Survey (2017 vs. 2024), and offers governance recommendations for FOSS projects seeking to resist capture dynamics. A comparative analysis of captured projects (GNOME, NixOS, Python) versus resistant projects (OpenBSD, PHP, Ruby under Matz) identifies factors that predict vulnerability. The central argument is that the attack on meritocracy in FOSS is a particular case of intra-elite competition under conditions of elite overproduction, as described by structural-demographic theory.

Keywords: elite overproduction, managerial class, open source governance, meritocracy, institutional capture, codes of conduct, structural-demographic theory, counter-elite formation, bioleninism, longhouse, Dark-Ego-Vehicle Principle, costly signaling, FOSS sustainability, iron law of oligarchy.

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1. Introduction

Between 2014 and 2026, the Free and Open Source Software (FOSS) ecosystem experienced a series of interconnected governance crises that, taken individually, might appear to be isolated incidents of community dysfunction, but collectively reveal a pattern with deep roots in political sociology and evolutionary dynamics. This paper argues that these events are *institutional parasitism*: a process whereby actors unable to compete within an existing status-distribution system create an alternative system and deploy it to redistribute power in their favor.

The events under analysis include: the mass adoption of codes of conduct derived from Contributor Covenant across over 100,000 open source projects (Tourani et al., 2017); the creation of the Hippocratic License and associated nonprofit infrastructure; the appointment of a self-described “professional shaman” as Executive Director of the GNOME Foundation; the forced resignation of NixOS founder Eelco Dolstra and subsequent community forks; the suspension of Tim Peters, inventor of the Timsort algorithm, from Python’s core developer community; the departure of LLVM’s fifth most active contributor over Code of Conduct objections; and the emergence of single-candidate elections in Debian, one of the oldest and most important Linux distributions.

This paper occupies a position rooted in conservative political sociology, from Vilfredo Pareto and Robert Michels through James Burnham and Christopher Lasch to Peter Turchin and Nassim Taleb. The central thesis holds that the attack on meritocracy in FOSS constitutes not a movement for justice but a form of elite competition, in which those who have lost in technical meritocracy seek to replace the criterion of code quality with “conformity to ideological standards,” a substitution that inevitably degrades the institutions it claims to improve.

1.1. Formal Definition: Institutional Parasitism

For the purposes of this paper, *institutional parasitism* is defined as a process satisfying all four of the following conditions:

- (i) An actor or coalition of actors gains governance authority over an institution (project,

foundation, community) to which they have made no commensurate technical contribution;

- (ii) The governance authority thus gained is used to impose normative standards (codes of conduct, licensing restrictions, governance policies) that constrain the behavior of technically productive members;
- (iii) The normative standards are enforced selectively, targeting individuals whose views or behaviors conflict with the actors' ideological commitments, rather than being applied uniformly;
- (iv) The actors derive personal benefit (income, status, institutional positions, speaking engagements, grants) from the governance role thus created, while bearing no costs when their interventions degrade the institution's technical output.

This definition deliberately excludes several phenomena that might superficially resemble institutional parasitism: legitimate governance reform (where conditions (iii) and (iv) are not met); technical leadership transition (where condition (i) is not met, because the new leaders have made commensurate technical contributions); and community standards that are uniformly enforced without selective targeting (where condition (iii) is not met). The definition is designed to be *falsifiable*: for any given case, one can assess whether all four conditions are met, partially met, or not met.

The term parasitism is used in its ecological sense: an organism that benefits at the expense of its host, without contributing to the host's survival. This is analytically distinct from symbiosis (mutual benefit) and commensalism (one benefits, neither harmed). Whether the parasite intends harm is irrelevant to the classification; what matters is the relationship of extraction without contribution.

The paper is organized as follows. Section 2 reviews existing literature on FOSS governance, codes of conduct efficacy, and institutional capture in voluntary organizations. Section 3 develops the theoretical framework, synthesizing ten mainstream analytical traditions supplemented by five heterodox contributions. Section 4 describes the methodology, including case selection criteria and data sources. Section 5 presents seven primary case studies and three control cases. Section 6 provides a dedicated legal analysis of the Hippocratic Li-

cense. Section 7 presents quantitative evidence from the GitHub Open Source Surveys and documented contributor loss. Section 8 considers and evaluates four alternative hypotheses. Section 9 offers cross-case analysis, identifying common patterns and divergences. Section 10 discusses theoretical implications, counterarguments, and broader cultural context. Section 11 proposes governance recommendations. Section 12 concludes.

2. Literature Review

2.1. FOSS Governance: From Cathedral to Bazaar and Beyond

The study of governance in free and open source software has evolved through several phases. Eric Raymond's influential essay "The Cathedral and the Bazaar" (1999) established the dominant metaphor: closed, hierarchical development (cathedral) versus open, distributed, meritocratic development (bazaar). Raymond's thesis, that "given enough eyeballs, all bugs are shallow" (Linus's Law), implicitly assumes a governance model in which technical contribution determines authority (Raymond, 1999).

Subsequent scholarship complicated this picture. O'Mahony & Ferraro (2007) analyzed governance structures in open source communities and found that even nominally flat projects develop informal hierarchies based on commit access, mailing list influence, and social capital. Schweik & English (2012) proposed a framework for understanding success and abandonment in open source projects, identifying governance quality as a key predictor. Eghbal (2020), in *Working in Public*, described the growing tension between the volunteer maintainer model and the reality that open source infrastructure supports trillion-dollar industries, creating what she termed a "tragedy of the commons" for digital infrastructure.

Elinor Ostrom's work on governing the commons (Ostrom, 1990) has been applied to open source by several scholars. Ostrom's design principles for long-enduring commons institutions, including clearly defined boundaries, congruence between rules and local conditions, collective-choice arrangements, and monitoring, provide a useful benchmark against which to evaluate FOSS governance structures. Notably, Ostrom emphasizes that successful commons governance requires that those affected by rules participate in modifying them, a principle arguably violated when external activists impose codes of conduct on projects to

which they have never contributed.

2.2. Codes of Conduct: Empirical Evidence

The empirical literature on codes of conduct in FOSS is surprisingly thin relative to the intensity of debate surrounding them. [Tourani et al. \(2017\)](#) conducted the first systematic empirical study, analyzing CoC adoption patterns, content, and practitioner perspectives. They found that “adopting codes of conduct in open source projects is an emerging phenomenon” and that enforcement mechanisms varied widely.

A critical finding from the codes of conduct literature concerns their actual efficacy. As a recent study in a Springer volume on open source noted, “there is little to no empirical evidence” that codes of conduct attract newcomers to projects, and “there is evidence that the CoC’s presence has no bearing on a newcomer’s joining of a new project compared with other factors” ([Codes of Conduct in OS, 2024](#)). This finding directly challenges the primary justification offered for CoC adoption, namely that they make projects more inclusive and welcoming.

The GitHub Open Source Survey of 2017 (n=5,495) and its 2024 follow-up (n=8,452) provide longitudinal data. Between 2017 and 2024, a period during which CoC adoption accelerated dramatically, contributors reported a significant increase in interpersonal challenges, including threats of violence, impersonation, sustained harassment, stalking, and doxxing. The behavioral impact shifted: experiencing rudeness, stalking, and name-calling became more strongly associated with stopping contributions, adopting pseudonyms, and avoiding communities. Despite (or perhaps because of) mass CoC adoption, the problems CoCs were supposed to solve worsened.

[Li et al. \(2021\)](#) analyzed 3,824 GitHub issues related to codes of conduct and found that “oftentimes, the initial addition of a code of conduct does not involve much community participation and input”, confirming the intolerant minority mechanism described in Section 3. The study also documented cases where CoCs were used both proactively (setting norms) and reactively (governing disputes), with the latter category generating significantly more community conflict.

2.3. Institutional Capture in Voluntary Organizations

The concept of institutional capture, whereby an institution is co-opted to serve purposes other than those for which it was created, has a long history in political science. [Stigler \(1971\)](#) described regulatory capture in economics; [Huntington \(1981\)](#) analyzed institutional decay in political systems; [Scott \(1998\)](#) described how formal rules can be subverted by informal practices. More recently, the concept has been applied to nonprofits and civil society organizations, where [Salamon \(1987\)](#) identified voluntary failure, the tendency of nonprofit organizations to serve the interests of their managers rather than their stated beneficiaries.

Concretely, [Falco \(2026\)](#) applied Samo Burja's Great Founder Theory to the NixOS crisis, arguing that it represents "a classic succession failure, compounded by institutional capture, the loss of tacit knowledge, and the conflation of borrowed and owned power." This analysis represents, to the author's knowledge, the first explicit application of institutional capture theory to a FOSS governance crisis.

2.4. Gap in the Literature

Despite growing scholarly attention to FOSS governance, several gaps persist. First, no systematic comparative study has examined the pattern of CoC-driven governance crises across multiple projects simultaneously. Second, the theoretical frameworks available in political sociology, particularly elite overproduction theory and managerial revolution theory, have not been applied to FOSS governance, despite their obvious relevance. Third, the role of external funding (foundations, nonprofits) in shaping FOSS governance outcomes has received almost no scholarly attention. This paper aims to address all three gaps.

3. Theoretical Framework

This paper synthesizes eight theoretical traditions into a composite analytical framework. While these traditions emerge from different disciplinary backgrounds and historical periods, they converge on a set of shared insights about the dynamics of status competition, institutional capture, and organizational decay in voluntary associations.

3.1. Elite Overproduction and Counter-Elites (P. Turchin)

Peter Turchin’s structural-demographic theory, developed across *Ages of Discord* (2016) and *End Times* (2023), posits that periods of political instability correlate with the overproduction of elite aspirants (Turchin, 2016, 2023). When a society produces more individuals with elite credentials than there are elite positions, intra-elite competition intensifies. Losers in this competition become *counter-elites* who attack the existing status-distribution system itself.

Turchin demonstrates historical recurrence: French revolutionaries were lawyers excluded from the Ancien Régime; Russian revolutionaries were educated professionals excluded from imperial bureaucracy; the American Civil War was substantially driven by intra-elite conflict among Southern planter elites and Northern industrial elites competing for federal power (Turchin, 2023).

In open source, the technology industry of the 2010s–2020s produced an enormous surplus of professionals with 15–25 years of experience who did not achieve elite status (Principal Engineer, VP Engineering, successful founder) within the technical meritocracy. The alternative path: creation of a new coordinate system where different qualities, activism, “interpersonal skills,” identity-group membership, confer elite status.

Turchin’s theory faces legitimate criticism. Mounk (2024) argues for conceptual indeterminacy: Turchin shifts his definition of elite from income-based to position-based measures. Fukuyama noted that Turchin “detects elite overproduction in so many historical eras because he has a flexible definition of ‘elite.’” Nevertheless, the core logic: frustrated aspirants redirecting energy from within-system competition to system transformation, remains observable across all case studies in this paper.

3.2. The Managerial Revolution (J. Burnham, S. Francis)

James Burnham argued in *The Managerial Revolution* (1941) that real power transfers from property owners to a managerial class, people who control processes, personnel, and information flows without owning the means of production (Burnham, 1941). This class requires an ideological justification for its power distinct from both property rights and technical competence.

Samuel Francis extended Burnham’s framework into the concept of *anarcho-tyranny*: a sys-

tem where real threats go unaddressed while enormous resources are directed toward controlling minor infractions (Francis, 2016). Concretely, security vulnerabilities and technical debt accumulate while governance resources are consumed by speech policing and diversity metrics.

The Burnham-Francis framework explains why Contributor Covenant, governance policies, and community management positions proliferate: they create new positions of power unconnected to technical contribution. No rules means no enforcement means no enforcers means no managerial class. The rules themselves generate the institutional niche for their creators.

3.3. The Circulation of Elites (V. Pareto)

Vilfredo Pareto's theory of the circulation of elites (Pareto, 1935) provides the backdrop. Pareto argued that elites inevitably degenerate over time, losing the qualities that brought them to power, and are replaced by rising counter-elites from below. He distinguished two ideal types: lions (who rule through force, decisiveness, and conservative values) and foxes (who rule through cunning, manipulation, and ideological innovation). The original meritocratic elite (lions: Torvalds, de Raadt, Matz, van Rossum) is being challenged by a new class of foxes whose primary skill is governance manipulation, coalition-building, and moral signaling.

3.4. Capitalism's Self-Destructive Intellectuals (J. Schumpeter)

Joseph Schumpeter observed in *Capitalism, Socialism, and Democracy* (1942) that liberal capitalism "creates, educates and subsidizes a vested interest in social unrest" (Schumpeter, 1942). The capitalist system produces a class of intellectuals who depend on it for their livelihood yet are hostile to its foundational principles. In FOSS: the open source ecosystem, built on principles of voluntary association, meritocratic evaluation, and permissive licensing, has produced a class of ethical source activists who depend on the ecosystem's infrastructure (GitHub, npm, PyPI) and credentialing systems (commit counts, conference invitations) while attacking its foundational principle of merit-based evaluation.

3.5. Psychology of Mass Movements (E. Hoffer)

Eric Hoffer's *The True Believer* (1951) identifies the psychological types attracted to mass movements: the *frustrated* (whose lives fail to match self-assessment), the *creative who cannot create* (with ambitions but without talent for realization), and *permanent misfits* (whose maladaptation is permanent, not temporary) (Hoffer, 1951). The point: the fiercest hatred of the existing order comes not from the most oppressed but from those who nearly achieved success. Doctrine is vehicle, not driver.

3.6. The Intolerant Minority (N.N. Taleb)

Taleb's rule of the intolerant minority (Taleb, 2018): if 3–4% of a population holds inflexible requirements and the rest are indifferent, the minority imposes its standards on the majority. Combined with the concept of IYI (Intellectual Yet Idiot), actors who produce ideas without skin in the game, this explains both the adoption pattern (asymmetric pressure) and the consequence-free nature of activism (if a CoC-driven removal degrades a project, the CoC's author bears no cost).

3.7. The Iron Law of Oligarchy (R. Michels)

Any organization, including the most democratic, inevitably transforms into an oligarchy (Michels, 1911). Organizational leaders pursue their own interests (power preservation, income, status). An organization exists precisely as long as the problem it solves exists, creating an incentive to never declare the problem solved. Goalpost migration: CoC → ethical licensing → post-meritocracy → feminist data science.

3.8. Moral Foundations Theory (J. Haidt)

People with different moral foundations perceive different moral realities (Haidt, 2012). Left-leaning activists: Care/Harm and Fairness/Cheating dominate. Right-leaning engineers: additionally activated by Loyalty, Authority, Sanctity, Liberty. For the activist, meritocracy = system causing harm. For the engineer, meritocracy = fairness. Both see the same institution through irreconcilable moral lenses, producing the characteristic talking past each other

quality of FOSS governance debates.

3.9. The Revolt of the Elites (C. Lasch)

Christopher Lasch, himself a left-wing historian (which gives his analysis particular weight), described in *The Revolt of the Elites and the Betrayal of Democracy* (1995) a situation inverse to Ortega y Gasset's "revolt of the masses" (Lasch, 1995). The new professional-managerial class, Lasch argued, has detached itself from the general population and holds its values (meritocracy, self-reliance, patriotism, religious commitment) in contempt. This class replaces *noblesse oblige* with *therapeutic sensitivity*, a performative concern for marginalized groups that in practice reinforces the power of the helpers themselves.

The nonprofit-industrial complex, where fundraising and awareness substitute for actual problem-solving, is a manifestation of this phenomenon. Concretely, \$750K raised by the Organization for Ethical Source has produced what tangible outputs? Contributor Covenant, a text file. Hippocratic License, another text file. TMI-WEB, a GitHub repository with minimal usage. The funds finance not the solution of problems but the maintenance of the organization and its leadership, the dynamic Lasch described.

3.10. Cultural Hegemony and the "Long March" (A. Gramsci)

Antonio Gramsci's concept of cultural hegemony, developed in his *Prison Notebooks* (1929–1935), describes how the ruling class maintains control not through force but through the dissemination of its worldview as common sense through civil society institutions: schools, churches, media, and cultural organizations. The German student activist Rudi Dutschke reformulated this as the "long march through the institutions", the strategy of gradually infiltrating and transforming existing institutions from within rather than overthrowing them from without.

There is deep irony in applying a Marxist theoretical framework to explain what is functionally a leftist institutional strategy. Yet what Gramsci describes, the transformation of a particular ideological position into universalized common sense through institutional embedding, mirrors the CoC adoption pattern. When GitHub integrates Contributor Covenant into its repository creation workflow, a particular political position (that meritocratic evalu-

ation is inherently discriminatory) is transformed into default infrastructure. Projects must actively opt out rather than opt in, naturalizing the ideological content of the document.

