



NCSL

NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

Ethics & Civility

Wisconsin Legislature

Mark Quiner, Director, NCSL Center for Ethics in Government

December 9, 2020





NCSL

NATIONAL CONFERENCE *of* STATE LEGISLATURES

The Forum for America's Ideas

Today's headlines...

- Warren Buffett – interview for intelligence, energy and integrity; if no integrity, don't bother
- Stores are tracking your precise movement; cameras determining your mood
- Ethical octopus farms



NCSL

NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

Double Disney Point

- Disney employees are prohibited from using one finger to point or give directions
- They must use 2 fingers to give directions or point
- Known as the Double Disney Point
- History: Walt Disney would walk through Disneyland with a cigarette and so used 2 fingers to give directions or point





NCSL

NATIONAL CONFERENCE *of* STATE LEGISLATURES

The Forum for America's Ideas

Ethics

- Principles: integrity, trust & honesty; doing the right thing
- Professional and personal standards of conduct
- A system of moral principles



NCSL

NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

Making Ethical Choices Involves:

- Moral judgment and ethical decisions
- Mismatched duties & conflicting claims
- Ethical, legal, practical considerations
- Motive
- Seriousness of issue/offense
- Price tag: career, cost, courage





NCSL

NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

How Do You Make Ethical Choices?

- Do what is best for the most people?
- Follow your highest sense of principle?
- Do what you want others to do to you?
- Pit of your stomach?
- All the above?



NCSL

NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

Your Work Environment

- Identify top ethical value as a Legislator
- Identify top ethical value for your Office/Legislative Body
- How do you apply these values in your job?
- Are these values ever in conflict?



NCSL

NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

Character vs. Reputation

- “The test of integrity is that your public life and your private life match—what’s in your heart and what’s in your life are the same thing. You ask yourself, “Would I want everyone to know about this decision that I’m making?” The truth is, when it comes to integrity, even if you can fool everyone else, you can’t fool yourself. And if you violate your own conscience, you have to pay for that.” Rick Warren



NCSL

NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

Ethical Choices

- Law-based ethics (“little e”)
 - Right versus wrong
 - Laws, rules, policies, guidelines
 - What *must* we do?
 - Why do good people still make bad choices?

- Value-based ethics (“Big E”)
 - Right versus right
 - No formal guidance - values or principles
 - What *should* we do?
 - Gray areas - can be confusing





NCSL

NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

WHAT HAPPENS IN VEGAS

[This Photo](#) by Unknown Author is licensed under [CC BY-SA](#)

- “What happens in Vegas stays in Vegas”
- “What happens here, only happens here”



NCSL

NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

How do you know if you have a dilemma?

- What “should” I do? – moral compass
- “Mom” or “child” test
- “Headline” test
- Seek colleague’s advice
- Reflect
- Use common sense and experience





NCSL

NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

Legislative Values (examples from states)

- *“High moral and ethical standards among public servants are essential to assure the trust, respect, confidence of the people of the state.”*
- *“No code of conduct, however comprehensive can anticipate all situations”*
- *“Laws and regulations regarding ethical responsibilities cannot legislate morality.”*



NCSL

NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

Getting Guidance

- Apply legal and rule guidelines.
- Know your personal and legislative values.
- Get advice from a trusted advisor: staff attorney, colleague, spouse, friend.
- Look for on-the-job lessons.
- Anticipate ethical hot spots.



NCSL

NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

When Faced with an Ethical Dilemma...

- Recognize there is an ethical issue.
- Gather facts and define the problem.
- Can rules or laws solve it?
- If not, what values conflict?
- Analyze your options.
- Act.
- Reflect.



