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EDITORIAL

WHAT ROLE FOR CIVILITY?

*By Bob Gibson**

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Every year recently, Virginians bemoan a loss of civility in a political arena that seems more callous, combative and partisan, less productive and turning churlish. Many view politics in Washington as hopelessly lost into gridlock and cycles of inaction, inattention to serious issues and retribution. Virginians hope that politics at the state level has not sunk as far.¹

What has happened to trust, civility, and respect in politics as it relates to this past General Assembly session?

In Richmond, the General Assembly has started to take gridlock lessons from the legislators in Congress barely 100 miles to the north. A judgeship battle and a federal court order to fix redistricting flaws led a special legislative session Aug. 17² to do nothing but make bitter charges and counter-charges, fight with the governor and create more inaction and hard feelings. It even ended in a disagreement over whether they had adjourned.³ Local politics across the Old Dominion has not sunk to the level of partisan bitterness and dysfunction that we witness in Washington, but politics at the state level appears to be approaching a tipping point with more gridlock in sight.

It is not too late to turn this around.

Part of the cause of the downward slide appears to be gerrymandering. With 140 state legislative district elections on the ballot this Nov. 3, perhaps only about 10 percent of them have truly competitive races.⁴ Having about 90 percent of districts in the Virginia Senate and House of Delegates drawn askew to lean heavily to one party or the other tends to do two things that hurt representative government.⁵ The first is killing competition outside of a potentially less stable party nomination process in the spring so that legislators tend to hew more seriously to the views and concerns of a small nominating base of their party and not care as much about the November general electorate. The second is a feeling among the overall voting popula-

¹ Robert McCartney, *How States and Localities are Filling Gaps Left by Washington's Gridlock*, WASH. POST, Sept. 26, 2015, https://www.washingtonpost.com/local/how-states-and-localities-are-filling-the-gaps-left-by-washingtons-gridlock/2015/09/26/e43c5b58-63b8-11e5-b38e-06883aacba64_story.html.

² Jim Nolan, *In Surprise Move, Senate Democrats Adjourn Special Session*, RICHMOND TIMES-DISPATCH, Aug. 17, 2015, http://www.richmond.com/news/virginia/government-politics/article_7b98d105-4949-502d-ba7a-435380baee58.html.

³ *Id.*

⁴ *See Most Legislative Seats are Uncontested*, VPAP.ORG, (June 23, 2015), <http://www.vpap.org/updates/1960-uncontested-seats/>.

⁵ Bob Gibson, *Gerrymandering Means Minority Rule in Virginia*, ROANOKE TIMES, Feb. 15, 2015, http://www.roanoke.com/opinion/commentary/gibson-gerrymandering-means-minority-rule-in-virginia/article_a65be944-52af-5ef9-ad8d-4b4cbf37b5f2.html.

tion that their views and concerns do not matter as much because party insiders and funders control who gets nominated and elected.

General elections at the state level have gone the way of the General Lee, the Dukes of Hazard racing car. Drivers have flown off the main road, jumped a few too many ditches and landed in a farmer's barnyard with angry hogs and horses. The upshot of elections controlled by the small party base can be a collection of legislators who pick their own voters and who can be penalized by the base of their party for too much compromise with or friendliness toward legislators on the other side of a more divided political spectrum.

Taking this hyperpartisanship and gerrymandering out of the redistricting process could go a long way toward restoring trust, civility, and respect in politics. This is not an easy process of reform, but the courts have finally taken an interest in the excesses of gerrymandering.⁶

Virginians once were used to a season of campaigning and a season of governing, but now a permanent campaign impairs the ability of legislators on opposite sides to reach compromise and find common ground. Virginia may be a purple hew in close statewide elections but the map is as red Republican and blue Democrat as ever in different regions, which tends to impair regional cooperation as well when partisanship is at issue.

Finding common ground is not all that difficult when partisanship can take a back seat to good governance on issues that do not have to be viewed through an intensely partisan lens. Ending smoking in Virginia's restaurants⁷, finding common ground on mental health reform⁸ and working to diversify the state's economy⁹ are three areas in which good governance overcame narrow partisan disputes in the past decade. Still, the tone of everyday politics could stand to be improved across Virginia even if each political party has problems with weakness and divisiveness and struggles to build strength across wide coalitions of Virginians.

⁶ *Court Says Va. Must End Gerrymandering*, WASH. POST, June 7, 2015, <http://www.newsleader.com/story/news/local/2015/06/07/court-says-va-must-end-gerrymandering/28640529/>.

⁷ *Restaurants and Smoking in Virginia FAQs*, VA. DEP'T OF HEALTH, <https://www.vdh.virginia.gov/breatheeasy/faqs.htm>.

⁸ Laura Vozzella, *McAuliffe Signs 'First Step' to Reform Virginia's Mental Health System*, WASH. POST, Apr. 28, 2014, https://www.washingtonpost.com/local/virginia-politics/mcauliffe-signs-first-step-to-reforming-virginias-mental-health-system/2014/04/28/6acc5d9e-cbbb-11e3-95f7-7ecdde72d2ea_story.html.