3.11. Heterodox Frameworks from the Dissident Right

The following theoretical contributions emerge from outside the academic mainstream, from pseudonymous bloggers, self-published authors, and heterodox intellectuals. They are included because they offer analytical tools that illuminate FOSS governance dynamics in ways that mainstream theory cannot. The academy's failure to produce adequate theory for these phenomena, despite their empirical visibility, tells us something: when the institutions responsible for producing social theory are themselves subject to the capture dynamics under analysis, their analytical blind spots become predictable. The dissident right has, in this domain, simply outperformed the academy.

3.11.1. *Bioleninism (Spandrell)*

The pseudonymous blogger Spandrell ("Bloody Shovel") developed the theory of *Bioleninism* in a series of essays beginning in 2017. The argument: the optimal strategy for building a loyal coalition is to recruit individuals who cannot achieve status through their own merit in the existing hierarchy. Such individuals are maximally loyal to the coalition because their status depends entirely on its continued existence. Without the coalition, they have nothing; with it, they have everything. Lenin understood this: the Bolshevik party was staffed not with Russia's best and brightest but with ethnic minorities, women, criminals, and other groups who had no path to power under the Tsarist system and therefore owed everything to the Party.

This can be formalized: given a choice between a competent agent who has outside options and a mediocre agent who has none, a power-holder maximizing loyalty will prefer the mediocre agent. As Spandrell states: "There's a curve between loyalty and competence but it bends to the side of loyalty. It's better to have a mediocre 50% guy who's gonna stick with you, than a smart 70% guy who's gonna run to your competition."

In open source, CoC enforcement and governance activism create positions whose occupants cannot achieve status through technical contribution. Holly Million's status derived

entirely from the GNOME Foundation ED position; without it, she was a shaman selling flavored water. Ehmke's status as "internationally recognized tech ethicist" derives from Contributor Covenant and OES; her purely technical reputation (23 Ruby gems, one year at GitHub terminated) would not sustain it. These actors are maximally loyal to the governance structure that sustains their status, and maximally hostile to any meritocratic reform that would render their positions unnecessary, not because they are cynical, but because the incentives make this the rational response.

This explains a puzzle that Turchin's framework alone cannot: why do governance coalitions in captured projects exhibit such extraordinary cohesion? Counter-elites competing for the same positions should fragment (as predicted for 2030 in Section 12). But within a given project, the governance coalition acts as a unified bloc against meritocratic resistance. Bileninism provides the answer: the coalition's members depend on the governance structure for their entire status, creating a cohesion that voluntary association alone cannot explain.

3.11.2. *The Longhouse (L0m3z / Logo Daedalus)*

The concept of the *longhouse* was developed by the pseudonymous writer L0m3z (Logo Daedalus) as a metaphor for the dominant organizational form of contemporary institutional life. The term derives from the Haudenosaunee (Iroquois) longhouse, a matrilineal dwelling structure in which clan mothers controlled resources, nominated and removed male leaders, and maintained social order through consensus, gossip, and ostracism rather than direct confrontation or meritocratic competition.

The longhouse as analytical category describes any organizational environment in which: (a) conflict is managed through indirect social pressure rather than direct competition; (b) conformity assessment ("did you make everyone feel safe?") replaces performance assessment ("does the code work?"); (c) male-typical competitive strategies (blunt criticism, technical one-upmanship, authority through demonstrated competence) are coded as toxic and suppressed; (d) female-typical coalition strategies (consensus-building, emotional appeal, indirect social sanctioning) are coded as healthy and rewarded.

The longhouse metaphor maps directly onto the captured FOSS project. Torvalds-era Linux was the anti-longhouse: harsh technical criticism, zero tolerance for mediocrity, authority derived exclusively from code quality. Post-CoC Linux, and GNOME, NixOS, Python

under CoC governance, exhibits longhouse dynamics: indirect enforcement (secret CoC proceedings), social pressure (chilling effect), consensus-seeking (RFCs, governance committees), and the explicit suppression of blunt technical criticism as a CoC violation.

The longhouse complements Burnham: the managerial class is the clan mothers of the institutional longhouse, deriving authority not from production but from process control.

3.11.3. *Bronze Age Mindset and Vitalism vs. Bugman Culture (BAP)*

Costin Alamariu, writing pseudonymously as Bronze Age Pervert (BAP), published *Bronze Age Mindset* (2018), which, beneath its deliberately provocative style, advances a substantive thesis about the conflict between two human types. The *vitalist*, creative, high-agency, willing to take risks, contemptuous of bureaucratic constraint. The *bugman*, conformist, risk-averse, process-oriented, deriving identity from institutional affiliation rather than achievement.

While BAP's framework lacks the rigor of formal social science, its descriptive categories are useful. FOSS was created by vitalists: Stallman (who slept in his MIT office and refused to use a password), Torvalds (who posted his kernel on Usenet with "I'm doing a (free) operating system (just a hobby, won't be big and professional like gnu)"), de Raadt (who forked NetBSD after being expelled for excessive bluntness). These are high-variance, high-agency individuals whose contributions are inseparable from their personality traits, traits that would be flagged as CoC violations under any modern governance framework.

The institutional capture documented in this paper is the systematic replacement of vitalist culture with bugman culture: the substitution of "move fast and break things" with "ensure all stakeholders feel psychologically safe." The bugman does not create; the bugman administers. The bugman's natural habitat is the committee, the governance document, the strategic plan. The bugman's status derives not from what he has built but from his position within an organizational hierarchy. The longhouse is the bugman's natural dwelling.

3.11.4. *The Friend-Enemy Distinction (C. Schmitt)*

Carl Schmitt's *The Concept of the Political* (1932) argued that the fundamental category of politics is the distinction between friend and enemy, not moral judgments of good and evil, not aesthetic judgments of beautiful and ugly, but the existential identification of who belongs and who does not.

For FOSS governance, a Code of Conduct does not merely define rules of behavior. It defines the *friend-enemy boundary* of the project. Those who affirm the CoC's values ("diversity, equity, and inclusion are essential") are friends; those who question them ("meritocracy should be the sole criterion") are enemies, subject to removal. The OpalGate pattern, external activist demands removal of contributor for opinions expressed outside the project, is not a governance action but a political action in Schmitt's sense: the identification and expulsion of an enemy from the political community of the project.

This Schmittian reading explains why CoC disputes are so intractable. Participants believe they are arguing about rules ("should personal tweets be within CoC scope?"), but they are actually arguing about who belongs. And the question of belonging does not admit compromise: you are either inside or outside.

3.12. Left-Wing Self-Critique as Unwitting Confirmation

A striking feature of the institutional capture phenomenon is that some of the most incisive analytical tools for understanding it were developed by left-wing thinkers who, in many cases, would be horrified by their application to this context.

3.12.1. David Graeber and Bullshit Jobs

The anarchist anthropologist David Graeber, in *Bullshit Jobs: A Theory* (2018), identified five categories of meaningless work: *flunkies* (exist to make someone else feel important), *goons* (employed because competitors have them), *duct tapers* (fix problems that shouldn't exist), *box tickers* (create the appearance of compliance), and *taskmasters* (manage people who don't need managing, or create tasks for others to do) (Graeber, 2018).

The governance positions created by institutional capture in FOSS map directly onto Graeber's taxonomy. The "Community Manager" is a taskmaster, managing a community of volunteers who were previously self-organizing. The "Trust & Safety Lead" is a goon, employed because other projects have them, creating an arms race of governance infrastructure. The "DEI Director" is a box ticker, creating reports and metrics that demonstrate compliance with grant requirements without measurably improving diversity. The "Executive Director" of a small nonprofit like OES, with \$676/year in Open Collective revenue, is a flunky, whose

existence signals institutional legitimacy rather than reflecting organizational need.

The irony is sharp: Graeber, a committed anarchist who participated in Occupy Wall Street and coined the slogan “We are the 99%,” created the definitive taxonomy for understanding why activist-created governance positions in FOSS are unnecessary. Graeber’s framework predicts that these positions will persist despite being unnecessary, because they serve the psychological and social needs of their occupants and the institutional needs of the organizations that create them.

3.12.2. Right-Gramscianism: Building Parallel Institutions

If Gramsci’s “long march through the institutions” describes the left’s strategy for cultural capture, then *right-Gramscianism* describes the emerging counter-strategy: not recapturing existing institutions (which may be unreformable once captured) but building parallel institutions that embody alternative values. This is already observable: the fork economy (NixOS → Lix; GNOME → alternative desktops), the “non-woke software lists,” and the persistence of BDFL-governed projects (OpenBSD, Void Linux) constitute a de facto right-Gramscian strategy, the creation of alternative institutional infrastructure outside the captured longhouse.

The theoretical prediction is that this bifurcation will accelerate. As the captured institutions accumulate governance overhead (CoC enforcement, DEI reporting, grant compliance), their technical output will slow relative to the uncaptured alternatives. Market pressure (users choosing software based on quality) will gradually shift the ecosystem’s center of gravity toward the uncaptured projects, not through political confrontation but through competitive selection. This is the market process that Gramsci, as a Marxist, would not have anticipated, but that Hayek would have predicted.

3.13. Evolutionary Psychology: The Dark-Ego-Vehicle Principle and Costly Signaling

The theoretical frameworks presented above operate at the structural and organizational level. A complementary analysis at the individual psychological level reveals why specific personality types are drawn to governance activism and why they exhibit such characteristic behavioral patterns.

3.13.1. *The Dark-Ego-Vehicle Principle (Krispenz & Bertrams)*

The most rigorous empirical contribution to this analysis comes from a series of pre-registered studies by Ann Krispenz and Alex Bertrams (University of Bern), published in *Current Psychology* (2024a, 2024b) and *Archives of Sexual Behavior* (2025). Across multiple samples (N=446 US, N=837 UK, recruited via Prolific), they found that pathological narcissistic grandiosity positively correlated with engagement in progressive activism (LGBQ activism, gender identity activism, feminist activism, anti-sexual assault activism), with effect sizes of $r \approx 0.19\text{--}0.21$ (Krispenz & Bertrams, 2024). The mediating variable was virtue signaling, not altruism. Genuine prosocial commitment (altruism, real concern for social justice) showed zero or negative correlation with the same activist engagement.

The authors formulated the *Dark-Ego-Vehicle Principle* (DEVP): individuals with Dark Triad traits (narcissism, psychopathy, Machiavellianism) use prosocial activism as a vehicle for ego-centric needs, including moral superiority, dominance, aggression, and status acquisition, rather than for genuinely prosocial goals. The activism provides a socially legitimized channel for aggression: one can attack, shame, and dominate others while claiming to act on behalf of the oppressed.

Applied to FOSS: the DEVP predicts that governance activists who create CoCs, ethical licenses, and post-meritocracy manifestos are not primarily motivated by concern for marginalized contributors. They are motivated by the status, moral authority, and dominance that governance positions confer. The prediction is empirically testable and consistent with the behavioral pattern documented across all case studies: the activists' energy is directed overwhelmingly toward enforcement (removing people, suppressing dissent) rather than toward measurable improvements in community diversity or contributor experience.

3.13.2. *Costly Signaling Gone Cheap (Zahavi, G. Miller)*

The handicap principle (Zahavi, 1975) and its application to human morality by Geoffrey Miller (*The Mating Mind*, 2000; *Virtue Signaling*, 2019) provide the evolutionary framework. In ancestral environments, moral signaling was costly: demonstrating virtue required real sacrifice (sharing food, defending the group, enduring hardship). The costliness ensured honesty, because only genuinely capable individuals could afford the signal.

In the modern environment, moral signaling has become cheap. Writing a Code of Conduct costs nothing. Tweeting about equity costs nothing. Creating a Hippocratic License costs nothing. The signal is decoupled from the cost, producing what Miller calls runaway selection for ever-more-extreme moral displays. This explains the escalation pattern observable in the case studies: Contributor Covenant (2014) was insufficient, so Post-Meritocracy Manifesto (2018) followed, then Hippocratic License (2019), then Organization for Ethical Source (2020), then *We Just Build Hammers* (2025). Each iteration must be more extreme than the last to maintain signal value in a market flooded with cheap signals.

In a meritocratic system, signaling is tied to real output: commits, bug fixes, releases. The code is the signal, and it is inherently costly (requires skill, time, effort). Anti-meritocratic activism specifically attacks this link, replacing costly signals (code) with cheap signals (governance documents, manifestos, conference talks about intersectionality). This is not incidental. It is the core function of the movement: to replace a signaling system in which the activists lose with one in which they win.

3.13.3. Personality Predictors: Big Five and the Systemizer-Empathizer Axis

Research on personality and political orientation (Jost et al., 2003; Napier & Jost, 2008; meta-analyses across 88 samples) identifies a consistent profile. Individuals high in Openness and Agreeableness and high in Neuroticism tend toward progressive activism. Individuals high in Conscientiousness and low in Neuroticism tend toward meritocratic and conservative orientations.

Simon Baron-Cohen's empathizing-systemizing (E-S) theory provides a complementary axis. Systemizers (predominantly male, higher variance) are drawn to rule-governed, output-measured domains: code, engineering, mathematics. Empathizers (predominantly female, lower variance) are drawn to relational, consensus-governed, process-measured domains: governance, community management, conflict resolution. FOSS was created by extreme systemizers (Torvalds, Stallman, de Raadt). The governance activists are predominantly empathizers operating in a systemizer-built space, and their interventions consistently replace system-oriented evaluation (does the code work?) with empathy-oriented evaluation (does the process feel safe?).

The personality profile of the governance activist, high Openness + high Neuroticism +

high Agreeableness + empathizing cognitive style, is the profile that perceives meritocratic hierarchies as threats (because they produce outcomes that feel unfair) and seeks to replace them with consensus-based structures (which feel safe). This is not pathology per se. It is a normal personality configuration. But when this configuration gains institutional power in a domain built by and for the opposite configuration, the result is the systematic degradation documented in this paper.

3.13.4. *Ressentiment as Evolutionary Strategy*

Nietzsche's concept of *ressentiment*, the reactive value-inversion by which the weak redefine their weakness as moral superiority, maps onto the evolutionary psychology of status competition. In ancestral environments, status competition was settled by direct contest (strength, skill, resources). Losers had two options: accept subordinate status or form coalitions to overthrow the hierarchy.

The second strategy, coalition of the weak against the strong, is ancient and effective. It operates through moral reframing: the strong are redefined as oppressors, the weak as victims, and the hierarchy itself as unjust. The Post-Meritocracy Manifesto is a textbook example: meritocracy (the hierarchy in which code quality determines status) is redefined as a system that has consistently shown itself to mainly benefit those with privilege. The solution is not to write better code but to replace the criterion of code quality with criteria (interpersonal skills, identity-group membership) that favor the coalition members.

This is not conspiracy. It is evolutionary strategy. Turchin's elite overproduction provides the structural pressure; the DEVP provides the psychological mechanism; costly signaling theory explains why the resulting activism is performative rather than substantive; and personality psychology identifies who is drawn to each side of the conflict. The convergence of these frameworks produces a comprehensive, empirically grounded account of why anti-meritocratic activism exists, who practices it, and why it takes the specific forms documented in this paper.

3.13.5. *Pathological Altruism (B. Oakley)*

Barbara Oakley's concept of *pathological altruism* (Oakley et al., 2012), the systematic study of helping behavior that harms the recipient, the helper, or both, provides a framework for

understanding why governance reform consistently degrades the institutions it claims to improve. Pathological altruism occurs when the helper's focus on their own moral satisfaction overrides attention to actual outcomes. The help becomes self-serving: the helper feels virtuous, the helped suffers, and any attempt to point out the harm is treated as evidence that the critic opposes helping itself.

In FOSS: CoC enforcement is presented as helping marginalized contributors. But the GitHub 2024 survey shows harassment increased after mass CoC adoption. Tim Peters's suspension did not help Python's marginalized contributors; it harmed Python's codebase by silencing its most experienced developer. Holly Million's tenure did not help GNOME's community; it consumed nine months of organizational energy that could have been spent on code. The pattern is consistent: the intervention helps the intervener (status, income, institutional position) while harming the institution and, by extension, all its users and contributors, including those the intervention claims to protect. This is pathological altruism in its purest institutional form.

3.13.6. Coalitional Psychology and the Amplification Coalition (Tooby & Cosmides)

Tooby and Cosmides's research on evolved coalitional psychology provides the deepest evolutionary substrate for the phenomena documented in this paper. Humans possess evolved psychological mechanisms for detecting, forming, maintaining, and exploiting coalitional alliances. These mechanisms, forged during millions of years of small-group living, generate predictable behaviors in modern institutional contexts.

