

Leadership practices for advancing the cause of civility

Incivility in government by Larry Rosenthal

Incivility strikes me as one of those vexing problems we public policy analysts make a living trying to solve. The need is enormous, the challenges are daunting, and the answers are far from obvious.

We are clearly in an era where disruption and rambunctiousness by participants in our scheduled meetings now verge upon a kind of public art form. As a frequent attendee of meetings in Berkeley, I have such empathy for city council members. I see them bracing themselves for the worst once public comment gets underway. They're elected and paid to have real command on the topics and choices presented to them on the exhaustive agendas they face. But no matter how much they read and how often they meet with constituents, no matter how hard they work to understand the issues and carve out reasonable positions, at every meeting they have to occupy the role of silent target and polite, helpless listener as the mounting chaos confronts them. Not only are more and more of the speakers in these arenas mean and raucous. Worse, they seem to believe that public comment periods exist primarily for the venting of their spleen. The more they engage in name-calling and what I call "hyper-adversarialism," the more their peers in the mob applaud them. While elected officials and city staff long for meaningful deliberation with the public – meaningful give and take – too often our colleagues are stuck listening to the rants and raves of rather unprincipled, and surely undisciplined, public speakers.

The ways in which public meetings can devolve into chaos and distraction are new and different to many of us. There seems to have been some kind of seismic shift of demeanor and expectation. I've always thought that the specter of embarrassment, the prospect that my shameless conduct in public might get back to my wife, or my kids, or worst of all, my mom and dad or my grandparents, the folks who raised me to know better and would readily inform me if I embarrassed them in public, I always thought that this specter of embarrassment would provide a fail-safe against such losses of composure. Self-respect was the guardrail ensuring decency and mutual kindness.

No more, apparently.

Some of today's public commenters appear convinced that their sharp tone and unfettered expression actually *earn* them the respect of their peers and their families. What to do?

Given our open meeting laws and our cherished constitutional guarantees of freedom of expression, the problem of incivility strikes me as one of those truly vexing problems worthy of our most thoughtful and creative attentions. In fact, incivility of the kind that beleaguers us today just might qualify as a kind of "wicked" problem, where wickedness in the problematic sense qualified as a topic for systematic treatment by a leading 20th century thinker on the Berkeley faculty, Design Professor Horst Rittel. The challenges of wicked problems – the idea that our own ingenuity could be brought to bear to address difficulties that others had long since given up on – these very challenges are what have drawn most of us toward devoting our careers to problem-solving in the public interest.

We have spent a lot of time whining and complaining about this state of affairs. It's time for a new era, one of rolling up our sleeves and doing something about the state of our public meetings.

We turn at such times, first perhaps, to the observations of the poets. It's as if the world of the poet William Butler Yeats has come true before all of our eyes. As Yeats famously wrote in his transfigurative poem "the second coming":

Turning and turning in the widening gyre

The falcon cannot hear the falconer;

Things fall apart; the centre cannot hold;

Mere anarchy is loosed upon the world,

The blood-dimmed tide is loosed, and everywhere

The ceremony of innocence is drowned;

The best lack all conviction, while the worst

Are full of passionate intensity.

What's plainly missing from Yeats' dystopian world is civility. Something's gotta give. The three-minute lights and the names on index cards might not be the best we can do to grapple with the deterioration of our public discourse. We need to put on our thinking caps and get to work. I teach a class at Berkeley I call "Cities And Their Citizens." To get my students thinking about incivility problems, I ask them to imagine the city council meeting of the future, say, one hundred years from now in 2015. To them and to me it's simply unfathomable that we will still be running our meetings in the same ways we do today. The question is: how will we modernize things?

Let me tell you something about my background and current work, so that I am a little better situated in your minds. I was originally trained as an attorney, and I've been thinking about government in one form or another for most of my life. I've always been fascinated by the human aspects of government, by the ways that formal provisions of constitutional governance intermingle with the messier elements of personalities, relationships, and the divide between how we interact in formal settings, on the one hand, and in calmer, more relaxed interpersonal settings, on the other. Most of the constructive policy reform I personally have in mind when it comes to grappling with incivility involves porting into our public settings some of the commonsense intuition we draw on when we're just gathered together, in our families and communities, as people. It is this kind of intuition that led me in my early career to think about how full-blown litigation represents, if nothing else, the lost opportunity to find common ground far earlier in the process. It is for this reason that I long ago became interested in the processes of

mediation, conciliation, and group-oriented facilitation as means to resolve real conflict in less adversarial, more participatory ways.

