

Using Consensus at FreeGeek Columbus
(as submitted to the FreeGeek Columbus email list by Adam Porr on 12/2/2009)

This email is long, but if you don't want to read it all, I hope you'll at least read the executive summary. Thanks in advance for your time! This is an issue that is very important to me and I'd like to have a thorough discussion about it before we finalize our decision making process for the Community Council.

=== Executive Summary ===

Consensus has a lot of advantages over majority rule, however it also has limitations. It assumes that an optimal decision exists and is attainable, that people are rational, and that there is always sufficient time to resolve everyone's concerns. Below I present three hypothetical case studies in which it is conceivable that an impasse could result.

The first example considers the decision whether to allow or not allow proprietary software on the systems we build. These two options are mutually exclusive (either we will allow it or we will not), but each is optimal in certain ways, so it is conceivable that consensus would not be reached. This example also discusses how a proposal involving the status quo results in a de facto decision in favor of the status quo even if no consensus is reached that the status quo is acceptable.

The second example considers a case where a person behaving irrationally due to a mental illness could result in an impasse that could not be resolved with any degree of collaboration or compromise. It also considers the case of electing board members, which involves assessment of individuals according to highly subjective criteria and is therefore not a purely rational decision even if all of the participants are trying to act rationally. It is conceivable that either of these situations could occur and an impasse could result.

The third example considers the true story of the break-in at the old warehouse a few years ago where no consensus was reached about whether or not to inform donors about the possible risk to their personal data. In this case, a practical limit exists for the amount of discussion that can take place because if the decision takes too long it becomes moot. It is conceivable that a similar time-constrained situation could occur again.

Because it is conceivable that these examples could occur, I think it is necessary for us to adopt some kind of mechanism for breaking an impasse and define the conditions under which it is acceptable to use it.

I suggest a few possible solutions in the closing paragraph, however I'm not convinced that any of them are optimal. I am very interested in hearing what people think about the options that I propose and any others that I haven't thought of.

=== Background ===

Consensus is a method of decision making that requires general agreement and, ideally, solidarity of belief among all of the parties involved. This usually implies that serious consideration will be given to all opinions related to a particular decision, and that no decision will be made without resolution of dissent. In practice, it would work something like this:

1. Idea is brought forward
2. Questions are asked to clarify the idea
3. Concerns regarding the idea are brought forward
4. Group discusses how the concerns can be resolved
5. The revised idea is stated as a formal proposal
6. Participants in the decision making process take one of the following stances on the proposal:
 - Affirm (the person agrees with the proposal)
 - Stand aside (the person has reservations about the proposal but is willing to let the group go ahead with it)
 - Block (the person disagrees with the proposal in its current form and insists that the group not proceed with it)

Using strict (unanimity) consensus, a single block is sufficient to prevent a proposal from being implemented. More relaxed forms of consensus exist that allow a decision to be made even if one person blocks (unanimity minus one: U-1 consensus) or if multiple people block (unanimity minus N: U-N consensus).

Compared to majority rule, consensus is thought to offer the following advantages (among others):

- All participants will have equal opportunity to present their opinions
- All ideas will be given some consideration
- Consideration of all ideas will result in a more optimal decision than choosing a single idea
- Emphasis on collaboration (“let's combine our ideas to find the optimal solution”) rather than competition (“this idea is better than that idea”) or compromise (“I'll agree to this if you agree to that”)
- The group will be less polarized (No need to be “for” or “against” something and no need to choose between option A or option B. Use all good ideas to reach an optimal solution C.)
- More personal investment (People are more likely to work cooperatively toward a decision that they agree with)

For consensus decision making, as with any other theory, the devil is in the details. As I understand it, consensus requires three major assumptions:

1. There is an optimal solution, and that solution is attainable
2. People are rational
3. There is always sufficient time to resolve all concerns

Hopefully these assumptions will be true 99% of the time, however they will not **always** be true. When one of these assumptions is not true, it is conceivable that an impasse could result. In the paragraphs below, I've created three hypothetical case studies to help illustrate the remaining 1%. The details of the cases are not important (unless they result in a logical flaw to my argument). The important thing is whether the situations are conceivable. If it is conceivable that any of these situations could derail a consensus decision making process, then I believe with should address the shortcomings that allow the situations to be problematic. If we don't address them now, then we risk being forced to address them when they arise. One of the purposes of using consensus is to ensure a fair decision making process and I don't believe that it is fair to make up the rules as you go. Moreover, I know from personal experience at work and in other organizations that addressing problems when they arise often results in a less desirable solution than if they had been addressed ahead of time.