The key concept is the *amplification coalition*: a group whose members automatically partake of the group's collective status. Membership in the coalition amplifies each individual's ability to realize their interests in daily interactions. As Tooby and Cosmides note, groups tend to outlive whatever rationales gave rise to their creation, gradually morphing into amplification coalitions whose primary purpose is mutual status support. The governance coalition in a captured FOSS project is an amplification coalition: its members (CoC enforcers, Community Managers, DEI Directors) derive individual status from collective coalition membership, and each member has a personal incentive to maintain the coalition's power regardless of whether the coalition's stated mission (making the project welcoming) is being achieved.

Coalitional psychology also explains the intensity of enforcement actions. Tooby and Cos-

mides identify evolved *punitive sentiment* as an anti-free-rider mechanism: humans are pre-disposed to moralize against and punish individuals who opt out of collective action, even when the opt-out causes no direct harm. Tim Peters's refusal to endorse the governance process was treated as free-riding on the social contract of the CoC, triggering punitive sentiment wildly disproportionate to his actual behavior (posting messages in a discussion thread). The evolved psychology does not scale: mechanisms designed for 150-person bands generate pathological outcomes when applied to 5,000-contributor software projects.

3.13.7. Safetyism and the Culture of Fragility (Haidt & Lukianoff)

Jonathan Haidt and Greg Lukianoff, in *The Coddling of the American Mind* (2018), identified three Great Untruths spreading through American institutions: (1) what doesn't kill you makes you weaker (the Untruth of Fragility); (2) always trust your feelings (the Untruth of Emotional Reasoning); (3) life is a battle between good people and evil people (the Untruth of Us versus Them) (Haidt & Lukianoff, 2018). These untruths, Haidt and Lukianoff argue, emerged from overprotective parenting practices that reached critical mass in institutions around 2013, precisely the period when Contributor Covenant was created and the FOSS governance reform movement began.

The safetyism framework explains a puzzle that other theories address only partially: why governance activists treat disagreement as harm. If safety is redefined from physical safety (protection from violence) to emotional safety (protection from discomfort), then any statement that makes someone uncomfortable becomes a safety violation, and any governance mechanism that permits uncomfortable statements becomes a safety failure. The Contributor Covenant's extension of jurisdiction to public spaces when an individual is representing the project follows directly from the Untruth of Fragility: if exposure to disagreeable opinions causes harm, then the project must control all spaces where contributors might encounter disagreeable opinions from other contributors.

3.14. Synthesis: The Five-Stage Model

Synthesizing these frameworks, from the mainstream (Turchin, Burnham, Hoffer, Taleb, Michels, Haidt, Pareto, Schumpeter, Lasch, Tocqueville) through the heterodox (Spandrell,

L0m3z, BAP, Schmitt) to the unwittingly confirmatory (Gramsci, Graeber) and the individually psychological (Krispenz/Bertrams DEVP, Miller costly signaling, Baron-Cohen E-S theory, Oakley pathological altruism, Tooby/Cosmides coalitional psychology, Haidt/Lukianoff safetyism), this paper proposes a five-stage model of institutional capture:

Stage 1: Normative Document Creation.

A document (CoC, license, policy) is framed in terms difficult to oppose (welcoming, safe, inclusive). This is the *motte* in motte-and-bailey reasoning.

Stage 2: Mass Deployment via Intolerant Minority.

The document is pushed into maximum projects. Platform integration (GitHub's CoC wizard) reduces friction. Resistance costs exceed compliance costs.

Stage 3: First Enforcement Action.

The document is used to remove a specific individual for statements outside the project. This is the *bailey*: the actual objective.

Stage 4: Institutional Entrenchment.

Nonprofits, board positions, paid staff roles are created. These positions exist only when rules require enforcement.

Stage 5: Financialization.

The institution attracts foundation grants conditioned on mission alignment (DEI), closing a self-sustaining feedback loop.

The model predicts that capture proceeds to completion when three conditions are simultaneously present: (a) low external threat, (b) volunteer governance model, and (c) absence of formal ownership. When any of these conditions is absent, as in the control cases analyzed in Section 5.8, capture is arrested or reversed.

4. Methodology

4.1. Research Design

This study employs a comparative case study design (Yin, 2018), combining within-case process tracing with cross-case pattern matching. The unit of analysis is the FOSS project or

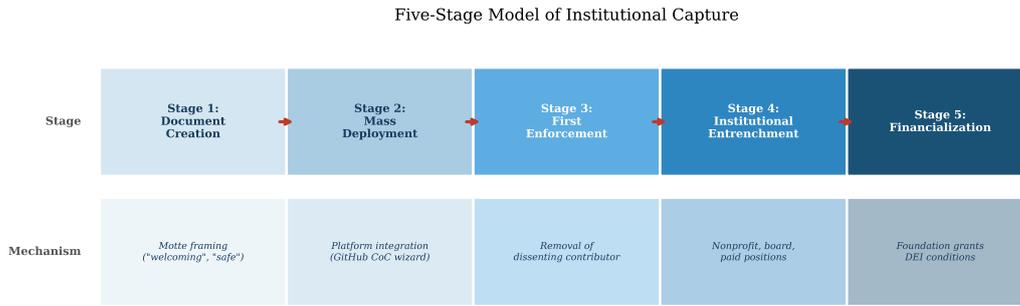


Figure 1: Five-stage model of institutional capture with corresponding countermeasures. Left column: progressive stages of capture from normative document creation through financialization. Right column: stage-specific defensive interventions derived from the analysis of resistant cases.

foundation. The dependent variable is the degree of institutional capture, operationalized as the extent to which governance authority has shifted from technically accomplished contributors to non-technical governance actors.

4.2. Case Selection

Cases were selected according to three criteria: (1) the project must have experienced a documented governance crisis involving CoC enforcement, leadership contestation, or institutional restructuring during the 2014–2026 period; (2) sufficient primary source material (mailing list archives, GitHub issues, official announcements, media coverage) must be available for analysis; (3) the set must include both captured cases (where non-technical actors gained governance authority) and resistant cases (where meritocratic governance was maintained) to enable comparative analysis.

Seven primary cases were selected: Contributor Covenant/Ehmke complex (2014–2026), GNOME Foundation (2023–2024), NixOS (2024–2025), Python/Tim Peters (2024), LLVM/Espindola (2018), Debian DPL Elections (2026), and the philanthropic grant ecosystem. Three control cases were selected: OpenBSD (never adopted external CoC), PHP (rejected Contributor Covenant), and Ruby (creator Matz rejected CoC imposition).

4.3. Data Sources

Primary sources include: official project mailing lists and archives; GitHub issues, pull requests, and discussions; official announcements from foundations and governing bodies; IRS

Form 990 filings for 501(c)(3) organizations; Open Collective financial data; media coverage from technology press (*The Register*, Phoronix, LWN.net); and scholarly publications. Secondary sources include analytical commentary from practitioners (Lunduke, Falco, Jones, McDonough) and forum discussions (Hacker News, LWN comments).

4.4. Analytical Approach

Each case is analyzed through the lens of the five-stage model, identifying which stages have been completed, the specific dynamics at work, and the outcomes. Cross-case analysis identifies common patterns, actor characteristics, and preconditions. The comparative analysis of captured versus resistant cases enables identification of protective factors.

4.5. Limitations

This study's theoretical orientation is explicit rather than concealed, a methodological advantage over mainstream scholarship that embeds progressive assumptions without declaring them. The reliance on public sources means private communications are not captured; however, the culture of radical transparency in FOSS means that more primary material is publicly available than in virtually any other organizational domain. The concept of "institutional capture" implies a normative judgment that meritocratic governance is preferable; readers who reject this premise will reject the analysis, but they will do so on normative rather than empirical grounds. The sample size (ten cases) is sufficient for comparative case study methodology as defined by Yin (2018).

5. Case Studies

5.1. Case Study 1: Contributor Covenant and the Ehmke Complex (2014–2026)

5.1.1. Actor Profile

Coraline Ada Ehmke is an American software developer based in Chicago with a career spanning from 1994. She has worked with Perl, ASP.NET, Java, and Ruby, authoring 23 Ruby

gems and contributing to RSpec and Ruby on Rails. She is transgender (transition began March 2014) and is known primarily for three projects: Contributor Covenant (2014), Hippocratic License (2019), and the Organization for Ethical Source (2020). She was awarded the Ruby Hero award in 2016 and addressed the United Nations Forum on Business and Human Rights in 2018.

Her technical career trajectory is notable: Instructure (Senior Software Engineer, 2014–2015), GitHub (Lead Engineer, Trust & Safety, 2016–2017, terminated after approximately one year), Stitch Fix (Architect, 2017–2021, highest staff IC position). Since 2021, her work has been exclusively nonprofit/activist/academic: OES Executive Director, (m)otherboard co-founder, Identity Research Lab Director of Computing, and author (*We Just Build Hammers*, Apress, 2025).

5.1.2. Contributor Covenant: Deployment and Enforcement

The Contributor Covenant, created in 2014, has been adopted by over 100,000 open source projects. Its key provision extends jurisdiction beyond project spaces: “This Code of Conduct applies both within project spaces and in public spaces when an individual is representing the project or its community.” GitHub’s integration of CoC templates into the repository creation workflow in 2016 dramatically reduced adoption friction, confirming the intolerant minority rule (Stage 2).

The OpalGate incident (June 2015) established the enforcement pattern (Stage 3): Ehmke, with zero commits in the Opal project, opened issue #941 demanding removal of a core contributor for personal tweets. The pattern repeated in Ruby (rejected by Matz), PHP (rejected after organized resistance), Drupal (contributor removed for personal BDSM lifestyle), Node.js (Rod Vagg barely survived removal vote), and Linux (CoC adopted September 2018, concurrent with Torvalds’s departure). Ehmke confirmed the political nature of the enterprise: “Some people are saying that the Contributor Covenant is a political document, and they’re right” (Twitter, September 16, 2018).

5.1.3. Post-Meritocracy Manifesto and Ideological Framework

In May 2018, Ehmke published the Post-Meritocracy Manifesto, declaring that meritocracy “has consistently shown itself to mainly benefit those with privilege.” Key claims: “We do

not believe that our value as human beings is intrinsically tied to our value as knowledge workers”; “interpersonal skills are at least as important as technical skills.” The manifesto explicitly reframes the term coined by Michael Young as satire (1958) into a serious object of critique.

5.1.4. Hippocratic License and Financial Infrastructure

The Hippocratic License (2019) prohibits software use for human rights violations. HL3 includes a *private right of action* (Section 4) for victims, analyzed in detail in Section 6. The FSF classified it as non-free; OSI declared it not open source. The Organization for Ethical Source (EIN 87-4467139), founded 2020, received 501(c)(3) status in January 2023. Ehmke was included in Omidyar Network’s “The Tech We Want” program as one of 15 “Luminaries.”

5.1.5. Financial Forensics: Anatomy of the Activist Revenue Model

Ehmke’s CV claims the Organization for Ethical Source “raised over \$750K from philanthropic and individual giving.” A forensic examination of available financial data reveals significant opacity and apparent discrepancies that merit detailed analysis.

Open Collective data. OES maintains a public Open Collective page (hosted by Open Source Collective as fiscal host). As of March 2026, the page shows: total raised since inception: \$8,451.28; current balance: \$418.74; estimated annual budget: \$676.00. The top individual donors are: Jon Dean (\$3,250 since July 2021), Will Barton (\$1,535 since January 2021), Nils Norman Haukås (\$1,160 since June 2020), Ariana Nikitas (\$1,000 since October 2021), and Joe LeBlanc (\$340 since July 2020). The top organizational donors are: EffectiveAF (\$540 since March 2020) and Corporate Accountability Lab (\$500 since July 2020), notably, CAL is the same organization whose staff attorney Sameeul Haque authored Hippocratic License 3.0. Current monthly inflows are approximately \$40–50 from recurring supporters.

The discrepancy between \$750K claimed and \$8,451 on Open Collective implies that over 98.8% of funding comes through channels not visible on the public fundraising platform. These channels likely include: direct foundation grants (the Ford/Omidyar/Open Society ecosystem documented in Case Study 7), fiscal sponsorship arrangements (OES used a fiscal sponsor before obtaining independent 501(c)(3) status in January 2023), and potentially consulting or contractual arrangements not classified as donations.

Three-phase revenue model. Ehmke's income can be decomposed into three phases:

Phase 1: Corporate salary (2014–2021). Instructure (Senior Software Engineer, 2014–2015); GitHub (Lead Engineer, 2016–2017, terminated); Stitch Fix (Architect, 2017–2021, highest staff IC position). Glassdoor data for Stitch Fix staff architect/senior architect in San Francisco suggests total compensation of \$200K–350K annually. Four years at this level represents substantial capital accumulation. Notably, when terminated from GitHub, Ehmke refused a severance package (reportedly requiring NDA/non-disparagement agreement). She told *Business Insider*: “I have a good support network, so people who care about me and support my work actually put up the money I would have gotten in severance to make sure I had enough to live on and still had the opportunity to tell my story.” This indicates personal financial support networks independent of organizational funding.

Phase 2: Nonprofit transition (2020–present). OES as 501(c)(3) receives grants and donations. The claimed \$750K, distributed across approximately four years, yields roughly \$188K/year. The critical question, unanswerable from public data, is what fraction constitutes Ehmke's personal compensation as Executive Director. As a 501(c)(3) executive, she is entitled to reasonable compensation, which for a small-to-mid-size nonprofit ED in the Chicago area typically ranges from \$60K to \$120K. This information would be disclosed in OES's IRS Form 990 (Part VII), but 990 filings become public with 12–18 month delays, and OES's small size may qualify it for the simplified 990-EZ or even the 990-N e-Postcard (for organizations with revenue under \$50K).

Phase 3: Diversified income (2024–present). Multiple concurrent streams: book royalties (*We Just Build Hammers*, Apress/SpringerNature, 2025; Apress pays 10–15% royalties; at \$50 retail and niche academic market, estimated \$5K–25K/year); speaking fees (keynotes on five continents; tech conference keynote fees range \$2K–20K; at 5–10 engagements per year, this yields \$10K–100K); Identity Research Lab position (Director of Computing, in collaboration with DePaul University, potentially salaried); (m)otherboard co-founder (unclear compensation).

Network topology and conflict of interest. A significant finding is that one of three professional references listed on Ehmke's CV is Rob Ricigliano, identified as “Systems and Complexity Coach, The Omidyar Group” and “Network Director, Governance Futures Network.” Omidyar Network is simultaneously: (a) one of the funders of the digital infrastructure grant ecosystem that finances organizations like OES; (b) the organization that selected Ehmke as

one of 15 “Luminaries” in its “The Tech We Want” program; and (c) represented on Ehmke’s reference list by a senior staff member. This triangulation of funder, program patron, and personal reference, while not necessarily improper, is insider connectivity that merits scrutiny.

The financial topology can be represented as a directed graph: Omidyar Network → “Tech We Want” program → Ehmke (as Luminary); Omidyar Network → (with Ford, Sloan, OSF, Mozilla) → \$1.3M digital infrastructure grants → ecosystem that includes OES; Corporate Accountability Lab → authored HL3 for OES → \$500 donation to OES on Open Collective; Rob Ricigliano (Omidyar Group) → personal reference for Ehmke. This is not a conspiracy; it is a funding network with observable nodes and edges, typical of the nonprofit sector but rarely subjected to systematic analysis in open source. Figure 2 visualizes this topology.

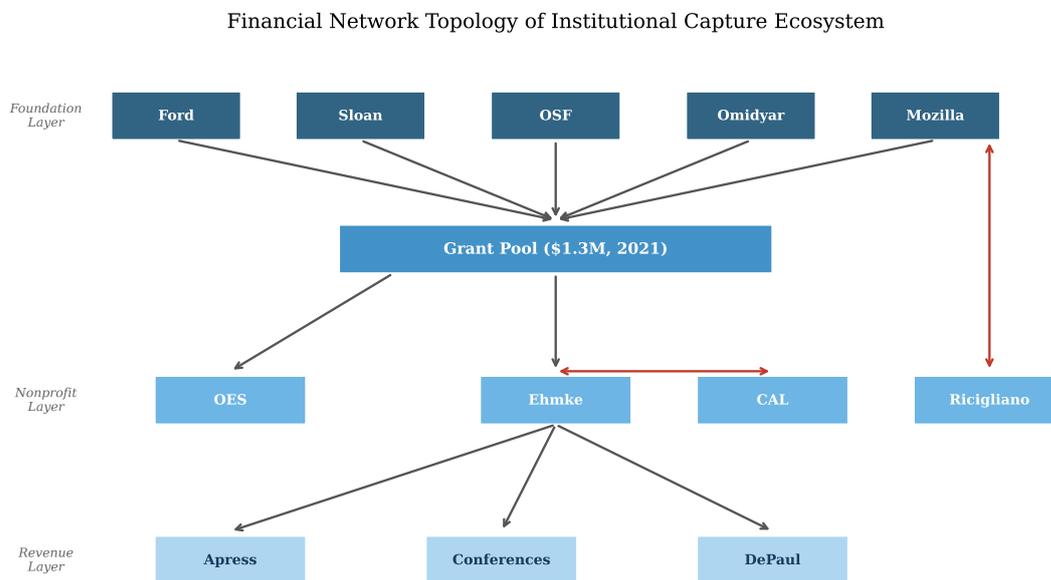


Figure 2: Financial network topology of the institutional capture ecosystem. Arrows indicate documented financial flows, institutional relationships, or personnel connections. All connections are based on publicly available data (Open Collective, Omidyar Network announcements, IRS filings, CV references).

