

**Civility, Society, and Politics:
Is There a Problem?
Remarks of Don Wolfensberger
Drake University-Woodrow Wilson Center Seminar
Des Moines, Iowa
Wednesday, September 19, 2007**

I appreciate this opportunity to discuss with you today the state of civility in America and what problems its perceived decline might pose to our society and politics.

As a staff member in the U.S. House of Representatives for 28 years, and a close observer of Congress for the last 10 since my retirement from the House, I witnessed firsthand a slow and steady deterioration in the civil climate on Capitol Hill--especially over the last two decades.

And there is no question in my mind that the harsher tone and mood of Congress affects its ability to function effectively as a lawmaking body.

I was almost prepared to report to you today, however, that things aren't as nasty in Washington as they might seem. But then all hell broke loose during the first week in August--just before the summer recess.

In the House, the majority Democrats shut down a close vote on a Republican motion and the Chair announced the GOP motion had lost on a tie vote—even though Republicans claim they were leading by two votes at the time.

The anger and confusion led to a boisterous chorus of Republicans chanting, "Shame, shame, shame," and then to their walkout, en masse, from the House Chamber.

My wife, who was watching the spectacle on television said things got so rowdy it looked like the peasants—read, Republicans--were about to storm the Speaker's rostrum with torches and pitchforks.

As if that wasn't bad enough, on the very next day, when Republicans, still angry, called for a vote to adjourn, the electronic voting system broke down, only compounding minority suspicions that the majority wasn't playing fair.

While I don't think the majority purposely sabotaged the voting system, the fact that some minority party members thought they had is an indication of just how much mistrust there is between the parties.

The two events did lead to the House unanimously agreeing to creating a select committee to investigate the two incidents.

In the Senate, Democratic Majority Leader Harry Reid withdrew a major defense bill from the floor in anger when he didn't prevail on an amendment relating to Iraq.

He then rudely refused to yield to Republican Members to speak on routine unanimous consent requests—a denial of a common courtesy. Reid apologized later in the week for his behavior.

Needless to say, tempers were taut in both bodies as Members rushed through legislation in a mad dash to get out of Dodge before someone was shot.

It didn't help that Washington was experiencing a 100 degree plus temperatures for several days running, and that many of those final legislative sessions before the August recess ran late into the evening.

As I mentioned, such outbreaks of incivility are not a new thing. But they seem to get worse when there is a switch in party control in Congress.

The former majority party is in denial and angry that the perks of power have been taken from it. The new majority is anxious to ram its agenda through and resorts to many of the same abusive procedural tactics they formerly protested against when they were in the minority.

I vividly recall being called to testify before my old committee, the House Rules Committee, in April 1997, a little over two years after the Republican takeover of Congress. The title of the hearing was, "Civility in the House of Representatives."

I had just retired as a staff member two months earlier, so was flattered the committee had asked me to testify as one of their "expert" witnesses.

Shortly after another witness and I finished summarizing our testimony, the bells began to ring in the House, calling Members to the floor for a vote.

The chairman of the committee asked an aide to find out what the vote was about, and then announced that our testimony was indeed very timely because there has just been an outbreak of incivility on the House floor requiring a possible series of House votes to resolve the matter.

It seems that one of the Members had been guilty of using "unparliamentary" language in a floor speech by accusing Speaker Newt Gingrich of "lying."

The Member's words were "taken down" and, the chair ruled they were indeed in violation of the House rule that forbids engaging in personalities in debate, including any personal criticism of the Speaker.

The House subsequently voted to have the words stricken from the Record, and then voted against allowing the guilty Member to proceed with his remarks—effectively barring him from speaking on the floor for the rest of the day.

As it turned out, we were right in the middle of what was being called an “ethics wars” in which minority Democrats had unleashed a barrage of ethics complaints against Republican Speaker Gingrich.

That ultimately resulted in a House reprimand of Gingrich for filing contradictory statements with the ethics committee about one of his private educational groups.

Two weeks after our civility testimony was interrupted, we were able to return to the Rules Committee and finish the hearing.

Apparently, though, our words of wisdom at those hearings were not enough to salve the wounds the House was continuing to inflict on itself.

The ethics wars would continue until Gingrich finally resigned in late 1998, and a temporary truce was placed on using ethics complaints as partisan weapons.

In the midst of all that turmoil in the late 1990s, a group of Members organized a series of bipartisan “civility retreats”—two in Hershey, Pennsylvania in 1997 and 1999, and the third at the Greenbrier Resort in White Sulphur Springs, West Virginia in 2001.

The purpose of the retreats was to address the problem of incivility in the House by giving Members a chance to get to know each other, their spouses and children, in an informal setting, outside their partisan work environment.

While the first two retreats were cause for some optimism that things really were improving, after the third retreat, in 2001, those hopes were dashed on the partisan rocks of reality.

House minority leader, Dick Gephardt vowed after that third retreat he would never attend another one because, in his words, “they have yet to produce any results, and so there’s no point in being there.”