I should tell you that I myself have served in elective office. When I was in fifth grade I was elected president of my class. I ran on the platform of getting the school to replace water in the water fountains with Pepsi. I won by a landslide. But my teacher – Mr. Moskal, who was also the high school football coach - wanted to take me down a peg or two. So he had me impeached. Turned out Pepsi was too expensive! (Unlike all of you, I had no real budget.) In the middle of a kangaroo impeachment hearing the teacher had conspired to convene with my classmates, when I was about to burst into tears, I looked at the calendar and realized it was April 1. A cruel April Fool's joke. I remained in office for the balance of the year. But I was humbled, believe me.

After I completed my doctorate I spent many years at helping run the program on housing and urban policy. In fact, my Ph.D. dissertation had focused upon NIMBY disputes over affordable housing. I've thought a lot about conflicts in neighborhoods and the powers of perceptions of "others." Also, I am active in the Berkeley community as board president of a nonprofit called the Berkeley Food & Housing Project, which has served the hungry and homeless in the East Bay for nearly 50 years.

I've tried to involve myself with the process of governing. More broadly I've immersed myself in understanding the ways people get along with each other—and the causes and consequences of people not getting along with each other. This is extraordinarily worrisome when politics convinces elected leaders that their job is to make enemies out of their opponents. It is a public responsibility for our leaders to get along with one another. Or to break themselves in two by bending over backwards, trying against all the odds to get along with people they find disagreeable, distasteful, or somehow fundamentally different.

This brings me to my current work. More than 10 years ago, members of the Cal class of 1968 got together to think about what they wanted as their legacy at Berkeley. They decided they didn't want to name a professorship, or a building, or to place a bench somewhere on campus, with a plaque, under an oak tree. They didn't want to build yet another walkway across strawberry creek.

Rather, they decided to try and restore in politics what they think has gone missing.

So these class of 68ers created a center, and I'm honored to help run that center at our policy school. The center is called the Center on Civility and Democratic Engagement.

Think about that Cal class of '68, some of whom serve as my esteemed board members at the center. When they were young, impressionable freshman, still less than a year after their much admired president John Kennedy was murdered in cold blood on the streets of Dallas, they arrived into the huge, daunting world of our campus, only to see it taken over by revolutionary change. Fresh from time that prior summer in Mississippi and Alabama pursuing voting rights for African Americans in what came to be known as the freedom summer of 1964, a leader named Mario Savio would help lead a movement that fall which would forever change Berkeley, California, and the world. We've just marked the free speech movement's 50th anniversary, and

a number of us have been reinvigorated thinking about that movement's challenges and accomplishments.

These 68ers remind us that working together we can change the world. They also stand for the proposition that strategic incivility, or even that kind of civility known more familiarly as civil disobedience, has its place when one may be protesting a war, or a draft, or more recently the scourge of gun violence and police brutality. But my board members from the class of '68 believe passionately that they would have gotten nowhere if they weren't civil and respectful toward one another and, more importantly, toward those with whom they had the strongest disagreements. Their motivation was persuasion. Disruption was the means, not the ends. The ultimate goal is speaking truth to power, not giving power a fat lip.

Now fast forward decades and decades. Think about the class of 68 and the legacy they want to leave Cal. It's called civility. It's because they remember a world where people could disagree about Vietnam. About civil rights. About Governor Reagan. About the causes of poverty and racial oppression. About the state of Israel and the 1967 war.

But back then there were stronger threads that tied people together. There was more of an understanding that my enemies on one issue might need to be my friends on another. They marched in the streets, these 68ers. They changed the world. But what they want me and their center doing in the world is advancing the cause of civility.

I have some ideas I can share with you during the balance of my time.

But first more poetry.

Seventeenth century poet and social critic Lady Mary Wortley Montagu had an observation about civility we should consider carefully. Lady Mary's famous quotation, apparently from one of her many letters, is as follows: "civility costs nothing, and buys everything."

Listen to her words again carefully: "Civility costs nothing, and buys everything."

Now Lady Mary was an aristocrat, schooled in the respectful ways of England's palaces and courts, places where departures from princely decorum and repressive social mores were most commonly the stuff of raised eyebrows and ironic asides. She wasn't brought up in the rough-and-tumble of the London streets, nor was she familiar with the dynamics of public comment periods on modern city council agendas in Northern California. Nevertheless, her famous quotation can help us with our thinking here. It might be useful for us to pause and consider her two assertions one at a time.