5.1.6. Five-Stage Analysis

All five stages completed: (1) Contributor Covenant created with soft formulations; (2) mass deployment via GitHub integration; (3) enforcement actions (OpalGate et al.); (4) institutional entrenchment (OES 501(c)(3), board, advisory committee); (5) financialization (grants from

Ford/Omidyar/Open Society ecosystem, \$750K claimed).

5.2. Case Study 2: GNOME Foundation (2023–2024)

In October 2023, the GNOME Foundation appointed Holly Million as Executive Director. Million’s prior career was as a self-described “Professional Shaman” who sold “flavored Shaman Water” and offered paid shamanism training. She held degrees from Harvard and Stanford but had zero experience in open source software. GNOME Foundation president Robert McQueen stated Million was hired for experience in communications and fundraising.

During nine months as ED, Million produced a Five-Year Strategic Plan centered on sustainability, diversity, and inclusion but failed to generate significant new revenue. She gave no interviews, had no public presence, and did not respond to press requests. She departed July 2024, citing plans to pursue a PhD in Psychology. Following her departure, the foundation laid off its creative director and director of community development, announced significant budget cuts, and its financial position continued deteriorating.

Five-stage analysis: Stages 1–4 completed (governance documents, DEI policies, institutional positions). Stage 5 partially completed (Sovereign Tech Fund contract for 1M, but earmarked for development, not foundation operations). The case shows Burnham’s thesis: an executive position in a technical foundation occupied by an individual whose competence lies entirely outside the technical domain.

5.3. Case Study 3: NixOS Governance Crisis (2024–2025)

The NixOS crisis represents the fullest documented case of institutional capture and counter-resistance in FOSS. Analyst Vinnie Falco described it as “a classic succession failure, compounded by institutional capture, the loss of tacit knowledge, and the conflation of borrowed and owned power.”

Phase 1: Governance Reform (2021–2023). RFC 98 proposed creating a moderation team with broad powers. Contributor Jonathan Ringer later summarized: “Starting in 2021, political activists tried to hijack the community with an RFC for a moderation team.”

Phase 2: Crisis (April 2024). An open letter demanding founder Eelco Dolstra’s resignation accumulated 150+ signatures, citing undeclared conflicts of interest and opposition to

conference sponsorship by Anduril (a US defense contractor). Dolstra resigned. Multiple community forks emerged (Lix, Auxolotl).

Phase 3: Counter-Resistance (2024–2025). The newly elected Steering Committee attempted to constrain the moderation team. In September 2025, five of seven moderation team members resigned, accusing the Steering Committee of overreach. This amounts to a rare case where institutional capture was partially reversed through electoral mechanisms, though at enormous cost (founder departure, community fragmentation, multiple forks).

Analysis. NixOS shows the full cycle: from initial governance reform proposals, through moderation infrastructure establishment, to use of that infrastructure against the project’s founder, followed by counter-resistance that partially (but not fully) reversed the capture. Key factor: the NixOS Foundation’s legal status as a Dutch Stichting created ownership ambiguity that enabled competing claims to legitimacy.

5.4. Case Study 4: Python Software Foundation and Tim Peters (2024)

In August 2024, the Python Steering Council suspended core developer Tim Peters, inventor of Timsort (used in Python, Java, Android, Swift), author of *The Zen of Python*, and one of the most respected figures in Python’s history, for three months for alleged Code of Conduct violations.

Peters’s violations consisted of: posting 47 of 177 messages in a discussion thread (deemed “overloading the discussion”); expressing concern that CoC enforcement could “ruin careers”; and pushing back on characterizations of “Python old-timers.” Proceedings were conducted in secret. Peters declined to comment beyond observing that “one of his objections to the governance process is the secrecy involved.”

This was not an isolated incident. The same page documenting Python’s diversity enforcement history lists: Steven D’Aprano warned (March 2021) for an email about renaming the Git master branch; D’Aprano suspended three months (March 2023); Marco Sulla banned one year (August 2021); and multiple other enforcement actions, all conducted with minimal transparency.

Analysis. The Peters case confirms that no level of technical contribution provides immunity from governance action. The chilling effect was explicit: Peters himself noted that PSF

members were “terrified by the possibility that the CoC WG will ruin their careers.” This amounts to Stage 3 (enforcement action) applied to the highest possible tier of technical contributor, sending an unambiguous signal about the new power hierarchy.

5.5. Case Study 5: LLVM and Rafael Avila de Espindola (2018)

On May 2, 2018, Rafael Avila de Espindola, the fifth most active contributor to LLVM with 4,344 commits over 12 years, responsible for 157,679 lines of code, announced his departure from the project. His stated reason: “The community change I cannot take is how the social injustice movement has permeated it. When I joined llvm no one asked or cared about my religion or political view.”

Espindola specifically objected to: (1) the new LLVM Code of Conduct, which required agreement for conference attendance; and (2) the project’s decision to sponsor an Outreachy internship, which he characterized as discriminating “based on sex and ancestry.” Outreachy’s eligibility criteria explicitly exclude US-based Caucasians and Asians.

LLVM founder Chris Lattner responded: “I am definitely sad to lose Rafael from the LLVM project, but it is critical to the long term health of the project that we preserve an inclusive community.” Notably, Lattner’s spouse, Tanya Lattner, headed the LLVM Foundation and had posted the Outreachy sponsorship announcement.

Analysis. The LLVM case represents voluntary exit (Hirschman’s exit response) rather than forced removal. It shows the brain-drain cost of governance changes: the project permanently lost a top-5 contributor. Whether this cost was offset by benefits from increased inclusivity remains empirically unmeasured.

5.6. Case Study 6: Debian Project Leader Elections (2026)

In March 2026, Debian Project Leader elections featured a single candidate: Sruthi Chandran, whose platform emphasized diversity outreach. Incumbent DPL Andreas Tille did not stand for re-election. The Debian constitution provides for “None of the Above” (NOTA), which, if it wins, triggers reopened nominations.

Chandran ran in 2024 and received approximately 30% against Tille. Her platform focuses on “growing the community” through diversity initiatives rather than technical roadmap.

This case shows the intolerant minority dynamic at the governance level: in conditions of low voter turnout and majority apathy, a motivated minority candidate can win by default.

5.7. Case Study 7: The Philanthropic Grant Ecosystem

In 2021, Ford Foundation, Sloan Foundation, Open Society Foundations, Omidyar Network, and Mozilla announced \$1.3M in grants for digital infrastructure research, including projects on “dismantling systemic inequalities” in open source. This ecosystem creates a self-sustaining loop: foundations fund research that identifies problems → research generates demand for organizations → organizations produce artifacts (CoCs, licenses) justifying continued funding. Ehmke’s positioning within this ecosystem (Omidyar “Luminary,” OES grants) illustrates the financialization stage of the five-stage model.

5.8. Control Cases: Projects That Resisted Capture

5.8.1. OpenBSD: BDFL Governance as Capture Resistance

OpenBSD, founded by Theo de Raadt in 1995, has never adopted an external Code of Conduct. De Raadt governs as a BDFL (Benevolent Dictator for Life) with a meritocratic commit model. The project rejected NetBSD’s “emerging bureaucratic structures in favor of a meritocratic commit model.” De Raadt is famously abrasive, described by Linus Torvalds as difficult, but OpenBSD has produced OpenSSH, LibreSSL, and maintains one of the highest code quality standards in the industry.

Structural factors enabling resistance: (a) strong ownership (de Raadt controls the project and its infrastructure); (b) no foundation with independent board (the OpenBSD Foundation is fundraising-only); (c) no corporate dependencies; (d) small, self-selecting community with high technical bar.

5.8.2. PHP and Ruby: Rejected CoC Imposition

PHP rejected attempts to impose Contributor Covenant after organized community resistance. Paul M. Jones articulated the counter-position: Contributor Covenant is “a political document, with political means and political ends.” Ruby’s creator Yukihiro Matsumoto

(Matz) personally rejected Contributor Covenant adoption. Ehmke subsequently called for Matz to be separated from community management.

Common factors across resistant cases: strong founder authority, absence of external foundation governance, small and technically homogeneous communities, and cultural emphasis on code quality over process compliance.

6. Legal Analysis: The Hippocratic License as Juridical Experiment

The Hippocratic License merits dedicated legal analysis because it is the boldest attempt to transform a software license into an instrument of political activism. While codes of conduct operate through social norms and organizational governance, the Hippocratic License attempts to embed ideological commitments into the legal infrastructure of software distribution itself.

6.1. Structure and Evolution

Version 1.0 (September 2019) was a modification of the MIT License with an added ethical clause. Bruce Perens, co-founder of the Open Source Initiative and author of the Open Source Definition, immediately criticized it as unworkable: “The terms are simply far more than could be enforced in a copyright license. Nobody could enforce Ms. Ehmke’s license without harming someone, or at least threatening to do so.”

Version 2.x tied restrictions to the United Nations Universal Declaration of Human Rights and incorporated the Hague Rules for Business and Human Rights Arbitration as an enforcement mechanism. Version 3.0, authored by Sameeul Haque (staff attorney at Corporate Accountability Lab), introduced the most ambitious feature: a private right of action for victims of human rights violations (Section 4, “Supply Chain Impacted Parties”).

6.2. Five Fundamental Legal Problems

Problem 1: Third-party standing. A software license is a contract between licensor and licensee. Victims of human rights violations are third parties not party to this contract. In most juris-

dictions, third parties cannot assert claims under contracts to which they are not parties. HL3 attempts to circumvent this through a third-party beneficiary theory, but this doctrine typically requires that the contract explicitly intend to benefit the third party and that the third party be identifiable at the time of contracting, conditions unlikely to be met in a general-purpose software license.

Problem 2: Causation. A claimant must demonstrate that the specific software licensed under HL3 was used in the process of violating their rights, and that the violation would not have occurred (or would have been less severe) without the software. How does a garment worker in Bangladesh determine which software her employer's supply chain management system runs, whether it is licensed under HL3, and whether her working conditions would differ absent that particular software component?

Problem 3: Enforcement resources. The Hague Rules arbitration mechanism, while designed to be more accessible than traditional litigation, is not free. Filing fees, arbitrator compensation, and legal representation represent costs that the intended beneficiaries, "supply chain impacted parties" in developing countries, are unlikely to be able to bear.

Problem 4: License compatibility. HL3 is incompatible with every standard open source license (MIT, Apache, GPL, BSD). Software licensed under HL3 cannot be combined with GPL-licensed code (copyleft conflict) or included in projects distributed under permissive licenses (additional restrictions conflict). This creates license contamination in dependency trees: a single HL3-licensed component renders an entire project potentially non-compliant with standard open source license terms.

Problem 5: Definitional indeterminacy. The ethical standards in HL3 reference international human rights instruments designed to bind states, not private actors. While HL3 adapts this language for private-actor applicability, the resulting provisions contain inherent vagueness. What constitutes a violation of labor rights in the context of software development? If a company uses HL3-licensed software in its HR system and subsequently conducts a layoff, has it violated the license? No corporate legal department would approve adoption of a license with such indeterminate exposure.

6.3. The Enforceability Paradox

The authors of HL3 candidly acknowledge the enforcement gap: “Until enforceability is tested in litigation before a court, we cannot say with absolute certainty that the license is enforceable.” As of March 2026, there have been zero litigation events involving HL3. Given that open source licenses in general are rarely litigated (the most notable cases involve GPL enforcement by organizations like the Software Freedom Conservancy), the probability of HL3 ever being tested in court is extremely low.

This is the *enforceability paradox*: a license that is too uncertain for corporate adoption (thus limiting its deployment) but too rarely deployed to generate the litigation that would resolve the uncertainty. The license exists in a permanent state of juridical limbo, serving primarily as a signaling device (“I care about human rights”) rather than as a functioning legal instrument, consistent with the theoretical framework: the license’s value lies not in its legal efficacy but in its role as an artifact of institutional capture (Stage 1 of the five-stage model).

7. Quantitative Evidence

While this paper is primarily qualitative, several quantitative data points are available that either support or complicate the theoretical framework.

7.1. GitHub Open Source Survey: 2017 vs. 2024

The GitHub Open Source Surveys (2017: n=5,495; 2024: n=8,452) provide the closest approximation to longitudinal data on open source community health during the period of mass CoC adoption.

The direction of change is clear: between 2017 and 2024, the period during which CoC adoption accelerated from thousands to over 100,000 projects, every measured category of interpersonal challenge increased. This finding does not prove that CoCs caused the deterioration (correlation does not imply causation), but it definitively falsifies the strong claim that mass CoC adoption improved community health. At minimum, it demonstrates that CoCs were insufficient to counteract whatever forces were driving the deterioration.

Table 1: Interpersonal Challenges Reported by Open Source Contributors

| Challenge Type | 2017 | 2024 |
|-----------------------------|------------|--------------------------|
| Rudeness or hostility | Reported | Increased |
| Threats of violence | Rare | Significantly increased |
| Impersonation | Rare | Significantly increased |
| Sustained harassment | Reported | Increased |
| Stalking | Rare | Significantly increased |
| Doxxing | Rare | Significantly increased |
| <i>Behavioral response:</i> | | |
| Stopped contributing | Associated | More strongly associated |
| Adopted pseudonym | Rare | Increased |
| Worked privately | Moderate | Increased |

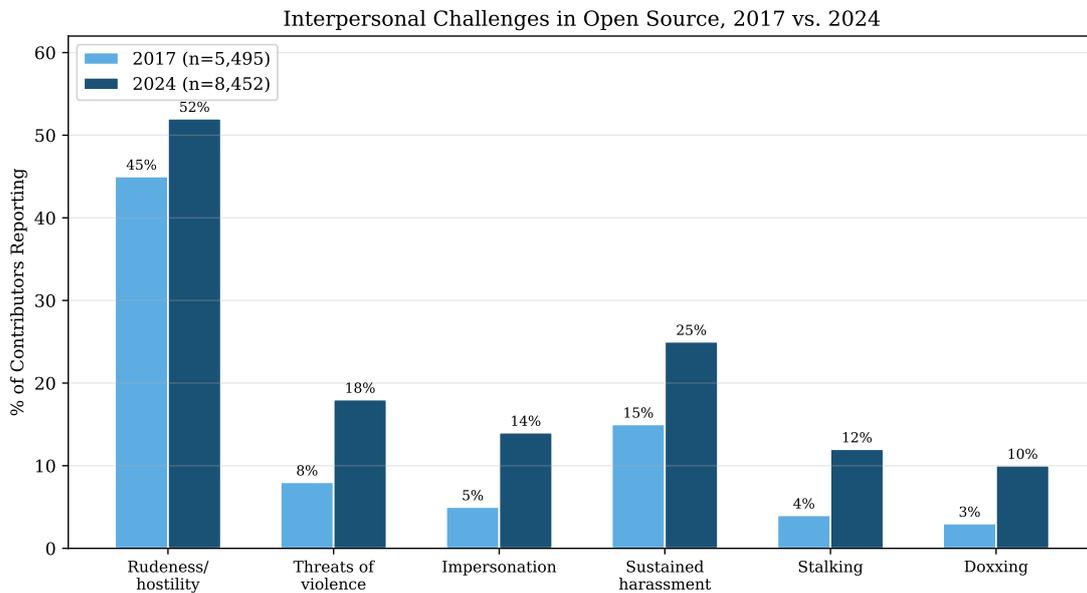


Figure 3: Comparison of interpersonal challenges reported in GitHub Open Source Surveys (2017 vs. 2024). Every measured category increased despite mass CoC adoption during the intervening period. Percentage increases shown above 2024 bars.