It seems the Democratic minority had decided to use the retreat to pressure for fairer treatment of the minority by majority Republicans back in Washington. And when no concessions were made or delivered, Democrats wrote the retreats off as useless.

Put another way, even the retreats had become politicized, thereby obscuring their original purpose of letting Members (and their families) get to know each other across the aisle as real people—not as enemy combatants.

My own theory is that because the third retreat was not held in Hershey, Pennsylvania, there were no more Hershey’s chocolate kisses available to reward members for being nice.

The chief Republican organizer of the family retreats, Congressman Ray LaHood of Peoria, Illinois, announced last month that he was retiring from the House at the end of

this Congress after 14 years in Congress as a Member, and a decade before that as a House staff member.

When LaHood and a Democratic colleague tried to revive the retreat concept two years ago, there was so little interest when they polled Members that they abandoned the idea. LaHood calls it the “biggest disappointment” of his career.

The fact that House Members now consider themselves even beyond re-treatable is a clear indication of just how much the two parties have withdrawn from each other in the House.

As LaHood put it in a recent interview with Washington Post columnist David Broder, the tone in Congress today “is very negative and disheartening. The decibel level is the highest I’ve heard in politics.”

Most observers would agree that the tone of Congress in the 1980s and 1990s had become more bitter, partisan, and personal than was remembered from the 1960s and 1970s—notwithstanding the upheavals over civil rights, Vietnam, and Watergate during those decades.

And that was certainly my observation as a staff member. That trend continues today as the fire-works, blowups, and walkouts leading-up to the August recess attest.

Last month, one Republican Member had his words taken down after the disputed vote incident when he called Democrats “cheaters.”

A couple of weeks earlier a Democratic Member had his words taken down in the Judiciary Committee for referring to President Bush as a “liar.”

The ugly mood of Congress is something frequently mentioned by Members of Congress, like LaHood, in their retirement announcements.

Typical comments include, “It’s no fun anymore;” “Things have gotten too mean spirited;” “partisanship has replaced friendship;” and, “compromise has become a dirty word.”

What I’d like to do in my remaining time is discuss what it is we mean by civility; and why it is important. However, I will conclude by suggesting that incivility is not the real problem plaguing our politics today.

Keep in mind that I will be coming at this subject primarily from the perspective of the Congress, which is my specialty. But also keep in mind that as a representative body it in some ways does reflect the larger society. How much that is the case is something you might want to discuss further during questions and comments.

When I speak of civility, I have in mind the kind of respectful attitude and behavior with which people address and interact with each other in polite society.

You can come up with all kinds of words as synonyms for civility: decent, kind, polite, well-mannered, fair, open, accepting, and common courtesy.

Similarly, you can easily imagine the antonyms—or what we mean by incivility: starting with lewd, rude, crude, and crass, and running to coarse, disrespectful, loud, angry, personally insulting, vile, and reproachful. I'm sure you can come up with even better ones with time—just think Jerry Springer show.

I think it's an important to understand as a caveat to this discussion, however, that this is not an either/or matter—that things are either civil or they're uncivil.

I would submit that the absence of civility may be a neutral or passive state—what we might call “a-civility.” This is characterized by a coolness or even coldness to others—a big chill, if you will, in which people simply ignore and freeze out those they don't like or agree with. And that is what we are witnessing most of the time on Capitol Hill today given the deep partisan divide.

Most people understand that civility is for successful and productive relationships. If you can't be nice to someone, then you can hardly expect them to reciprocate or do you any favors.

In politics, as in society generally, civility is the glue that helps hold relationships and the system together so that important work can be done.

The importance of civility obviously pre-dates our country's founding. When George Washington was a young lad of 16, his tutor had him copy in his notebook 110 “Rules of Civility and Decent Behavior in Company and Conversation,” which had originally been composed by French Jesuits in 1595.

I'll just recite two of them that are especially relevant to our discussion today. Number 49 reads, “Use not reproachful language against any one; neither curse nor revile.” And number 58 reads, “Let your conversation be without malice or envy....And in all causes of passion, admit reason to govern.”

When the first House of Representative convened in April 1789, it was insistent on the necessity of civility.

One of the first four rules it adopted related to “decorum and debate,” requiring Members to address themselves directly to the Chair instead of to each other in order to avoid potential personal clashes with their debating opponents.

The rule goes on to say that if a Member violates the rules “in speaking or otherwise,” the Speaker shall call the Member to order, the member shall immediately sit

down; and, if appealed to, the House may decide the matter of whether the rules were violated, and may even censure the member as a matter of punishment.

When Thomas Jefferson was vice president of the United States from 1797 to 1801, and thus president of the Senate, he composed a “Manual of Parliamentary Practice for the Senate,” which drew directly on British precedents.

He too listed the do’s and don’ts of decorum in debate: Members should not “speak impertinently or beside the question, superfluous or tediously;” nor “use indecent language,” or “digress from the matter to fall upon the person by speaking reviling, nipping, or unmannerly words against a particular Member; or “to arraign the motives” of other, or to disturb another in his speech by hissing, coughing, spitting, speaking or whispering to another,” or to “interrupt him.”