First she says, "Civility costs nothing." This is a standard view among those oriented toward empathy, forgiveness, and mutual respect. Indeed it doesn't cost me anything to quiet my temperament, to "slow my roll" as it were, when I'm overly impassioned in a public debate. It means talking less and listening more. If I have sufficient confidence and strength of character, making room for others and holding my own need not be conflicting endeavors. If I'm authentic and genuine in my valuing of myself and of others, I don't lose anything in the process.

But there's an insidious side to Lady Mary's suggestion that civility costs nothing. If it costs nothing, then it should be pervasive. It should be easy to produce. Those failing at it are costing us something. In the end, a number of us feel entitled to civility. And that unfortunately means, to most of us, that we ought have to do nothing special to earn it. That we can sit idly by and all the madding crowd will suddenly grow silent, respectful. They'll all become well-behaved, despite our passivity, despite our sense of self-importance. Yes, we're all entitled to civility. But where it's lacking, we shouldn't lean back in our chairs, like Lady Mary and her friends in high society, pitying the behavior of lowbrow intruders. What's happening isn't just pitiable. We won't fix it by merely whispering asides to our colleagues. We should treat the lost productivity of public meetings as a genuine public policy problem. And we should gather together in the halls of government working in serious ways to solve that problem.

In the end, in order to work our way out of this predicament we're in, civility in fact will cost *something*. It will cost something for us to reform and modernize our public meetings.

And Lady Mary Wortley Montagu isn't entirely correct with her other assertion, either. She says that civility costs nothing and buys everything. Actually, it only buys us orderly meetings. It buys us, hopefully, a return to some balance and discipline. But civility alone can't solve our leadership challenges. In the end the civility we make is the civility we'll get. And too often the passivity, or worse, the transparent friction among civic leaders on display in these meetings, provides a kind of enabling example which helps normalize and allow the kind of destructive rhetoric we then witness during public comment periods.

This leadership can take many forms. At the very least, it should begin with outside-the-box thinking about ways to address problems with our public comment periods. I've had a few such ideas.

When teachers have behavioral problems in the classroom, kids displaying incivility are given time-outs. Might we devise an appropriate time-out system when adults disrupt our meetings? Can we do so in ways which go to the "time place and manner" of their utterances, not the content, so as to be consistent with the First Amendment?

Can we station city staff members, trained in facilitation and mediation, wearing vests marked "Civility Ambassador," in the audience? What I have in mind is that city hall itself would reach out to some of the "problem children" who repeatedly disrupt our meetings and proactively work with them, create avenues for their input to be heard and considered, to reward their recalcitrance not with exclusion but with acceptance and clear demonstration that their participation is greatly valued.

For many of these "alpha-speakers," we might call them, three minutes isn't enough. What if the civility ambassadors made them an offer, to sit down with city staff in another room, for a longer, more deliberative conversation recoding the speakers' concerns? What if those concerns were then reported to council and later follow-up and engagement ensued?

There are clear connections between such leadership opportunities and civility. Most of the worrisome behaviors I've seen in meetings in Berkeley come from people who no doubt consider

themselves to be exercising not only First Amendment rights but who also consider themselves to be community leaders. To me a fully realized leader is one for whom civility and constructive discourse come naturally.

So for now let me leave you with some thoughts on leadership and on what the commands of civility require of leaders like you. Let me mention three kinds of leadership, and then I'll close with a couple of points about what might be called "civility math."

First, these three kinds of leadership.

One school of thought holds that leadership is simply "power." The classical definition of power in political science and bureaucracy is the capacity to get someone to do something they otherwise wouldn't do. You've all had ample opportunity in your roles to learn a lot about your power and how power best functions in our systems. You have control over certain decisions, and people's experiences change as a result. Some people get everything they want. But others will get none of what they want. Giving people what they want is far more pleasant than depriving them. But that's not leadership. Really that's followership. They're setting a path and you're waving them on, willingly following along. Leadership under this classic definition only becomes meaningful when you exert control over someone's choices in a way that alters those choices. And in the end, the most functional system is that which makes things most pleasant for the losers in one battle so that they'll be encouraged to fight on and lead another day.

Some of this sounds a bit unpleasant, and it is. It's always nicer to reward winners than it is to penalize losers. The hallmark of this power-based definition of leadership is maintaining civility and respect regardless of how those affected are situated.