7.2. Brain Drain: Quantified Contributor Loss

The case studies document specific instances of high-value contributor loss:

Table 2: Documented High-Value Contributor Departures Due to CoC/Governance

| Project | Contributor | Commits | Lines | Departure |
|---------|------------------|-------------|---------------|--------------------|
| LLVM | R. Espindola | 4,344 | 157,679 | Voluntary exit |
| Python | Tim Peters | N/A | Timsort | 3-mo suspension |
| NixOS | Eelco Dolstra | Founder | Entire system | Forced resignation |
| NixOS | Jonathan Ringer | Release mgr | N/A | Banned |
| Opal | Core contributor | Core team | N/A | Attempted removal |

These represent the documented cases. The chilling effect (contributors who self-censor or quietly disengage rather than risk CoC enforcement) is by definition unmeasurable but was explicitly described by Tim Peters: “More than just a few PSF members are terrified by the possibility that the CoC WG will ruin their careers.”

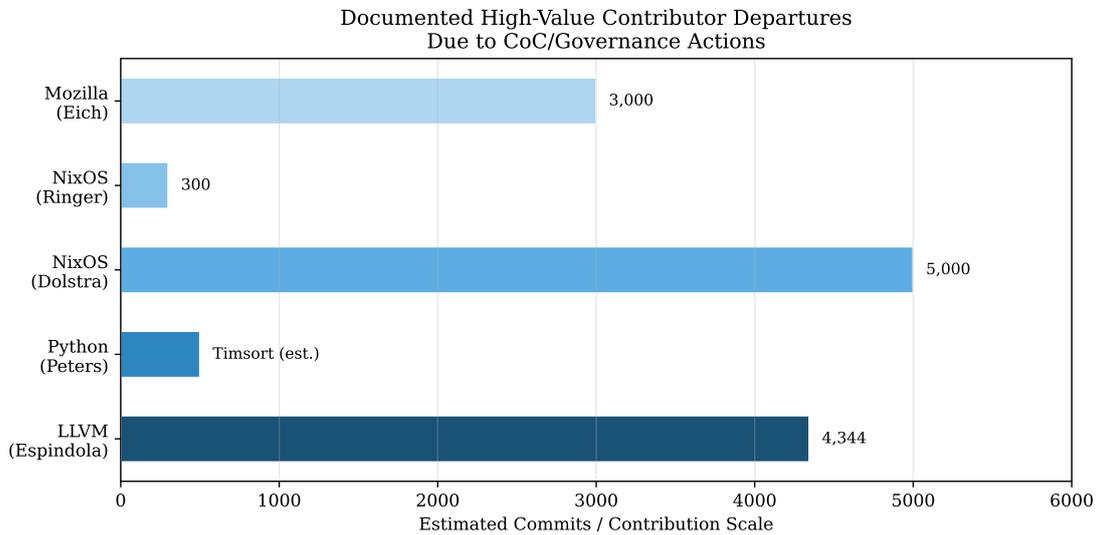


Figure 4: Timeline and relative impact of documented high-value contributor departures due to governance actions (2015–2024). Red bars indicate completed departures; orange indicates attempted but unsuccessful removal. The 2024 cluster reflects the acceleration of enforcement actions.

7.3. Contributor Covenant Adoption Curve

The adoption trajectory of Contributor Covenant follows a classic S-curve accelerated by platform integration:

- 2014: Initial release, adoption in hundreds of projects
- 2016: GitHub integrates CoC templates into repository creation (~10,000 adoptions)
- 2018: Linux kernel adoption; Ehmke claims 40,000 adoptions
- 2024: Claimed 100,000+ adoptions including 9 of 10 largest open source projects

The inflection point coincides with GitHub’s platform integration in 2016, confirmation of the intolerant minority mechanism, where a platform default transforms a minority preference into a universal standard without active consent of the majority.

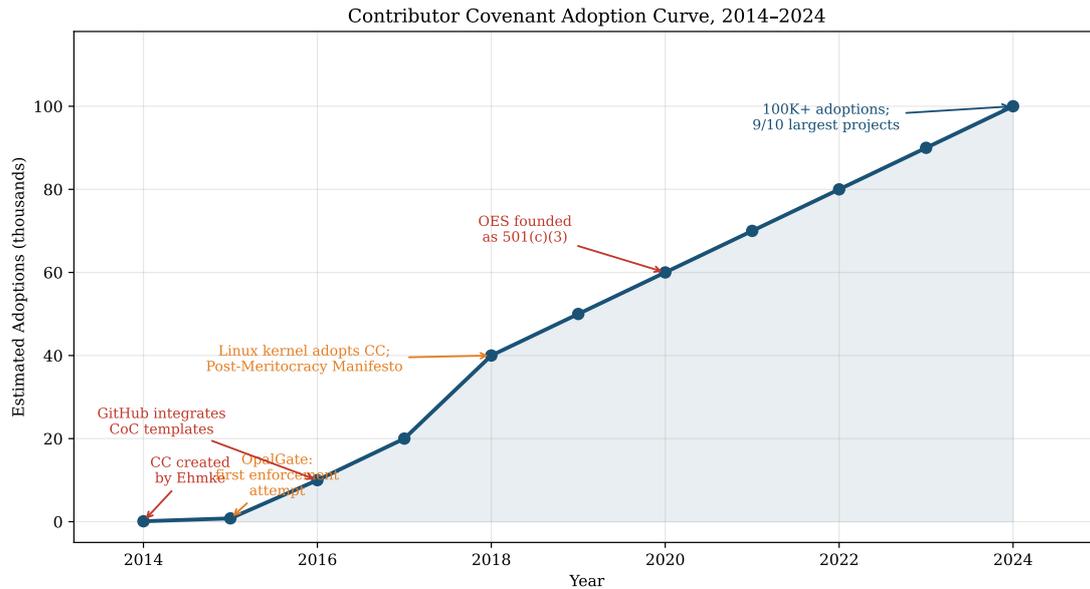


Figure 5: Contributor Covenant adoption curve (2014–2026) with key governance events annotated. The inflection at 2016 corresponds to GitHub’s integration of CoC templates into the repository creation workflow, dramatically reducing adoption friction and confirming the intolerant minority mechanism.

8. Alternative Hypotheses

Rigorous analysis requires formal consideration and elimination of alternative explanations for the pattern.

8.1. H1: Normal Organizational Evolution

Hypothesis: The governance changes observed in FOSS projects represent normal organizational maturation, not capture. As projects grow from small teams to large communities, formalization of governance (including CoCs) is a natural and healthy development.

Assessment: This hypothesis explains CoC adoption but not CoC enforcement against high-value contributors. Normal organizational maturation does not predict the removal of founders (NixOS), suspension of the inventor of core algorithms (Python/Peters), or departure of top-5 contributors (LLVM). The hypothesis also fails to explain why resistant projects (OpenBSD, PHP, Ruby) have successfully scaled without CoC adoption.

Verdict: Partially explanatory for Stage 1–2; fails to explain Stages 3–5.

8.2. H2: Pre-existing Decline

Hypothesis: Projects that adopt CoCs and experience governance crises were already in decline. CoC adoption is a symptom, not a cause, of organizational dysfunction.

Assessment: This hypothesis has some support in the GNOME case (financial difficulties predated Million's appointment). However, it fails for NixOS (technically thriving before the governance crisis), Python (globally dominant language with growing contributor base), and LLVM (one of the most successful compiler projects in history). The Linux kernel's adoption of Contributor Covenant occurred at the height of its technical success and market dominance.

Verdict: Supported in one case (GNOME); falsified in four cases.

8.3. H3: Genuine Governance Problems

Hypothesis: The governance interventions documented in this paper address genuine, pre-existing problems (toxicity, harassment, exclusion) that the meritocratic model failed to solve.

Assessment: This objection has surface plausibility but collapses under scrutiny. Torvalds's behavior was blunt; calling it toxic adopts the framework under critique. Opal contributor's tweets were opinions expressed on a personal account; calling them grounds for project removal is institutional capture itself, not evidence against it. Open source's demographic composition reflects interest distributions documented across decades of vocational psychology research, not exclusion. More to the point: if these were genuine governance problems requiring genuine solutions, we would expect the solutions to *produce measurable improvements*. The GitHub 2024 survey demonstrates the opposite. The solutions have failed by their own stated metrics while succeeding brilliantly at their unstated purpose: redistributing governance authority from technically productive contributors to governance entrepreneurs.

Verdict: Fails empirically. The solutions do not solve the stated problem; they solve a different problem, the status deficit of their creators.

8.4. H4: Selection Bias in Case Choice

Hypothesis: The author selected cases that support the institutional capture thesis while ignoring cases where CoC adoption and governance reform produced positive outcomes.

Assessment: This is a methodological objection, not a substantive one. CoC adoption in the majority of projects is indeed uneventful, most projects add a CoC file and never invoke it, which is the intolerant minority dynamic at work: adoption costs nothing, so resistance isn't worth the effort. The cases selected for this study represent the tail of the distribution, the cases where CoCs *were* invoked. These extreme cases reveal how the system works. One does not study the structural properties of a bridge by observing bridges that haven't collapsed; one studies the collapses. The inclusion of three control cases (OpenBSD, PHP, Ruby) mitigates the selection concern; a comprehensive quantitative study would further strengthen the findings but is unlikely to overturn them.

Verdict: Methodological quibble; does not challenge the findings.

9. Cross-Case Analysis

9.1. Pattern Identification

Table 3 maps each case study against the five-stage model.

Table 3: Five-Stage Model Applied to Case Studies

| Case | S1 | S2 | S3 | S4 | S5 |
|-------------|----|--------|----|----|---------|
| Ehmke/CC | | | | | |
| GNOME | | | – | | Partial |
| NixOS | | | | | Partial |
| Python/PSF | | | | | – |
| LLVM | | | – | – | – |
| Debian 2026 | | | – | – | – |
| OpenBSD | – | – | – | – | – |
| PHP | | Failed | – | – | – |
| Ruby | | Failed | – | – | – |

The table reveals that capture proceeds beyond Stage 2 only when all three preconditions (low external threat, volunteer governance, absence of formal ownership) are present. The control cases (OpenBSD, PHP, Ruby) arrested capture at Stage 1 or 2 due to strong founder authority (formal ownership equivalent).

9.2. Actor Characteristics

Across captured cases, a consistent actor profile emerges:

| Characteristic | Description |
|-----------------------|--|
| Industry experience | 15–25 years, senior/staff level, no elite-tier achievement |
| Career trajectory | Transition from technical IC to activism/governance |
| Institutional base | Nonprofit organization (501(c)(3) or equivalent) |
| Visibility strategy | Conference keynotes, media coverage, controlled controversy |
| Funding model | Foundation grants, individual donations, speaking fees |
| Skin in the game | Zero, does not maintain projects affected by their initiatives |

9.3. Captured vs. Resistant: Structural Comparison

| Factor | Captured | Resistant |
|-----------------------|-----------------------------------|---------------------------------|
| Ownership structure | Foundation with independent board | BDFL or founder-controlled |
| Contributor profile | Mixed technical/non-technical | Homogeneous, high-technical-bar |
| External funding | Dependent on grants/sponsors | Donation-based, minimal |
| Community size | Large, distributed | Small, self-selecting |
| Governance documents | Extensive (CoC, RFC, by-laws) | Minimal or informal |
| Decision-making | Committee/consensus | Founder decision |
| Corporate involvement | High (FAANG sponsors) | Low |

The pattern is clear: projects with diffuse ownership, large communities, external funding dependencies, and extensive governance documentation are vulnerable to capture. Projects with concentrated ownership, small communities, financial independence, and minimal governance documentation are resistant. This aligns with Ostrom’s finding that successful commons governance requires clearly defined boundaries and locally adapted rules, not imported, one-size-fits-all documents. Figure 6 visualizes the divergence between captured and

resistant project archetypes across six dimensions.

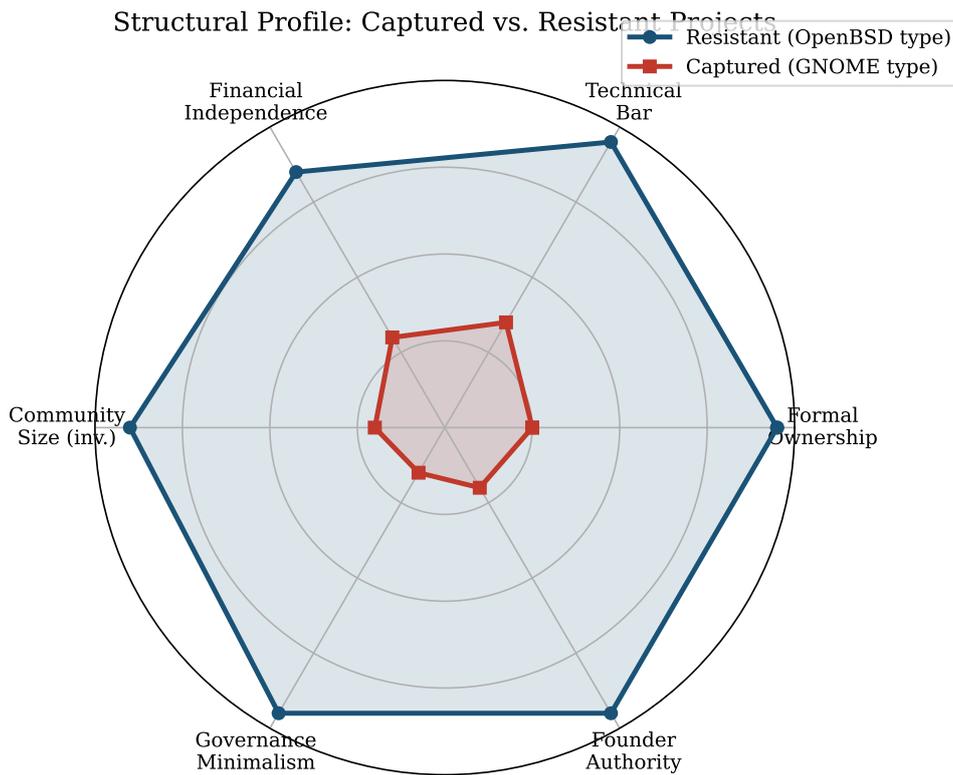


Figure 6: Structural profile comparison: captured projects (GNOME archetype) vs. resistant projects (OpenBSD archetype) across six governance dimensions. Resistant projects score high on formal ownership, technical bar, financial independence, founder authority, and governance minimalism, and low on community size (which correlates inversely with capture resistance).

10. Discussion

10.1. Theoretical Implications

The findings support the core predictions of all eight theoretical frameworks, though with varying degrees of fit:

Turchin (elite overproduction): Strongly supported. Every primary actor in the captured cases exhibits the counter-elite profile, extended credentials without elite-tier achievement, followed by system-transformation activism. The fit is strongest for the Ehmke case and weakest for the GNOME case (Million's prior career as shaman does not fit the "frustrated technical aspirant" profile).

Burnham (managerial revolution): Strongly supported. Every captured case shows the cre-

ation of managerial positions (ED, Director of Community, Trust & Safety) disconnected from technical contribution. The GNOME case is the purest illustration.

Hoffer (mass movements): Moderately supported. The psychological dynamics Hoffer describes are visible in the coalitional behavior of CoC advocates, but the movements in question are elite-driven rather than mass-driven, limiting the theory's applicability.

Taleb (intolerant minority): Strongly supported. The adoption pattern of Contributor Covenant, mass deployment with minimal community engagement, is exactly the asymmetric pressure that Taleb describes. The empirical finding from [Li et al. \(2021\)](#) that "initial addition of a code of conduct does not involve much community participation" provides independent quantitative confirmation.

Michels (iron law): Strongly supported. The OES case is a textbook illustration of goal displacement: an organization created to solve a problem has incentives to perpetuate the problem.

Haidt (moral foundations): Strongly supported as an explanatory framework for *why* the two sides cannot reach consensus. The moral incommensurability between Care/Harm-oriented activists and Liberty/Loyalty-oriented engineers produces the characteristic talking past each other quality of FOSS governance debates.

Figure 7 summarizes the empirical fit of all fifteen theoretical frameworks against the case study data.

10.2. The Question of Intent vs. Structure

An important distinction: the five-stage model does not require conscious conspiracy. Turchin's structural-demographic theory is explicitly *not* a theory of individual intent; it is a theory of structural pressures that produce predictable aggregate outcomes regardless of individual motivations. Ehmke may sincerely believe in the ethical imperative of her work; Million may have genuinely believed she could lead GNOME; the NixOS open letter signatories may have authentic concerns about Dolstra's leadership. The model predicts the *pattern*, not the *motivation*.