Before Jefferson even wrote those words, there was an actual incident in the House in 1792 in which one Member spat upon another in the well of the Chamber because the other Member had questioned his manhood for not serving in the Revolutionary War. A resolution of expulsion of the spitting Member was immediately introduced and sent to a committee of inquiry.

An apology was tendered by the spitting Member, and the committee consequently recommended against expulsion or censure, and the House upheld those recommendations.

But, according to House precedents, the Member spat upon then assaulted the spitting Member with a stout cane. The assaulted Member then took the tongs from the fireplace and began returning the assailant’s blows. The next day a resolution was introduced to expel both Members, which again was referred to a committee. Again he committee recommended against expulsion, and the House allowed the two Members to remain Member on good behavior.

Many of you are aware of incidents throughout the early history of our Republic, up to the Civil War and beyond, of Members of Congress engaged in fisticuffs, canings, and even duels. So our early Republic was not necessarily a model of civility and good manners, though these incidents were probably very rare.

Today, we do not have an internal breach comparable the North-South divisions of the Civil War era, though we certainly do have deep divisions over the Iraq war, over issues like immigration, and over some of the cultural issues like abortion, gay marriages, stem cell research, and so on. Instead of the Blue and the Gray, today we have Red states and Blue states.

To what can we attribute some of the nastiness in Congress and is it reflective of the society at large or unique to Washington?

I would submit that incivility, at least in Washington, is not the central problem some think it is, but rather a sporadic symptom of a deeper, core problem which is the great divide between the political elites of the two major political parties.

Those divisions are partly driven by ideology, but mostly driven by the quest for permanent majority control of the government. Yes, it's all about power, as much of politics is.

I think most opinion polls will show that the vast majority of the American people fall somewhere in the middle of the political spectrum and are not as divided as their elected leaders in Washington.

The political and partisan polarization we see in our national government is not an accurate measure of the larger American electorate—many of whom consider themselves independents and moderates. Why is there this seeming disconnect between the people and their elected leaders?

For one thing, as we are seeing play out in these early caucus and primary states like Iowa and New Hampshire, candidates from both parties need to play to their political bases to win the nominations.

Consequently, they appeal to the more active and conservative voters if they are Republicans, and to the more active and liberal voters if they are Democrats.

The people they are playing to are those who are active in party politics in their states and communities, who contribute to candidates, and who run as delegates to the party conventions, and who write the party platforms.

It's not surprising that in the primary elections for Congress, the more conservative Republicans and more liberal Democrats win those primaries, which have very sparse participation. And most congressional districts are fairly solidly Republican or Democrat in the general elections.

So while elections may reflect the preferences of the most active party people at the state and local level, the polls also indicate that the electorate is very dissatisfied right now with the President and the Congress, and think the country is on the wrong track.

For a variety of reasons, the people do not think they have the government they want or need. And their gut instincts are correct in many ways.

The current political system does not seem to have the courage or capability of addressing the most serious problems confronting this country, whether on health care, deficits, Social Security and Medicare financing, energy, immigration, or global warming.

Our political system is engaged in what many have rightfully called the permanent campaign. This may be good if you think campaigns are all about defining how you will govern and are the points at which political officials are the closest and most accountable to the people.

But that is an idealized notion of what campaigns are about. Campaigns cannot govern; they are primarily about broad policy promises and goals; and they are primarily about winning by whatever means it takes.

Governing requires time apart from campaigning; time to think and talk about the problems and possible solutions; time to deliberate; time to reach out and compromise with those of differing political views.

Our Congress today allows little time for those necessary elements of thoughtful problem-solving and lawmaking.

Incivility is not what keeps the parties apart. Most of the conduct I observe in committees or on the floor of the House most of the time is at least civil, though it's still not pretty. Argument is the essence deliberation, but it is not the be-all-and-end-all of the deliberative process.

A lot of people witness only the arguing in Congress over issues, and conclude that those folks just don't know how to get along—that they're acting like children fighting in a sandbox. Sometimes that perception is correct if Congress is unable to move beyond the argument stage to the persuasion and decision stages.

And occasionally yes, that argument does deteriorate into instances of incivility when congressmen forget their manners, get angry, and call each other names.

But I would suggest that our most intractable problems will not be solved until we have a greater political consensus in the country over what to do about those problems.

And that may not come until one party or the other has a sufficient majority to persuade and unify Congress and the nation behind particular solutions.

Congress may not develop that political courage to tackle those tough problems until the country is more united on just what it wants to do about those problems. That will take education from a variety of sources, including, but not limited to our political and civic leaders.

To have that discussion, we will first need to observe a modicum of public civility so that we can at least begin listening to each other again. And listening is the most important first step in learning how and where we want to go as a nation. Respectful listening is a key ingredient of civility and civil discourse.

This broader public dialogue and deliberation, involving listening and learning, is what it will take for us to keep this representative democracy relevant and vibrant well into the 21st Century. That means you and I are a part of the solution. Are you up to the challenge? I thank you for your attention and look forward to your comments.

#