



# New Jersey School Boards Association

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## NEW JERSEY LEAGUE OF MUNICIPALITIES EDUCATIONAL FOUNDATION, INC.

### How to Restore Civility in Public Discourse

June 6, 2013, 8:30 am – 12:30 pm  
Conference Center at Mercer County College  
1200 Old Trenton Road, West Windsor, NJ 08550

### **‘Encouraging Civility in Public Meetings’**

Opening Remarks: Raymond R. Wiss, Immediate Past President  
New Jersey School Boards Association

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Good morning. It is my pleasure to be here this morning and to participate in the program.

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As you saw from my bio, I have had the wonderful opportunity to serve as the Mayor of my community, as a school board member for some two decades, and as President of the New Jersey School Boards Association.

I am going to add two additional elements to that résumé. First, as a practicing attorney, I devote a substantial amount of my practice to representing municipalities in labor, employment and disciplinary matters; and

Second, yesterday, I celebrated my 61<sup>st</sup> birthday.

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Now, I add these two elements for a reason. In my professional practice and as an elected community representative, I have personally witnessed a marked decrease in the civility associated with public discourse.

It should come as no shock to anyone that the public is more demanding than ever before and is more willing to be assertive in seeking what they want, typically on an immediate basis. Keep in mind that another name for the “baby boomer” generation, that is people born between 1946 and 1964, is the “Me Generation”.

We have seen a proliferation of lawsuits by constituents, and by elected officials claiming discrimination, harassment and defamation, as well as the increased use of ethics complaints and OPRA and OPMA filings.

For instance, did any of you see the article two weeks ago about the father who sued the school district, the school superintendent and the track coach over the fact that his high school freshman son wasn’t selected to run at the varsity track meets? Everyone and everything has apparently become “fair game.”

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And why did I announce my birthday? To give you some further context for my remarks. I grew up in an age influenced by such names as Lyndon Johnson, Sam Rayburn, Mike Mansfield and Everett Dirksen.

These men were no less opinionated than our current elected officials, but clearly understood that despite heated debate on issues, civility was fundamental.

They also appreciated— whether in the halls of Congress or over a scotch at a poker game—the following words of Samuel Johnson: “When civility is violated, there remains little hope of return to kindness or decency.”

Translated, it means that civility allows the perpetuation of relationships and allows us to do what every public servant aspires to ---- to make things a little better than we found them.

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But we must also acknowledge that some significant changes have taken place since the 1960s and 70s.

Significantly, the expectation of privacy in making a statement can no longer be anticipated. Virtually every statement or comment is subject to being captured, not only in audio, but in video, as well. With our cell phones in hand, we have all become potential paparazzi.

Not only will our comments and actions be captured for posterity, but they will potentially be published and republished through a vast variety of media for all the world to hear, watch and learn about. Just ask Mitt Romney, Anthony Weiner, or Gordon Gee, the Ohio State President.

With the emergence of cable tv and other media outlets, we no longer receive our news from Walter Cronkite, Chet Huntley or David Brinkley, but instead receive it from outlets having a marked predisposition on the very matters they are “objectively” reporting on.

As a society, have we become isolated and insulated to a point at which the majority of our communications is electronic? Has this restricted our ability to engage in public discourse with civility?

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A few thoughts from a legal perspective: Obviously, our Founding Fathers deemed free speech to be so fundamental to our form of government, and a key safeguard against tyranny, that it is imbedded into our Constitution.

But is it enough to just focus on what is “lawful” without also addressing what is “respectful”?

Of course, free speech must always be vigilantly protected. It is at the core of citizenship and politics. But is “legal” the only parameter by which we should define ourselves and our public discourse?

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Without a balancing of free speech and civility, it is likely that further stagnation in government will result; less and less willingness to participate in public affairs will ensue; and public discussion and dialogue will continue to be rife with inflammatory and personal invectives. All-in-all, not a pretty picture.

We must model the behavior that we wish to see in others, particularly in our elected officials, and hold everyone accountable for words and actions that are disrespectful or grossly deviate from acceptable norms.