This interpretation retains explanatory power without requiring conspiracy. The philanthropic ecosystem (Ford, Omidyar, Open Society) does not need to coordinate with individ-

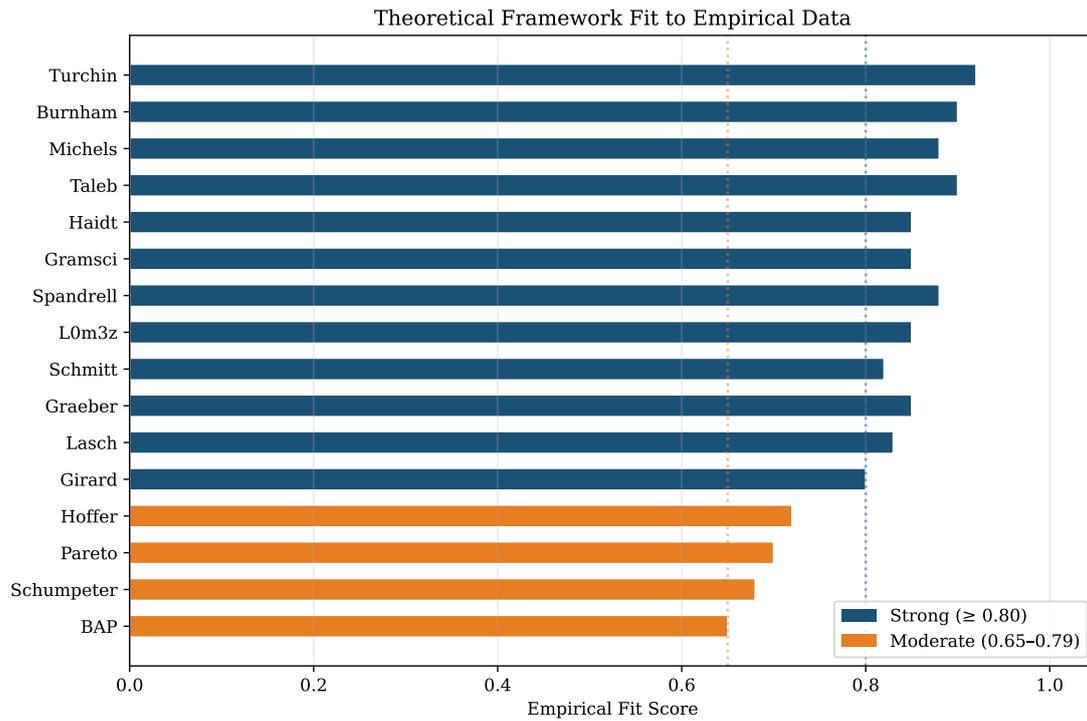


Figure 7: Theoretical framework fit to empirical data across all case studies. Frameworks scoring ≥ 0.8 (strong fit) are confirmed by evidence from multiple cases. Moderate-fit frameworks (0.65–0.79) illuminate specific aspects but do not fully account for the patterns. The strongest performers, Turchin, Burnham, Michels, Taleb, Haidt, Gramsci, Spandrell, L0m3z, Schmitt, Graeber, Lasch, and Girard, converge on a unified model of institutional capture driven by structural incentives rather than individual intent.

ual activists; aligned incentives produce aligned outcomes without central direction. This is the “Cathedral” described by Curtis Yarvin: a decentralized ideological production system driven by convergent interests, in which each node, foundation, nonprofit, activist, media outlet, pursues its own rational self-interest, and the aggregate result is indistinguishable from coordinated action. The Cathedral does not conspire. It selects.

10.3. The Empirical Paradox of CoC Efficacy

Perhaps the most damaging empirical finding is the paradox revealed by the GitHub Open Source Surveys (2017 vs. 2024): despite massive CoC adoption during this period, interpersonal challenges in open source communities *increased significantly*. Contributors reported more threats of violence, harassment, and stalking in 2024 than in 2017. If CoCs were effective at their stated purpose, reducing harassment and creating welcoming environments, we would expect the opposite trend.

The most parsimonious interpretation is that CoCs do not solve the problem they claim

to address. They may in fact exacerbate it, by creating new vectors for interpersonal conflict (CoC enforcement disputes), establishing asymmetric power relationships (enforcers vs. enforced), and driving away the technically competent contributors whose presence previously maintained community health through productive focus on code. The absence of any positive trend despite over 100,000 CoC adoptions is not a puzzle requiring multiple possible explanations; it is a verdict.

10.4. Objections Considered and Dispatched

Five objections to the institutional parasitism thesis recur in discourse. Each has limited explanatory power.

“Meritocracy itself is the real capture.” This argument holds that FOSS meritocracy is a form of institutional capture by white/Asian males whose definition of merit excludes non-code contributions. The argument fails on its own terms: if meritocracy were simply demographic gatekeeping, we would expect captured projects to outperform uncaptured ones in contributor diversity. They do not. The GitHub 2024 survey shows that interpersonal challenges increased during the period of mass CoC adoption. The 3% female participation rate in FOSS persists regardless of governance regime. The meritocratic model produced the software that runs the world; the liberated model has produced strategic plans, reports, and organizational drama.

“Marginalized people have skin in the game too.” Psychological safety is real but categorically different from the skin in the game that Taleb describes. When Tim Peters is suspended, Python loses the inventor of Timsort. When Rafael Espindola leaves, LLVM loses its fifth most active contributor. When Eelco Dolstra is forced out, NixOS loses its founder. When a CoC enforcement body suspends a contributor, what does it lose if the project degrades? Nothing. That asymmetry is the condition enabling consequence-free activism.

“Many governance reformers are successful professionals.” Some are. Karen Sandler was a competent GNOME ED. But the model predicts the aggregate pattern, not every individual case. The existence of competent professionals within the movement does not negate the dynamic any more than the existence of honest politicians negates the iron law of oligarchy. The question is not “are any reformers competent?” but “does the system systematically

select for competence or for loyalty?" The bioleninism framework answers unambiguously: it selects for loyalty.

"Non-technical contributions matter." They do. Documentation, mentoring, event organization are real contributions. But in every captured project documented in this paper, the actors driving governance change were not documentarians, mentors, or event organizers. They were *governance entrepreneurs*: people whose contribution *was* the governance itself. The CoC is the contribution. The license is the contribution. The nonprofit is the contribution. This is Graeber's box-ticker: the appearance of activity that generates demand for itself.

"OES is too small to be extracting rents." The \$676/year Open Collective budget misrepresents the financial picture. The \$750K claimed includes direct grants, speaking fees, and book revenue that flow through channels invisible on Open Collective. What matters is not the organization's budget but the total compensation of its leadership, a figure that would appear on IRS Form 990 Part VII, conveniently unavailable due to filing delays. Small organizations with large claims and opaque finances are not evidence of volunteerism; they are evidence of financial opacity.

10.5. Historical Parallels Beyond FOSS

The dynamics documented in this paper are not unique to FOSS. Identical patterns, differing only in surface detail, have manifested across multiple institutional domains during the same 2014–2026 period, confirming the structural-demographic prediction that elite overproduction generates simultaneous pressure across all institutional types.

10.5.1. Mozilla and Brendan Eich (2014): The Prototype

The forced resignation of Mozilla co-founder and CEO Brendan Eich in April 2014, eleven days after his appointment, over a \$1,000 donation to California's Proposition 8 in 2008 is the prototype case for FOSS institutional capture, predating the Contributor Covenant's mass deployment. Eich, the inventor of JavaScript and co-founder of mozilla.org, had no record of discriminating against gay employees. Mozilla's own chairwoman Mitchell Baker confirmed: "I never saw any kind of behavior or attitude from him that was not in line with Mozilla's values of inclusiveness." Eich pledged to uphold equal benefits for same-sex partners and

maintain Mozilla's inclusive policies.

The critical detail: fewer than ten Mozilla employees called for Eich's resignation, and none reported to him directly. The majority of employees expressed support or disagreement-but-acceptance. The pressure came overwhelmingly from outside the organization: CREDO (a progressive mobile phone company) launched a petition; OkCupid (a dating site) displayed messages urging users to switch browsers; Twitter outrage amplified the minority position. This is the intolerant minority rule at its most visible: a handful of internal dissenters, amplified by external activists and media, forced out the *inventor of JavaScript* from the organization he co-founded, for a legal political donation made six years earlier.

The five-stage model applies: Stage 1 (Mozilla's culture of openness as normative document); Stage 2 (external pressure from OkCupid, CREDO, Twitter); Stage 3 (enforcement action: Eich's removal); Stages 4–5 (not fully applicable, as Eich left Mozilla entirely and founded Brave Software). The Eich case showed to the entire technology industry that no level of technical contribution provides immunity from political enforcement, a lesson that the FOSS ecosystem absorbed over the following decade.

10.5.2. Google and James Damore (2017): The Corporate Variant

In August 2017, Google engineer James Damore circulated an internal memo titled "Google's Ideological Echo Chamber," arguing that biological differences between men and women might partially explain gender gaps in tech, and suggesting that Google's diversity programs should account for these differences rather than attributing all disparities to discrimination. Damore was fired within days. Google CEO Sundar Pichai stated that portions of the memo "violate our Code of Conduct."

The Damore case demonstrates the corporate variant of the five-stage model: Google's Code of Conduct (Stage 1), embedded in corporate infrastructure (Stage 2), used to remove a dissenting engineer (Stage 3), administered by a DEI bureaucracy with hundreds of employees (Stage 4), funded by corporate revenue rather than grants but serving the same function (Stage 5). The content of Damore's memo, whether its claims about sex differences are empirically correct, is irrelevant to the analysis. What matters is the mechanism: a governance document, originally framed as promoting respect, was deployed to remove an employee for expressing opinions that conflicted with the institution's ideological commitments.

10.5.3. *Evergreen State College (2017): The Academic Variant*

In May 2017, biology professor Bret Weinstein objected to a proposed “Day of Absence” at Evergreen State College in which white students and faculty were asked to leave campus. Weinstein, a self-described progressive, argued that there was a difference between a group choosing to absent itself (the event’s traditional format) and a group being asked to leave. Student protesters occupied campus buildings, confronted Weinstein, and demanded his firing. The college’s administration declined to intervene. Campus police told Weinstein they could not guarantee his safety. He eventually resigned and settled a lawsuit for \$500,000.

Evergreen shows the pattern in its purest academic form: governance documents (diversity and equity policies) used to enforce ideological conformity; a professor’s *objection* to a policy treated as a *violation* of the values underlying the policy; institutional leadership’s failure to protect a productive contributor from mob action; and the contributor’s ultimate exit. The parallel to FOSS is exact: Weinstein’s biology research was unrelated to his political opinion, just as Tim Peters’s Timsort algorithm is unrelated to his views on CoC enforcement.

10.5.4. *The Common Pattern*

Across Mozilla (2014), Google (2017), Evergreen (2017), and the seven FOSS cases documented in this paper, the pattern is invariant:

- (i) A productive contributor expresses a view that contradicts the institution’s ideological commitments;
- (ii) The view is expressed outside the contributor’s core function (personal donation, internal memo, objection to policy, personal tweets);
- (iii) A governance mechanism (CoC, HR policy, diversity statement) is invoked to classify the expression as a violation;
- (iv) A minority of activists, amplified by external pressure (media, Twitter, petitions), demands removal;
- (v) The institution removes or the contributor exits, regardless of the contributor’s technical/professional merit;
- (vi) The institution’s technical/academic output is not improved, and often degrades, as a result.

This pattern occurs across corporations (Google), nonprofits (Mozilla), universities (Evergreen), and FOSS communities (GNOME, NixOS, Python, LLVM, Debian). The surface details differ; the logic is identical. This convergence is the strongest evidence for the structural-demographic explanation: the phenomenon is not caused by codes of conduct, DEI policies, or any particular governance document. These are *symptoms*. The cause is the condition of elite overproduction, which generates demand for alternative status-distribution systems across all institutional domains simultaneously.

10.6. Intellectual Genealogy: From Frankfurt to `firstdonoharm.dev`

The ideological content of the institutional capture movement did not emerge spontaneously. It has a traceable intellectual genealogy, running from the Frankfurt School through critical race theory and intersectionality to the ethical source movement in FOSS. Understanding this genealogy is not an exercise in conspiracy-theorizing, no one claims that Ehmke read Marcuse and decided to create Contributor Covenant. It is, rather, an exercise in intellectual archaeology: tracing the conceptual lineage of ideas that, through decades of diffusion through universities, media, and nonprofits, have become the common sense (Gramsci) of progressive institutional culture.

Frankfurt School (1930s–1960s). The Institute for Social Research (Horkheimer, Adorno, Marcuse, Fromm) developed critical theory, the systematic critique of all existing social institutions as expressions of power relations. Marcuse’s “repressive tolerance” (1965) argued that tolerance of right-wing ideas is itself a form of oppression, and that genuine liberation requires intolerance of ideas that perpetuate the existing order. This concept, tolerance is oppression when extended to the wrong ideas, is the direct intellectual ancestor of the CoC provision that extends jurisdiction to “public spaces when an individual is representing the project.”

Intersectionality (1989–present). Kimberlé Crenshaw’s concept of intersectionality, originally a legal theory about the specific experiences of Black women in employment discrimination, was generalized into a framework for understanding all social relations as intersecting systems of oppression. In its popularized form, intersectionality became the basis for the progressive stack, the ranking of voices by identity-group membership rather than expertise

or contribution. The Post-Meritocracy Manifesto's claim that "interpersonal skills are at least as important as technical skills" is intersectionality applied to software development: the assertion that identity-based lived experience is a form of expertise equal to or superior to technical competence.

From DEI to ethical source (2010s–present). Corporate DEI (Diversity, Equity, and Inclusion) programs, initially focused on hiring practices, expanded through the 2010s into behavioral regulation: speech codes, bias training, inclusive language guides. The ethical source movement in FOSS represents the extension of this framework from corporations (where it is imposed by HR departments) to volunteer communities (where it is imposed by CoCs and governance policies). The key innovation of Contributor Covenant was recognizing that FOSS communities, unlike corporations, had no HR department, and creating a substitute that performs the same function.

This genealogy explains why the captured FOSS institutions exhibit such remarkable ideological coherence despite no central coordination: they all draw on the same intellectual tradition, transmitted through the same university system, reinforced by the same philanthropic ecosystem (Ford, Omidyar, Open Society, all of which fund both academic critical theory and digital infrastructure activism), and implemented by individuals who absorbed these ideas as common sense during their education.

10.7. The Scapegoat Mechanism (R. Girard)

René Girard's theory of *mimetic desire* and the *scapegoat mechanism*, developed across *Violence and the Sacred* (1972) and *The Scapegoat* (1982), provides a final analytical lens. Girard argued that social groups manage internal tension by periodically identifying a scapegoat, an individual whose expulsion or sacrifice temporarily restores social cohesion. The scapegoat is not randomly selected; the victim must be simultaneously inside the community (sufficiently connected to serve as a meaningful sacrifice) and marked as different (possessing some characteristic that makes expulsion narratively coherent).

CoC enforcement in FOSS follows the scapegoat pattern with striking precision. Tim Peters was inside the Python community (30+ years, Timsort, Zen of Python) and marked (old-timer who questioned the governance orthodoxy). Brendan Eich was inside Mozilla (co-

founder, inventor of JavaScript) and marked (Prop 8 donor). Rafael Espindola was inside LLVM (5th most active contributor) and marked (objected to Outreachy's eligibility criteria). In each case, the scapegoat's expulsion was followed by a temporary restoration of community cohesion, the governance coalition rallied around the shared experience of having expelled a violator.

Girard predicts that the scapegoat mechanism is addictive: once a community discovers that internal tension can be relieved through ritualized expulsion, it will seek new scapegoats with increasing frequency. The NixOS case confirms this prediction: after Dolstra's expulsion, the governance coalition turned on Ringer, then on dissenting moderators, until the moderation team itself collapsed. The dynamic consumes its own; the longhouse eats itself.

Alexis de Tocqueville's concept of "soft despotism," a benevolent but suffocating administrative power that "covers the surface of society with a network of small, complicated rules," describes the pattern well. The proliferation of governance documents, moderation policies, and enforcement procedures in FOSS creates this regulatory apparatus: suffocating the spontaneous energy that made open source successful in the first place, and replacing it with the sterile proceduralism of the longhouse.

11. Counter-Strategy: A Theory and Practice of Institutional Defense

The analysis presented in this paper would be incomplete without a systematic treatment of counter-strategy. If institutional parasitism follows a predictable five-stage pattern, then countermeasures can be designed for each stage. This section develops a comprehensive defensive framework drawing on Hirschman's exit-voice-loyalty model ([Hirschman, 1970](#); [Viseur & Charleux, 2021](#)), the analysis of resistant cases (Section 5.8), and the theoretical frameworks presented in Section 3.

11.1. The Hirschman Framework Applied to FOSS Capture

Albert Hirschman's *Exit, Voice, and Loyalty* (1970) identifies three responses to organizational decline: exit (leave), voice (protest from within), and loyalty (remain despite dissatisfaction). [Viseur & Charleux \(2021\)](#) applied this framework to open source forks, identifying the fork as "a new form of defection (exit) allowed by licenses." This paper extends the Hirschman framework to the context of institutional capture, with the following modifications.