Another kind of power doesn't alter such allocations of goods and bads. Rather it verifies and maintains the status quo. If you have the power to make change but affirmatively decide that the way things are has advantages over other arrangements, you're exercising what we might call "steady as she goes" leadership. Those craving change indict the current U.S. Congress as a "do nothing" body. But it takes leadership to defend a preferred status quo against those who wish to reform it.

A final type of leadership I'll mention here might be thought of as a leadership of social process. In these settings a leader cares more about processes than about outcomes. More about ensuring everyone's heard than about who prevails on a given day, on a given issue. More about keeping relationships with colleagues civil, respectful, balanced, and productive than about keeping score. In a sense, someone who loves the institution most, whatever organizational structure we're considering – someone who loves that entity the most is thinking more about the institution's health than about what the institution does – today, or this year even. An institutional style leader – one who emphasizes the quality and productiveness of relationships, convenings, and organizations – has an eye on more than just this year. There was a past. There will be a future. Let's leave this body in as good or better shape as we found it. That's also leadership.

Whether you're a leader of the first type, a leader of persuasion – getting people to do things they'd rather not do, or to stop doing things they'd like to keep doing –

Whether you're a leader of the second type, one of steady-as-she-goes variety, keeping systems in place, making sure that members of your constituencies keep receiving as much or more of what they have come to expect –

Or whether you're a leader of the third type – a leader who cares most about processes and organizational health, about how well we're getting along and getting our work done as opposed to the specifics of the results – a leader who wants to tweak procedures and bylaws and practices and habits in order to make the body better for future inhabitants

All three of these leader-types should care about civility. Civility has much to offer each type of leader.

I'll close with a couple of observations concerning what I call "civility mathematics."

It's about the relative responsibilities of majorities and minorities in our politics.

For now I wish only to address majority and minority status in political terms. Just count up the votes – that kind of thing.

But obviously members of numerical majorities and minorities, by religious status, racial identity, and other life categories bring those elements to bear in politics. The explosive events in Ferguson, Missouri, and Baltimore, Maryland, still playing out remind us of this phenomenon with great immediacy.

Civility mathematics isn't about these very complicated features of identity politics. Rather, it's about how bodies like yours get populated. It's about party membership. It's about numerical control of blocs meeting in caucuses and holding the line within their memberships.

The truth is that in our democracies, republics, and our parliamentary systems in electoral government, groups of people win and lose control of legislatures and executive branches. Whenever a U.S. president or a British or Canadian prime minister takes office, the news is that "there's a new sheriff in town." It's the same in our U.S. House of Representatives and U.S. Senate. Numerical majorities dictate the capacity to at least control the composition of the agenda and, far too often for those who lost elections and find themselves numerically in the minority, the winners get to control outcomes as well. They enact their own platforms, repeal laws they don't like, and try to maintain control the next time around.

When certain kinds of people gain the majority – folks who are shortsighted, immature and irresponsible –our democracy can be poisoned by gridlock and polarization.

What's missing from the U.S. House and Senate, but especially the House, is civility. Those in the majority need to do the math and respect the future. There but for the grace of the registrar of

voters go I. Momentary strategic gain in singular issues should never cost you the respect, camaraderie, and collegiality of your colleagues.

For your own good, and for the good of those who elected you or appointed you, and those you govern, always remember that a compromise today can pay dividends tomorrow. That the most important issue to you may be one on which you need the very support you fritter away fighting over less important things – too vigorously, too bitterly.

When on the odd occasion I find myself counseling elected officials, I give them a simple rule of thumb: “If your mother or father found out how you’re behaving in office, would they be ashamed? Should they be ashamed?”

Civility is easy when there’s little at stake. It’s when your feathers are ruffled, when your worst suspicions about people seem to be coming true, when there appear few advantages to compassion and serious gains from an all-out knockdown drag-out fight, it’s then that civility’s lessons can most easily be forgotten.

As I said, it’s all a matter of mathematics. Wear your status among the voting majority or the voting minority with pride. And mark well how the results of the election – numerically – define your role.

Majority leaders need to discipline their power. Minority leaders need to discipline their timidity. It’s a two way street.

Benjamin Franklin sewed all this up into one pithy observation about democracy. He said, “Democracy is two wolves and a lamb voting on what to have for lunch. Liberty is a well-armed lamb contesting the vote!”

We’ll find in our work and our careers that the world is a lot more productive, a lot more efficient, and a lot more pleasant place to live when the wolves find it in their hearts to recall that they may be lambs next time, that lambs make mighty good leaders if we’d only let them, and that working together with lambs may be the only way for the wolves to help save the world.

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