⁹ Bob Stuart, *McAuliffe, Landes Study Ways to Diversify Virginia Economy*, THE NEWS VIRGINIAN, Sept. 5, 2015, http://www.dailyprogress.com/newsvirginian/news/mcauliffe-landes-study-ways-to-diversify-virginia-economy/article_8409bb12-536a-11e5-9c8b-77b2976a75a5.html.

Remembering that we are all Americans and Virginians first can go a long way to restore trust, civility, and respect in politics. We could do well to make new what was old. By age sixteen, Washington had copied out by hand, *110 Rules of Civility & Decent Behavior in Company and Conversation*.¹⁰ They are based on a set of rules composed by French Jesuits in 1595.¹¹ Following the advice laid down centuries ago by nation's first president, George Washington, could help Virginia legislators in civil governing. Here is a partial list of the maxims that Washington found so influential.¹²:

1st Every Action done in Company, ought to be with Some Sign of Respect, to those that are Present.

22d Shew not yourself glad at the Misfortune of another though he were your enemy.

23d When you see a Crime punished, you may be inwardly Pleased; but always shew Pity to the Suffering Offender.

24th Do not laugh too loud or] too much at any Publick [Spectacle].

35th Let your Discourse with Men of Business be Short and Comprehensive.

40th Strive not with your Superiors in argument, but always Submit your Judgment to others with Modesty.

43d Do not express Joy before one sick or in pain for that contrary Passion will aggravate his Misery.

44th When a man does all he can though it Succeeds not well blame not him that did it.

45th Being to advise or reprehend any one, consider whether it ought to be in publick or in Private; presently, or at Some other time in what terms to do it & in reproving Shew no Sign of Cholar but do it with all Sweetness and Mildness.

47th Mock not nor Jest at any thing of Importance break [n]o Jest that are Sharp Biting and if you Deliver any thing witty and Pleasent obtain from Laughing thereat yourself.

48th Wherein wherein you reprove Another be unblameable yourself; for example is more prevalent than Precepts.

¹⁰ *George Washington's Rules of Civility & Decent Behavior in Company and Conversation*, THE PAPERS OF GEORGE WASHINGTON, http://gwpapers.virginia.edu/documents_gw/civility/civil_01.html

¹¹ *Id.*

¹² *Id.*

49th Use no Reproachfull Language against any one neither Curse nor Revile.

50th Be not hasty to beleive flying Reports to the Disparag[e]ment of any.

56th Associate yourself with Men of good Quality if you Esteem your own Reputation; for 'tis better to be alone than in bad Company.

58th Let your Conversation be without Malice or Envy, for 'tis a Sig[n o]f a Tractable and Commendable Nature: And in all Causes of Passion [ad]mit Reason to Govern.

61st Utter not base and frivolous things amongst grave and Learn'd Men nor very Difficult Questians or Subjects, among the Ignorant or things hard to be believed, Stuff not your Discourse with Sentences amongst your Betters nor Equals.

62d Speak not of doleful Things in a Time of Mirth or at the Table; Speak not of Melancholy Things as Death and Wounds, and if others Mention them Change if you can the Discourse tell not your Dreams, but to your intimate Friend.

65th Speak not injurious Words neither in Jest nor Earnest Scoff at none although they give Occasion.

66th Be not froward but friendly and Courteous; the first to Salute hear and answer & be not Pensive when it's a time to Converse.

73d Think before you Speak pronounce not imperfectly nor bring ou[t] your Words too hastily but orderly & distinctly.

74th When Another Speaks be attentive your Self and disturb not the Audience if any hesitate in his Words help him not nor Prompt him without desired, Interrupt him not, nor Answer him till his Speec[h] be ended.

79th Be not apt to relate News if you know not the truth thereof. In Discoursing of things you Have heard Name not your Author always A [Se]cret Discover not.

80th Be not Tedious in Discourse or in reading unless you find the Company pleased therewith.

81st Be not Curious to Know the Affairs of Others neither approach those that Speak in Private.

82d Undertake not what you cannot Perform but be Carefull to keep your Promise.

89th Speak not Evil of the absent for it is unjust.

110th Labour to keep alive in your Breast that Little Spark of Ce[les]tial fire
Called Conscience.¹³

Civility may be in short supply. It may also not be what attracts and wins over people. Well-defined political differences are important. Thomas Jefferson and John Adams sparred sharply for decades, yet in the end kept open lines of communication.¹⁴ Civility isn't wimpery. It is showing enough respect to gain trust.

American politics today reflect the civility levels of our society, which tolerate and employ a taste for nastiness, negativity and name-calling. Leadership is the key ingredient in baking a tastier apple pie. Leaders, however well they can bake and grow the pie, cannot eliminate people's taste for the sour. The problem in American politics today may not be the awful incivility of pundits and politicians yelling at each other as much as the polarizing purity of base politics.

If politics is the art of compromise and of achieving the possible instead of the perfect, then civility could be some of the grease that keeps the machinery intact.

¹³ *Id.*

¹⁴ *John Adams*, MONTICELLO.ORG, <https://www.monticello.org/site/jefferson/john-adams>.