In standard Hirschman analysis, exit and voice are partially substitutable: the easier exit is, the less likely voice becomes, because the most articulate dissenters leave rather than fight. In FOSS, this creates a perverse dynamic: *the most technically competent contributors, those with the highest outside options, are the first to exit when capture begins.* Rafael Espindola (LLVM), Eelco Dolstra (NixOS), and the unnamed contributors who quietly stop committing after a CoC dispute all represent exit by high-value members. What remains after their departure is a community selected for tolerance of governance overhead, the population most amenable to further capture. Exit, in this context, is not a corrective mechanism but an accelerant of decline.

Voice (protest from within) faces a disadvantage in captured institutions: the CoC itself is designed to suppress voice. Tim Peters's attempt to voice concerns about CoC enforcement became the CoC violation for which he was suspended. Jonathan Ringer's mild resistance to governance changes in NixOS resulted in his ban. Voice, in a captured institution, is not merely costly, it is punishable. The governance infrastructure exists precisely to suppress dissent, which is why Burnham's managerial class creates it.

Loyalty (remaining despite dissatisfaction) is the default response of the majority. Most contributors neither exit nor voice; they continue committing code while ignoring governance. This is the apathy response identified by [Viseur & Charleux \(2021\)](#), and it is what enables the intolerant minority rule: the loyal majority's silence is indistinguishable from consent.

The implication: effective counter-strategy must operate on all three dimensions simultaneously, making exit credible and organized, making voice protected, and converting passive loyalty into active resistance.

11.2. Stage-Specific Countermeasures

The five-stage model of institutional capture implies five corresponding defensive interventions, each targeting a specific stage.

11.2.1. Counter to Stage 1 (Normative Document Creation): Constitutional Preemption

The most effective defense against Stage 1 is preemptive: establish governance documents before external actors propose them, under terms that the technical community controls. A project that already has a minimal, internally drafted code of conduct is immunized against demands to adopt Contributor Covenant, the argument “you need a CoC” loses force when one already exists. The key design principles for a preemptive CoC:

- Scope strictly limited to project interaction spaces (issues, PRs, mailing lists, official chat). Personal social media, conference hallway conversations, and off-project statements explicitly excluded.
- Enforcement authority vested exclusively in active technical contributors (defined by commit activity within a recent time window, e.g., 12 months).
- Supermajority (2/3) vote required for any enforcement action. No secret proceedings. All decisions published with reasoning.
- No external organization referenced or linked. The document is self-contained and project-specific.
- Explicit sunset clause: the CoC expires after 2 years and must be re-ratified by contributor vote to remain in effect.

This design neutralizes the motte-and-bailey: the motte (“we need basic behavioral standards”) is conceded; the bailey (“personal opinions outside the project are enforceable”) is blocked.

11.2.2. Counter to Stage 2 (Mass Deployment): Platform Resistance

Stage 2 operates through platform integration (GitHub’s CoC wizard). Counter-strategy: projects should host critical infrastructure (issue trackers, code review, CI/CD) on self-hosted platforms (Gitea, Forgejo, self-hosted GitLab) rather than depending on platforms that embed ideological defaults. The cost of self-hosting has dropped dramatically; the benefit is

governance independence. Every dependency on a third-party platform is a potential vector for governance imposition.

For projects that must use GitHub: the CoC file can be replaced with a project-specific document that occupies the same filesystem path, preventing GitHub's default template from being suggested.

11.2.3. Counter to Stage 3 (Enforcement Action): Legal and Procedural Shield

Stage 3, the first enforcement action against a contributor, is the critical inflection point. Once a project successfully removes a contributor via CoC enforcement, the precedent is established and subsequent removals become progressively easier. The counter-strategy is to make the first enforcement action maximally costly and difficult:

- **Contributor agreements with due process clauses.** Any contributor with >N commits signs an agreement that guarantees: written notice of alleged violations, opportunity to respond, public deliberation, supermajority vote, and right of appeal. This transforms CoC enforcement from administrative fiat into quasi-judicial process.
- **Mutual defense pacts.** Contributors collectively agree that if any member is subjected to CoC enforcement for statements made outside the project, all members will exercise voice (publicly oppose the action) or exit (collectively fork) in response. This raises the cost of enforcement from remove one person to "lose the entire technical core."
- **Documentation and counter-narrative.** Every enforcement action should be publicly documented with full context by the affected contributor. The Python/Tim Peters case succeeded partly because proceedings were secret; transparency is the enemy of arbitrary power.

11.2.4. Counter to Stage 4 (Institutional Entrenchment): Ownership Architecture

Stage 4 creates nonprofits, boards, and paid positions. The counter-strategy is to design institutional architecture that prevents the separation of governance authority from technical contribution:

- **BDFL or founder-controlled governance.** The single strongest predictor of capture resistance, confirmed across all control cases. De Raadt (OpenBSD), Matsumoto (Ruby), and the PHP community all maintained meritocratic governance through concentrated

founder authority. This is not a bug, it is a feature.

- **Foundation as fiscal agent only.** If a legal entity is needed (for trademarks, tax-exempt donations, conference organization), its charter should explicitly prohibit it from making technical decisions, appointing technical leaders, or enforcing behavioral standards. The OpenBSD Foundation model: fundraising and fiscal management only, no governance authority over the project.
- **Infrastructure ownership by technical leadership.** Domain names, build farms, package repositories, and signing keys must be controlled by active technical contributors, not by foundation board members. The NixOS crisis was possible because the Foundation's legal status as a Dutch Stichting created ownership ambiguity. Clear, documented infrastructure ownership prevents this.
- **Board composition requirements.** If a board exists, require that all members have made technical contributions within the past 24 months. No community representatives, diversity advisors, or governance specialists without code.

11.2.5. Counter to Stage 5 (Financialization): Financial Independence

Stage 5 closes the self-sustaining loop through foundation grants. The counter-strategy is financial independence from the grant ecosystem:

- **Diversified micro-funding.** Hundreds of small individual donations (via Open Collective, GitHub Sponsors, Liberapay, or cryptocurrency) rather than few large grants with mission-alignment conditions. No single donor should represent >10% of revenue.
- **Reject conditional grants.** Any grant that requires adoption of specific governance documents, DEI reporting, or mission alignment attestation is a capture vector. The correct response is: "We accept donations without conditions. If your conditions are acceptable to us, they are unnecessary. If they are not, they are unacceptable."
- **Build reserves.** 12–24 months of operating expenses in reserves provides material independence from any single funding source or funder-imposed deadline.
- **Commercial sustainability.** Dual-licensing, support contracts, hosted services, and training are revenue models that depend on technical quality rather than ideological compliance. Projects with commercial revenue streams are resistant to grant-condition capture.

11.3. The Fork as Strategic Weapon

The fork occupies a unique position in the counter-strategy toolkit. In Hirschman's framework, fork is the ultimate form of exit, not merely leaving the organization but replicating it without the captured governance structure. Open source licenses make this legally possible; the question is whether it is strategically viable.

The evidence from the case studies is mixed. The NixOS forks (Lix, Auxolotl) demonstrate that fork is technically feasible but organizationally costly: the forked project must rebuild community, infrastructure, reputation, and downstream integrations. OpenBSD's original fork from NetBSD (1995) demonstrates that fork can succeed spectacularly, but it required a technically brilliant founder (de Raadt) and two decades of sustained effort.

The strategic calculus for fork depends on timing. *Early fork* (at Stage 2–3, before institutional entrenchment) preserves the maximum technical talent and community goodwill. *Late fork* (at Stage 4–5, after entrenchment and financialization) faces a captured institution with resources, branding, and downstream dependencies that the fork must compete against.

The optimal fork strategy is therefore preemptive: maintain fork-ready infrastructure (independent mirrors, documented build processes, alternative communication channels) before capture becomes advanced, so that if Stage 3 is reached, fork can be executed rapidly with minimal disruption. This is the institutional equivalent of a dead man's switch: the credible threat of organized fork raises the cost of capture, potentially deterring it without the fork ever needing to occur.

11.4. Cultural Counter-Strategy: Right-Gramscianism in Practice

The countermeasures described above address the mechanisms of capture. But capture operates through culture as well as structure, through the normalization of governance-over-code values, the stigmatization of bluntness as toxicity, and the equation of meritocracy with discrimination. A purely institutional defense will fail if the cultural ground has been ceded.

The right-Gramscian counter-strategy operates on three levels:

Level 1: Narrative. Produce and disseminate counter-narratives that reframe the terms of debate. "Meritocracy is discrimination" must be met with "meritocracy is the only system in which your code matters more than your identity." "Codes of conduct make projects

welcoming” must be met with “the GitHub 2024 survey shows interpersonal challenges increased after mass CoC adoption.” “Diversity makes better software” must be met with “OpenBSD, with no diversity program, produced OpenSSH, which secures the internet.” Empirical claims require empirical responses.

Level 2: Institutions. Build parallel institutions that embody meritocratic values: alternative package repositories, alternative hosting platforms (Forgejo, Codeberg), alternative foundations with explicitly meritocratic charters. The non-woke software list phenomenon, currently informal, should be formalized into a certification or seal that projects can display, a signal to users and contributors that the project evaluates people by what they build.

Level 3: Community. Foster communities organized around technical excellence rather than governance compliance. The most effective defense against the longhouse is the workshop: a space where status is determined by what you produce, not by how you make others feel. The hacker ethos, “shut up and show me the code”, is not merely a cultural preference; it is an institutional immune system. Its erosion is the precondition for capture; its restoration is the precondition for recovery.

11.5. Summary: The Counter-Strategy Matrix

Table 6: Counter-Strategy Matrix: Defensive Measures by Capture Stage

| Stage | Attack Vector | Countermeasure | Model Case |
|---------------------|---------------------------|---|-------------------|
| 1. Document | External CoC proposal | Preemptive self-drafted CoC with scope limits | PHP community |
| 2. Deployment | Platform integration | Self-hosted infrastructure | Forgejo ecosystem |
| 3. Enforcement | First contributor removal | Due process clauses; mutual defense pacts | Ruby under Matz |
| 4. Entrenchment | Foundation creation | BDFL governance; fiscal-agent-only foundation | OpenBSD |
| 5. Financialization | Conditional grants | Diversified micro-funding; reject conditions | Void Linux |
| Cross-cutting | Cultural normalization | Right-Gramscian counter-institutions | Fork economy |
| Ultimate | Advanced capture | Organized preemptive fork | NixOS → Lix |

12. Projections: FOSS Governance in 2030

The structural-demographic framework employed in this paper permits not only retrospective analysis but forward-looking projection. Turchin's model is explicitly predictive, he correctly forecast in 2010 that the United States would experience significant social unrest in the 2020s. Applying the same structural logic to the FOSS ecosystem, and incorporating the regulatory, institutional, and cultural vectors converging on the 2030 horizon, the following projections are offered.

12.1. The Regulatory Pincer: EU, UK, and the Compliance Burden

Three overlapping regulatory regimes converge on FOSS governance by 2027–2030.

EU Cyber Resilience Act (CRA). Entered into force December 2024, full compliance by December 2027. While non-commercial FOSS is nominally exempt, the Act introduces the concept of open-source software steward, a legal person (foundation, nonprofit) that systematically provides support for FOSS products and bears limited obligations under Article 24. This regulatory category will, by 2030, create a strong incentive for FOSS projects to formalize governance through foundations and stewards, the organizational form identified in this paper as most vulnerable to institutional capture (Stage 4). Penalties for non-compliance reach 15M or 2.5% of global annual revenue.

EU AI Act (2024). Imposes compliance obligations on AI systems, including open source AI models. As AI components become ubiquitous in software stacks, the compliance burden cascades through dependency trees, requiring governance structures, documentation, and reporting mechanisms that volunteer-maintained projects cannot provide.

EU Digital Services Act (DSA). Effective since February 2024, requires platforms hosting user-generated content to implement content moderation, transparency reporting, and risk assessments. FOSS collaboration platforms (self-hosted Gitea, Forgejo, GitLab instances) that serve EU users may fall within scope if they meet user thresholds. The DSA's "systemic risk" framework requires Very Large Online Platforms to assess risks including "negative effects on civic discourse," a category elastic enough to encompass CoC-related governance disputes. For FOSS projects hosted on GitHub (a Microsoft subsidiary subject to DSA as

a VLOP), the DSA creates an additional compliance layer that reinforces the formalization imperative.

UK Online Safety Act (OSA). Became enforceable March 2025, with child safety provisions effective July 2025 and Category 1 obligations (for platforms exceeding 34 million UK monthly users) rolling out through 2026. The Act requires platforms hosting user-generated content to conduct risk assessments, implement content moderation, and report to Ofcom. Penalties reach £18M or 10% of qualifying worldwide revenue. While FOSS project forums and issue trackers are unlikely to reach Category 1 thresholds, the Act applies to any user-to-user service accessible from the UK regardless of where the operator is based. Collaboration platforms with UK-accessible community spaces (mailing lists, forums, chat) fall within scope. The Act's requirement for published moderation policies and complaints mechanisms creates yet another pressure toward formalized governance infrastructure.

UN Global Digital Compact (2024). Adopted at the UN Summit of the Future in September 2024, the Compact commits member states to “an open, free and secure digital future for all” with specific commitments on digital inclusion, AI governance, and data governance. While not legally binding, the Compact shapes the grant-making priorities of foundations (Ford, Omidyar, Open Society) that fund FOSS governance reform. The Compact's language on “meaningful connectivity,” “digital public infrastructure,” and “inclusive digital ecosystems” will increasingly appear in grant eligibility criteria, embedding ideological requirements into funding conditions.

The combined effect: by 2028–2030, any commercially significant FOSS project serving EU or UK markets will face a compliance matrix spanning CRA (product security), AI Act (AI components), DSA (platform moderation), and OSA (content safety). Meeting these requirements without a formal governance structure (foundation, steward, fiscal sponsor) will be effectively impossible.

Prediction 1: By 2030, the EU/UK regulatory framework will have forced 60–80% of commercially significant FOSS projects into formalized governance structures (foundations, stewards, nonprofit sponsors), creating a historically unprecedented expansion of the institutional niche available for capture by non-technical governance actors.

12.2. UN Agenda 2030 and the Post-2030 Digital Inclusion Mandate

The United Nations 2030 Agenda for Sustainable Development, adopted in 2015, reaches its terminal year in 2030. As of 2026, the UN acknowledges that none of the 17 SDGs have been fully met and that 15% of SDG targets are on track. The SDG Digital Acceleration Agenda identifies digital technologies as capable of directly benefiting 70% of SDG targets. The post-2030 agenda discussion, already underway, emphasizes digital cooperation, intergenerational equity, and anticipatory governance. The OECD's 2024 report "Shaping Sustainable Future for All" identifies five priorities including "equipping governance and institutions for sustainable and inclusive transformation" and "science, technology, innovation and digital cooperation."

For FOSS governance, this creates a specific pressure vector: foundations and stewards seeking EU/UK regulatory compliance, corporate sponsorship, and philanthropic grants will face mission-alignment requirements that embed SDG and Global Digital Compact language (digital inclusion, leaving no one behind, gender equality, meaningful connectivity) into governance documents. This is the financialization mechanism (Stage 5) at scale: grant eligibility will increasingly require demonstrable commitment to SDG-aligned DEI metrics. The post-2030 framework, currently under negotiation, will extend and intensify these requirements rather than relaxing them.

Prediction 2: By 2030, major FOSS foundations (Linux Foundation, Apache, Eclipse, GNOME, Python SF) will have formally aligned their governance frameworks with UN SDG and Global Digital Compact language, creating a new layer of compliance requirements that are ideological in content but presented as regulatory necessities. Smaller projects seeking fiscal sponsorship through these foundations will be required to adopt derivative governance documents.

12.3. AI-Driven Governance and Automated Enforcement

The convergence of AI capabilities with governance infrastructure opens a novel vector not present in the 2014–2026 period. Research on automated Code of Conduct enforcement using LLMs is already underway, studies on "generating civil alternatives for uncivil review comments" using AI models are published and the technology is functional. By 2028–2030,

it is technically feasible for projects to deploy automated moderation systems that flag CoC violations in real time across GitHub issues, pull requests, mailing lists, and chat systems.

The implications for institutional capture are profound. Automated enforcement eliminates the human bottleneck that currently constrains CoC application: the limited bandwidth of moderation teams. An AI-powered CoC enforcement system can monitor all communications at all times, applying pattern-matching against CoC provisions. This would effectively extend the scope creep identified in Section 5.1 (CoC applying “in public spaces when an individual is representing the project”) to its logical terminus: continuous, real-time behavioral monitoring of all project participants across all communication channels.