=== Case Study 1: Flash or no Flash ===

The mission of FreeGeek Columbus is as follows:

FreeGeek Columbus provides computers and training for limited-resource populations in Central Ohio through redistribution of used equipment and the use of Free Software. FreeGeek Columbus is committed to Free Software, responsible electronics recycling, and community engagement.

Currently, part of the procedure to prepare computers for adoption is to install Adobe Flash on the computer. We will also install support for encrypted DVDs and MP3s upon request. None of these technologies can be considered Free Software, which is why they are not bundled with Ubuntu by default. It is conceivable that a proposal would arise to prohibit the installation of proprietary software on the grounds that doing so is in violation of the FreeGeek mission and that it is more appropriate for us to focus on free alternatives such as Gnash and Ogg Vorbis, even if this means reduced functionality for the average user.

The counterargument is that FreeGeek mission does not dictate that we use solely Free Software, and that by installing these proprietary applications, we are making our computers more valuable to adoptees, thereby guaranteeing them the highest functionality possible and increasing the likelihood that they will stick with Ubuntu.

There is no clear-cut optimum between these two alternatives. With the former, we are strengthening our commitment to Free Software by refusing to dilute our commitment by installing proprietary software. With the latter, we are making our systems more valuable to volunteers and perhaps increasing the likelihood that they will continue using Ubuntu by sacrificing some of our commitment to Free Software.

The two options are mutually exclusive – either we allow proprietary software or we don't. It is conceivable that Community Council members would feel strongly enough about one or the other of these viewpoints that no consensus could be reached. Just imagine if we had Richard Stallman was on the council! How would we deal fairly with such a situation? This would be problematic enough if neither of the options being considered were part of the status quo. Then we could perhaps allow the discussion to continue until consensus was reached. But in this case, the status quo is one of the options under consideration. To not make a decision, whether by termination of discussion or endless discussion, is effectively the same as deciding in favor of the status quo. I don't think this is fair because opponents of the status quo aren't able to block this de-facto decision. Because the use of proprietary software is a moral decision for some people, I expect there are people who would feel justified in using a block to prevent the installation of proprietary software.

=== Case Study 2: Irrational people/Irrational decisions ===

A common assumption regarding human behavior is that people behave rationally. That is, they mull over the facts and come to a logical conclusion based on those facts. In reality, there are many cases where people don't behave rationally. People who are highly emotional are not always rational. People with mental health problems are not always rational. One woman I know has a condition that causes her to be paranoid about establishments on the right side of the road. Once, when she was riding in a car with my dad, he had to stop and get gas. She would not let him stop at the gas station on the right side of the road, so instead he had to do a U-turn so that the same gas station would be on the left side.

After that, it was OK to stop there. I mention this as an example of highly irrational behavior. Because of our acceptance of all people, FreeGeek attracts people that would normally be excluded from other organizations due to behaviors that make them difficult to deal with. Such people can not and should not be excluded from the council, however I don't feel that they should be able to derail the progress of the organization when they are behaving irrationally. Some might argue that such a case would be quite rare and therefore we need not worry about it, or that we can simply cross that bridge when we come to it. Is this fair? I for one would feel pretty hypocritical if we ended up making up rules to specifically exclude a person. I think it would be better if we could devise a system in advance that would allow us to deal with such a case. Perhaps it would still be unfair to the affected person, but at least we wouldn't be making up the rules as we go.