So what can be done? In preparing for today’s program, I came across several articles that offered some helpful tips. Allowing me a little “poetic license”, I offer these stolen suggestions for your consideration:

A 2011 article in the New Jersey School Boards Association’s magazine, *School Leader*, addressed the dozen most common “Board Member Blunders.” In the process, it offered some useful suggestions on how to avoid those blunders:

1. Try to understand what motivates others, and have patience with ideas that are different from your own.
2. Treat others the way you would like to be treated.
3. If you are going to ask a difficult question, give others a chance to gather the information necessary to answer the question intelligently. No one likes to be embarrassed.
4. Always put the public interest before your self-interest or the dictates of politics.

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Some of these concepts were addressed in another article, also published in *School Leader*, on “Stress Management Strategies.” In that article, the authors suggested the following:

1. Make a quick mental estimate of the situation. You may sense an attack. However, a seemingly hostile speaker is not typically addressing you as a “person”, but rather is addressing you as an elected representative.
2. Be confident in your own skills and the process of addressing the issues at hand.
3. Look past the negative comments and concentrate on how you can substantively address the matter under consideration.
4. (My favorite) Trade minds with the people who ask for your help. The authors reference a great quote from Atticus Finch in *To Kill a Mockingbird* --- “You never really understand a person until you consider things from his point of view ---- until you climb into his skin and walk around in it.”

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The rules of the Republican House Caucus also offer seven categories of “unparliamentary speech” which were included in an American Bar Association publication earlier this year. Essentially, they are a list of things “not to do”:

1. Don’t defame or degrade the House.
2. Don’t criticize the Speaker’s personal conduct.
3. Don’t impugn the motives of another member.
4. Don’t charge falsehood or deception.
5. Don’t claim a lack of intelligence or knowledge.
6. Do not refer to race, creed or prejudice.
7. Do not assert any charges related to loyalty or patriotism.

Adherence to these precepts by elected officials and by the public at large would go a long way in furthering civility in public discourse.

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As that article noted, “Civility begins with courtesy tempered by personal integrity that allows one to disagree without being disagreeable, even when faced with hostile or abusive language.”

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And remember, when all else fails, consider the structure of your public meetings. School boards and municipal governing bodies give the public the opportunity to comment at meetings. Setting reasonable time limits is permissible, and when implemented correctly—with the public fully aware of these parameters—such limits can facilitate civil discourse. A valuable public information tool, used by some school boards, is a “welcome to the board meeting” brochure. These documents, made available at board

meetings, list the ground rules for public comments, the names of board members and top administrators, facts about the school district, and contact information for school administrators.

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Some final thoughts:

I offer three distinct concepts for your consideration:

1. Anger;
2. Divergent opinions; and
3. Conflict

Whereas “anger” can have many causes, it is essentially “internal fear directed externally.” It is typically an animated response to frustration, often from a perception of being treated unfairly or feeling helpless.

On the other hand, “divergent opinions” are natural and expected, and, by themselves, do not result in anger. Each person’s experiences, information, roles, responsibilities, training and needs are unique.

Divergent opinions allow for discussion and refinement of viewpoints.

Finally, “conflict” is the intense competition between desired and opposing goals or strongly held principles. Conflict can lead to clarification, communication and compromise, particularly when it is divorced from anger and personal attacks.

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On the lighter side, I note that at the tender age of 14, George Washington wrote down 110 rules under the title, Rules of Civility & Decent Behaviour in Company and Conversation. Given the fact that he was born in 1732, these helpful tips were authored in 1746. While these rules address everything from table manners to posture, I would just like to share a few of his tips which are remarkably on point to today’s subject matter:

- Every action done in company ought to be done with some sign of respect to those that are present. (1)
- Use no reproachful language against anyone; neither curse nor revile. (49)
- Let your conversation be without malice or envy...and in all cases of passion (allow) reason to govern. (58)
- Speak not injurious words, neither in jest or earnest; scoff at none although they give occasion. (65)
- When you deliver a matter do it with passion & discretion, however mean the person be you do it to. (83)
- In disputes...give liberty to each one to deliver his opinion.... (86)
- Labour to keep alive in your breast that little celestial fire called conscience. (110)

And while I am not exactly sure how it applies to today’s topic, I also offer for your consideration the following tidbit from our first president:

- When in company, put not your hands to any part of the body not usually discovered.

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I will conclude my remarks with a more contemporary quote from President Kennedy which reads as follows: “So let us begin anew --- remembering on both sides that civility is not a sign of weakness, and sincerity is not subject to proof.”