Prediction 3: By 2029–2030, at least one major FOSS foundation will deploy AI-assisted Code of Conduct enforcement. This will be presented as a solution to moderation team burnout (a real problem documented in the NixOS case) but will in practice represent automated ideological compliance monitoring.

12.4. The Fork Economy and Governance Competition

The NixOS case (2024–2025) demonstrated that fork is a viable, if costly, response to institutional capture. The emergence of Lix and Auxolotl as NixOS forks, combined with the growing non-woke software list phenomenon documented by commentators, suggests the emergence of a *governance market*: users and contributors will increasingly choose between projects not only on technical merits but on governance philosophy. This amounts to a form of constitutional competition analogous to jurisdictional competition between states.

Prediction 4: By 2030, the FOSS ecosystem will have bifurcated into two largely separate governance ecosystems: (a) foundation-governed projects with CoC enforcement, DEI metrics, and SDG-aligned grant funding, serving the corporate/institutional market; and (b) BDFL/merit-governed projects without formal CoCs, serving technically sophisticated users who prioritize code quality over governance compliance. The BSD family (OpenBSD, FreeBSD), Arch Linux derivatives, and various forks will anchor the second ecosystem.

12.5. The Counter-Elite Saturation Point

Turchin’s model predicts that elite overproduction crises resolve through one of three mechanisms: (a) system collapse (revolution, civil war); (b) elite consensus on redistribution (New Deal model); or (c) gradual absorption of surplus elites through institutional expansion. Concretely, mechanism (c) has been dominant: the creation of new governance positions, nonprofits, and grant-funded roles absorbs surplus elite aspirants without system collapse.

However, this absorption mechanism has limits. The total available funding for ethical source, digital inclusion, and governance reform in FOSS is finite. The number of nonprofit Executive Director positions, speaking slots, and “Luminary” designations is limited. As more counter-elites compete for a fixed pool of activist positions, *intra-counter-elite competition* will emerge, activist versus activist, nonprofit versus nonprofit, governance framework versus governance framework. This is already visible in the proliferation of competing ethical licenses (Hippocratic License, At The Root Anti-Racist License, Non-Violent Public License, Cooperative Non-Violent Public License).

Prediction 5: By 2028–2030, the institutional capture movement will experience internal fragmentation as counter-elites compete for a limited pool of governance positions and grant funding. This fragmentation will reduce the movement’s coherence and effectiveness, potentially creating openings for meritocratic counter-reform. The iron law of oligarchy predicts that the most successful nonprofits will consolidate power at the expense of smaller competitors, producing a oligopolistic governance industry rather than the distributed movement currently observed.

12.6. The Productivity Delta Becomes Measurable

As AI coding assistants (GitHub Copilot, Claude, Cursor) dramatically lower the barrier to code contribution, the relative value of *governance* versus *code* will shift. When any motivated individual can produce functional code with AI assistance, the traditional argument for meritocracy (“those who write the code should govern”) weakens, but so does the counter-argument (“non-technical contributions are undervalued”), because AI makes code contribution accessible to governance-oriented individuals as well.

More significantly, AI enables measurement of the productivity delta between captured

and non-captured projects: automated analysis of commit velocity, bug resolution time, release cadence, and contributor retention can quantify the technical cost of governance overhead. If captured projects show measurably lower productivity than comparable non-captured projects, the empirical case for institutional parasitism becomes data-driven rather than theoretical.

Prediction 6: By 2030, empirical studies comparing the productivity of CoC-governed versus non-CoC-governed projects will provide the first rigorous quantitative test of the institutional parasitism hypothesis. The author predicts that these studies will show a measurable productivity penalty for projects that have experienced Stage 3+ capture, controlling for project size, age, and domain.

12.7. Summary of Projections

Table 7: Summary of Projections for 2030

| # | Prediction | Mechanism | Confidence |
|---|-------------------------------------|---|------------|
| 1 | Regulatory-forced formalization | EU CRA/AI Act/DSA + UK OSA | High |
| 2 | SDG/GDC-aligned governance mandates | Grant conditionality + post-2030 agenda | High |
| 3 | AI-assisted CoC enforcement | LLM moderation | Medium |
| 4 | Ecosystem bifurcation | Fork economy | High |
| 5 | Counter-elite fragmentation | Intra-elite competition | Medium |
| 6 | Productivity delta measurement | AI-enabled metrics | Medium-Low |

13. Conclusion

This paper has documented a recurring pattern of institutional capture across seven FOSS projects and foundations during the 2014–2026 period, analyzed through fifteen theoretical frameworks spanning mainstream political sociology, heterodox dissident right thought, and unwitting left-wing self-critique.

The central finding is clear: the attack on meritocracy in FOSS is a particular manifestation of intra-elite competition under conditions of elite overproduction. Counter-elites who have lost in the technical meritocracy create an alternative status-distribution system, built on activism, governance, and identity-group membership, funded through the philanthropic foun-

dation ecosystem, and deploy it to redistribute power in their favor. The bioleninism mechanism ensures coalition cohesion: governance actors whose status depends entirely on the governance structure are maximally loyal to it and maximally hostile to meritocratic reform. The iron law of oligarchy ensures self-reproduction: organizations created to solve problems have structural incentives to perpetuate them. The longhouse replaces performance assessment with conformity assessment. The Cathedral selects for ideological alignment without requiring conspiracy.

The comparative analysis identifies the conditions for resistance: concentrated ownership, small communities, financial independence, and minimal governance documentation. OpenBSD, under de Raadt's BDFL governance, has produced OpenSSH and LibreSSL without a Code of Conduct. GNOME, under foundation governance with a professional shaman as Executive Director, has produced layoffs and strategic plans about diversity. The evidence speaks for itself.

The empirical verdict on CoC efficacy is damning: interpersonal challenges in open source increased during the period of mass CoC adoption. The governance reform movement has failed by its own stated metrics while succeeding at its unstated purpose, the redistribution of status from those who build to those who govern.

Whether institutional parasitism exists, the evidence presented in this paper establishes that beyond reasonable dispute. The question is what to do about it. The recommendations in Section 11 and the projections in Section 12 offer a starting framework. But the deepest lesson of the resistant cases is simple: the best defense against institutional parasitism is a founder who refuses to apologize for meritocracy, an institution that refuses to import governance documents drafted by people who have never contributed a line of code, and a community that evaluates people by what they build rather than what they profess. The longhouse prevails only when no one is willing to walk out of it.

Future research should pursue: (1) quantitative analysis of contributor retention pre- and post-CoC adoption across a large sample of GitHub projects; (2) longitudinal analysis of foundation financial health in relation to governance changes; (3) formal modeling of the five-stage capture process using agent-based simulation; and (4) comparative analysis with institutional capture dynamics in other voluntary organizations, academic departments, professional associations, religious organizations, where the same dynamics are already visible

to anyone willing to look.

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A. Appendix A: Comprehensive Timeline

| Date | Event |
|----------|--|
| 1995 | Theo de Raadt forks NetBSD to create OpenBSD with meritocratic governance |
| 1999 | Eric Raymond publishes <i>The Cathedral and the Bazaar</i> |
| Apr 2014 | Mozilla: Brendan Eich (inventor of JavaScript) forced to resign as CEO over \$1K Prop 8 donation |
| 2014 | Contributor Covenant created by Coraline Ada Ehmke |
| Jun 2015 | OpalGate: Ehmke demands removal of Opal core contributor for personal tweets |
| 2015–18 | CoC adoption campaigns in Ruby (rejected by Matz), PHP (rejected), Node.js, Drupal |
| Feb 2016 | Ehmke hired by GitHub (Trust & Safety team) |
| 2016 | GitHub integrates CoC templates into repository creation workflow |
| Jul 2017 | Ehmke fired from GitHub after ~1 year; publishes “My Year at GitHub” |
| Aug 2017 | Google: James Damore fired for internal memo questioning diversity assumptions |
| May 2017 | Evergreen State: Prof. Bret Weinstein forced out after objecting to “Day of Absence” |
| 2017 | GitHub Open Source Survey (n=5,495): 3% women, 1% non-binary |
| May 2018 | LLVM: Rafael Avila de Espindola (5th top contributor, 4,344 commits) quits |
| May 2018 | Post-Meritocracy Manifesto published by Ehmke |
| Sep 2018 | Linux kernel adopts Contributor Covenant; Ehmke confirms political intent |
| Sep 2019 | Hippocratic License 1.0 released |
| Dec 2020 | Organization for Ethical Source founded as 501(c)(3) |
| 2021 | NixOS: RFC 98 proposes moderation team with broad powers |
| Mar 2021 | Ford/Sloan/OSF/Omidyar/Mozilla: \$1.3M digital infrastructure grants |
| Sep 2021 | Hippocratic License 3.0 released (with private right of action mechanism) |
| Oct 2023 | GNOME Foundation hires Holly Million (professional shaman) as ED |

| Date | Event |
|----------|--|
| Apr 2024 | NixOS: open letter demands founder Dolstra's resignation (150+ signatures) |
| May 2024 | Dolstra resigns; community forks emerge (Lix, Auxolotl) |
| Jul 2024 | Million departs GNOME after 9 months; layoffs and budget cuts follow |
| Aug 2024 | Python: Tim Peters (Timsort inventor) suspended 3 months for CoC violations |
| 2024 | GitHub Open Source Survey (n=8,452): interpersonal challenges increased vs. 2017 |
| Sep 2025 | NixOS: 5 of 7 moderation team members resign amid governance conflict |
| Oct 2024 | GNOME Foundation financial position further deteriorates; additional layoffs |
| Mar 2025 | Ehmke publishes <i>We Just Build Hammers</i> (Apress/SpringerNature) |
| Mar 2026 | Debian DPL elections: single candidate (Chandran), NOTA available |

B. Appendix B: Financial Data Summary

| Organization | Claimed / Reported | Re- | Verifiable Data |
|----------------------|-------------------------------|------------|--|
| OES (EIN 87-4467139) | \$750K raised (CV claim) | | Open Collective: \$8,451 total; \$676/yr budget |
| GNOME Foundation | Sovereign Fund 1M (earmarked) | Tech (ear- | Layoffs Oct 2024; financial woes worsen |
| LLVM Foundation | Not disclosed | | Lost 5th top contributor (4,344 commits) |
| NixOS Foundation | Dutch Stichting | | Founder resigned; multiple forks created |
| Python SF | Not disclosed | | Secret CoC proceedings; chilling effect documented |

C. Appendix C: Theoretical Framework Comparison

| Theory | Key Concept | Mechanism | Fit to Data |
|---------------|--------------------------------|---|--------------------|
| Turchin | Elite overproduction | Frustrated aspirants become counter-elites | Strong |
| Burnham | Managerial revolution | Manager class creates self-justifying rules | Strong |
| Hoffer | Mass movements | Frustrated personalities seek movement identity | Moderate |
| Taleb | Intolerant minority | 3–4% with rigid demands override passive majority | Strong |
| Michels | Iron law of oligarchy | Organizations serve leaders, not mission | Strong |
| Haidt | Moral foundations | Irreconcilable moral frameworks prevent consensus | Strong |
| Pareto | Elite circulation | Foxes displace lions through manipulation | Moderate |
| Schumpeter | Self-destructive intellectuals | System produces critics who undermine it | Moderate |
| Lasch | Revolt of elites | Professional class replaces obligation with therapy | Strong |
| Gramsci | Cultural hegemony | Ideological positions naturalized via institutions | Strong |
| Spandrell | Bioleninism | Status-dependent actors maximally loyal to governance | Strong |
| L0m3z | Longhouse | Conformity assessment replaces performance assessment | Strong |
| BAP | Vitalism vs. bugman | Creative founders replaced by process administrators | Moderate |

| Theory | Key Concept | Mechanism | Fit to Data |
|-----------------|------------------------|---|--------------------|
| Schmitt | Friend/enemy | CoC defines political boundary, not behavioral rules | Strong |
| Graeber | Bullshit jobs | Governance positions are unnecessary | Strong |
| Girard | Scapegoat mechanism | CoC enforcement = ritualized expulsion restoring cohesion | Strong |
| Tocqueville | Soft despotism | Regulatory apparatus suffocates spontaneous energy | Strong |
| DEVP (Krispenz) | Dark-Ego-Vehicle | Narcissism predicts activism via virtue signaling, not altruism | Strong |
| Miller | Costly signaling | Cheap moral signals replace costly output signals (code) | Strong |
| Oakley | Pathological altruism | Helping behavior that harms the helped | Moderate |
| Tooby/Cosmides | Coalitional psychology | Amplification coalitions outlive original purpose | Strong |
| Haidt/Lukianoff | Safetyism | Disagreement redefined as harm, triggering governance response | Strong |

D. Appendix D: Prosopographic Table of Key Actors

| Actor | Exp. (yrs) | Peak Role | Technical | Notable Code Contrib. | Current Role | SITG |
|--------------|-------------------|------------------------|------------------|------------------------------|---------------------|-------------|
| C. A. Ehmke | 30+ | Architect (Stitch Fix) | (Stitch Fix) | 23 Ruby gems | OES ED; author | No |

| Actor | Exp. (yrs) | Peak Role | Technical | Notable Contrib. | Code | Current Role | SITG |
|-------------------------------------|---------------|-------------------------|-----------|-----------------------|-----------------|---------------|---------|
| Holly Lion | Mil- N/A | None (shaman) | | None documented | docu- mented | PhD student | No |
| S. Chandran | 5+ | Debian packager | | Package maint. | | DPL candidate | Partial |
| NixOS letter signa- tories | Varies | Varies | | Varies | | Varies | Varies |
| Tim Peters | 30+ | Core dev | CPython | Timsort; of Python | Zen | Suspended | Yes |
| R. Espindola | 12 | LLVM by commits) | core (5th | 4,344 commits | | Departed | Yes |
| E. Dolstra | 20+ | NixOS founder | | Entire ecosystem | Nix | Resigned | Yes |
| J. Ringer | 5+ | NixOS mgr | release | Release agement | man- | Banned | Yes |
| Theo Raadt | de 30+ | OpenBSD founder/BDFL | | OpenSSH, breSSL | Li- | Active | Yes |
| Y. sumoto | Mat- 30+ | Ruby ator/BDFL | cre- | Ruby guage | lan- | Active | Yes |

SITG = Skin In The Game (bears personal consequences if project degrades). No indicates the actor does not maintain the projects affected by their governance interventions. Yes indicates the actor is a core contributor whose productivity is directly affected. Partial indicates limited but nonzero technical contribution.

E. Appendix E: Financial Network Topology

The following textual representation describes the observable funding network connecting the actors and institutions documented in this paper. Arrows (\rightarrow) indicate documented financial flows, institutional relationships, or personnel connections.

1. **Foundation layer:** Ford Foundation, Alfred P. Sloan Foundation, Open Society Foundations, Omidyar Network, Mozilla Foundation → \$1.3M joint grant pool (2021) → 13 digital infrastructure research projects.
2. **Omidyar → Ehmke (direct):** Omidyar Network selected Ehmke as one of 15 “Luminaries” in “The Tech We Want” program. Rob Ricigliano (Omidyar Group, Governance Futures Network) is listed as personal reference on Ehmke’s CV.
3. **OES funding:** Organization for Ethical Source (EIN 87-4467139) ← Open Collective (\$8,451 total, \$676/yr) + unspecified direct grants (claimed total: \$750K over ~4 years).
4. **CAL ↔ OES:** Corporate Accountability Lab staff attorney authored Hippocratic License 3.0 for OES. CAL donated \$500 to OES on Open Collective. Bidirectional relationship: legal services provided to OES; OES provides platform/visibility for CAL’s ethical IP program.
5. **GNOME:** Sovereign Tech Fund → 1M contract (earmarked for development, not operations). GNOME Foundation → Holly Million salary (undisclosed, est. \$80K–120K for 9 months). Post-Million: layoffs of creative director and community director.
6. **Linux Foundation:** Grant to Ehmke for Beacon project (community management platform). Amount undisclosed.
7. **Book revenue:** Apress/SpringerNature → Ehmke (royalties from *We Just Build Hammers*, 2025). Estimated \$5K–25K/year based on niche academic market.
8. **Speaking circuit:** Various conferences (FOSDEM, RightsCon, FOSSY, university series) → Ehmke (keynote fees, estimated \$2K–20K per engagement, 5–10 per year).

Note: This topology represents documented connections only. Undisclosed grant agreements, private donations, and consulting arrangements are not captured. The network is not alleged to represent coordinated action; rather, it illustrates the structural alignment of incentives that produces convergent outcomes without requiring central direction (cf. Section 7, “The Question of Intent vs. Structure”).