Even when a person is capable of making a rational decision, there are some decisions that don't lend themselves to rational analysis. Consider the following situation: the community council needs to elect one member to the board of directors. There are two candidates running for the seat. The candidates are equally qualified in general, but each has a specific talent that would be beneficial to the organization. Perhaps Candidate A has a degree in accounting or tax law that would allow her to be an exceptional treasurer for the organization. Perhaps Candidate B is well connected to people in local government, non-profits, and businesses and could facilitate partnerships with these organizations that help us work more effectively toward our mission. Even given these "facts" about the candidates, choosing one is a very subjective decision. We have to consider their availability, dedication, and work ethic, as well as their pre-existing relationships and ability to work with other members of the organization. Ask three people in the shop what goals they have for FreeGeek and you'll likely get three different answers. Ask them about their perceptions of a particular person and you'll likely get three different answers there as well (if you ask them what they think about me, be sure they haven't read this email yet :)). In such an environment it is conceivable, and perhaps even likely, that we would reach an impasse, yet it is a legal requirement for us to elect board members. What is a fair way to handle this situation?

=== Case Study 3: Dealing with stolen personal data ===

True story – when FreeGeek was housed in a warehouse near Fifth Ave and Fourth Street a few years ago someone broke into the warehouse and stole some high-value items. Since we didn't (and still don't) maintain an inventory of everything in the shop, it is possible that hard drives containing our donors' personal data was stolen. I insisted that we inform all of the donors that we could reach about the break-in so that they could evaluate the risk of having their data stolen. At the time, each shop lead was supposed to individually keep track of the donations that came in during his or her shift. I repeatedly asked shop leads to send notifications to their donors and even offered to collect the email addresses and notify their donors for them if they gave me copies of the donation receipts. Ultimately the only donors who were contacted were mine and those of one other shop lead. I don't know what the other shop leads' reasons were for not notifying their donors, but I must assume that they were opposed to it for some reason since I offered to do all of the work. In any case, it is clear that we didn't have consensus. Perhaps the other shop leads felt that the risk to the donors was very small and that announcing the break-in would damage FreeGeek's reputation. Perhaps given enough time, we could have reached a consensus that the donors should be contacted, or perhaps they would have convinced me that they shouldn't be contacted. But how long is too long in this case? A month? A week? Even a day might have been too slow for donors to take action. How will our implementation of consensus address time-critical decisions such as these? A friend of mine suggested that this particular case had possible legal ramifications and therefore perhaps the board would have stepped in and forced the decision with a vote. I think this is a good point, but it begs the question under what circumstances

may the board assume authority over a decision? Many of the decisions the council will make will have legal and financial ramifications. In this case, we only promised our donors our best effort in protecting their data, and we recommended that they wipe the drive themselves if they are concerned about its contents. I am not a lawyer, but it's not clear to me that the potential legal ramifications in this case were serious enough to justify board intervention. The ethical ramifications, on the other hand, absolutely warranted a formal decision by the organization, even if that decision was to not notify donors.

=== Conclusions ===

The main point that I wanted to make by writing this epic-length email is that it is conceivable that there are some situations where a consensus model requiring strict unanimity would be even less fair than majority rule and possibly even detrimental to the organization. Unless my arguments are proven to be logically flawed, I think it is necessary for us to adopt some kind of mechanism for breaking an impasse and define the conditions under which it is acceptable to use it. There are many options for such a mechanism, including:

- U-1, U-2, or U-N consensus
- Give the issue to the board after a time limit for discussion is reached or after the facilitator decides that neither side has additional information to contribute
- Fall back to voting after a time limit for discussion is reached or after the facilitator decides that neither side has additional information to contribute
- After a time limit for discussion is reached or after the facilitator decides that neither side has additional information to contribute, try to find a free or cheap impartial mediator (maybe a student group or community organization) to review a presentation of the facts and make the decision for us.

I see disadvantages to all of these options, so I'm hoping that this email provokes discussion to refine these options and present other options that I haven't thought of. Of course, strict unanimity is an option too, but before I agree to strict unanimity, I'll insist on hearing at least a few counter arguments to the arguments I've presented here.