NCSL

NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

Civility

93%

Civility has reached crisis levels

- KRC Research for DC based Weber Shandwick and Powell Tate



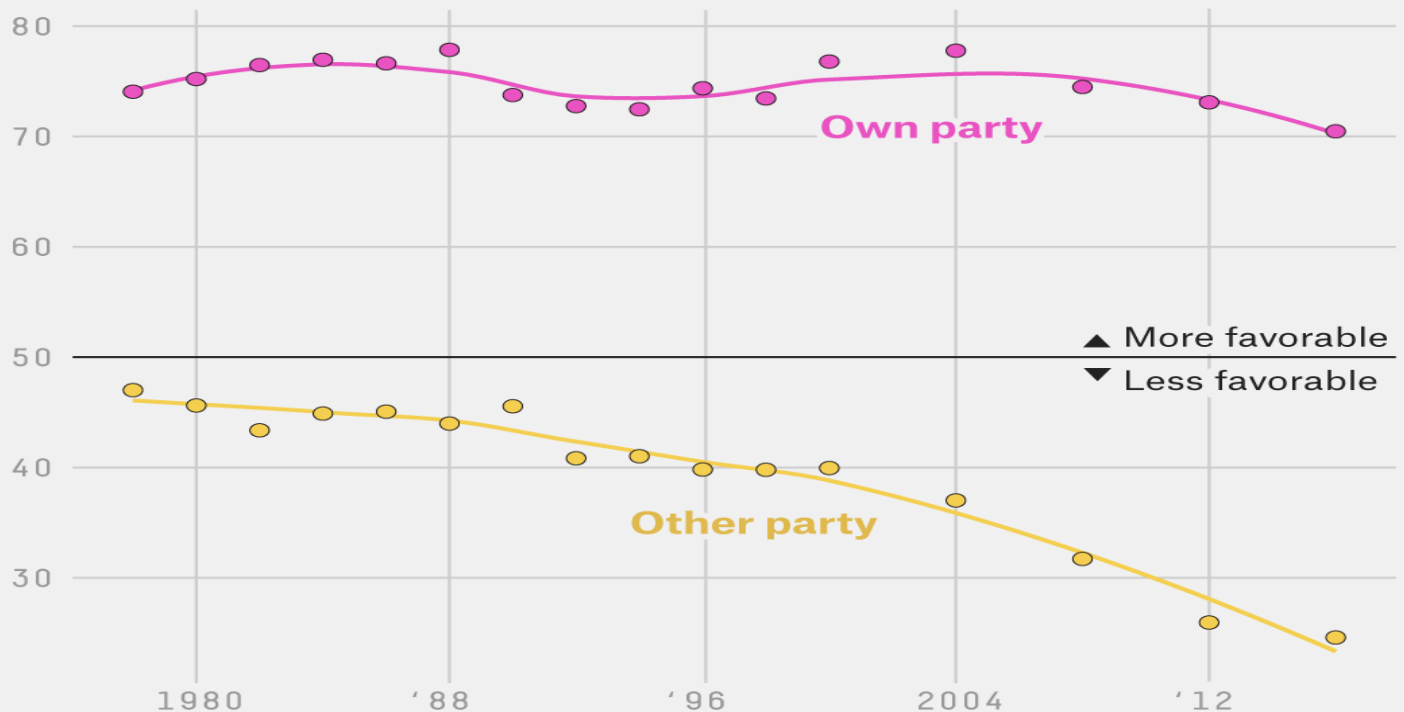
NCSL

NATIONAL CONFERENCE OF STATE LEGISLATURES

The Forum for America's Ideas

Americans really don't like the other party

How "favorable and warm" respondents rated their feelings toward their own and the other political party, on a scale of 0 to 100



Respondents who identified as members of neither party were not included in the average.

FiveThirtyEight

SOURCES: BOXELL, GENTZKOW, SHAPIRO



110 Rules of Civility & Decent Behavior

- Rule 1 – Every action done in company, ought to be with some sign of respect, to those that are present.
- Rule 49 – Use no reproachful language against anyone neither curse nor revile.
- Rule 110 – Labor to keep alive in your breast that little spark of celestial fire called conscience.
- Author???
 - George Washington, age 16



NCSL

NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

One definition...

“Civility is about more than politeness, although politeness is a necessary first step.

It is about disagreeing without disrespect,

Seeking common ground as a starting point for dialogue about differences,

Listening past one’s preconceptions, and teaching others to do the same.

Civility is the hard work of staying present even with those with whom we have a deep-rooted and fierce disagreements.”

Institute for Civility in Government



NCSL

NATIONAL CONFERENCE *of* STATE LEGISLATURES

The Forum for America's Ideas

Pew Research Center

- The number of citizens with consistently liberal or consistently conservative views has doubled in the last two decades, as has the number of partisans who believe that the other political party actually threatens the nation's well-being.
- We will treat each other differently based on our beliefs.



NCSL

NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

An Unlikely Friendship

- <https://www.youtube.com/watch?v=4dMMCVfK>
[P9s](#)



NCSL

NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

Video Quotes

- “What surprised me was his humanity”
- “Disagree without being disagreeable”
- “We can fight the good fight in the court of public opinion without hurting each other; when we hurt each other, we hurt ourselves”
- “Didn’t change my beliefs, but did change my approach”



NCSL

NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

Your Thoughts?

- Think of someone or some group with whom you have a strong disagreement. (who's your Donna or Bob?)
- Think of 2 things you can do to “bridge the gap”
- When will you do that?
- Good luck!



NCSL

NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

IOWA, PASSINGS

PASSINGS: Former One Iowa leader Donna Red Wing





NCSL

NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

Watching Red Wing in action, I learned three important lessons.

- First, try to see someone's humanity before you see their identity. The more threatened we feel by others' opposing beliefs, the easier it is to justify treating them badly.
 - Second, your political opponent is not your enemy. This is the difference between someone with whom you disagree and someone with whom you are actively hostile.
 - Finally, no matter our differences, we can work toward finding common ground.
- Carol Spaulding-Kruse, Des Moines Register**



NCSL

NATIONAL CONFERENCE *of* STATE LEGISLATURES

The Forum for America's Ideas

- “I’m deeply grieved that my friend is now gone from this world,” Bob says, “but I hope her example of reaching out will challenge others to do the same. I hope it challenges me. I want our commitment to restoring civil dialogue in America to continue as the lasting legacy of the day Donna Red Wing invited me for coffee.”
 - Bob Vander Platts, The Family Leader



NCSL

NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas





NCSL

NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

Rules of Civil Engagement

- Do not interrupt or speak over a colleague when speaking
- Do not allow legitimate critique of policy and practice to become a personal attack
- Recognize that your colleagues were also hired just like you and deserve respect
- Do not ridicule or belittle someone simply because they disagree with you on an issue



NCSL

NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

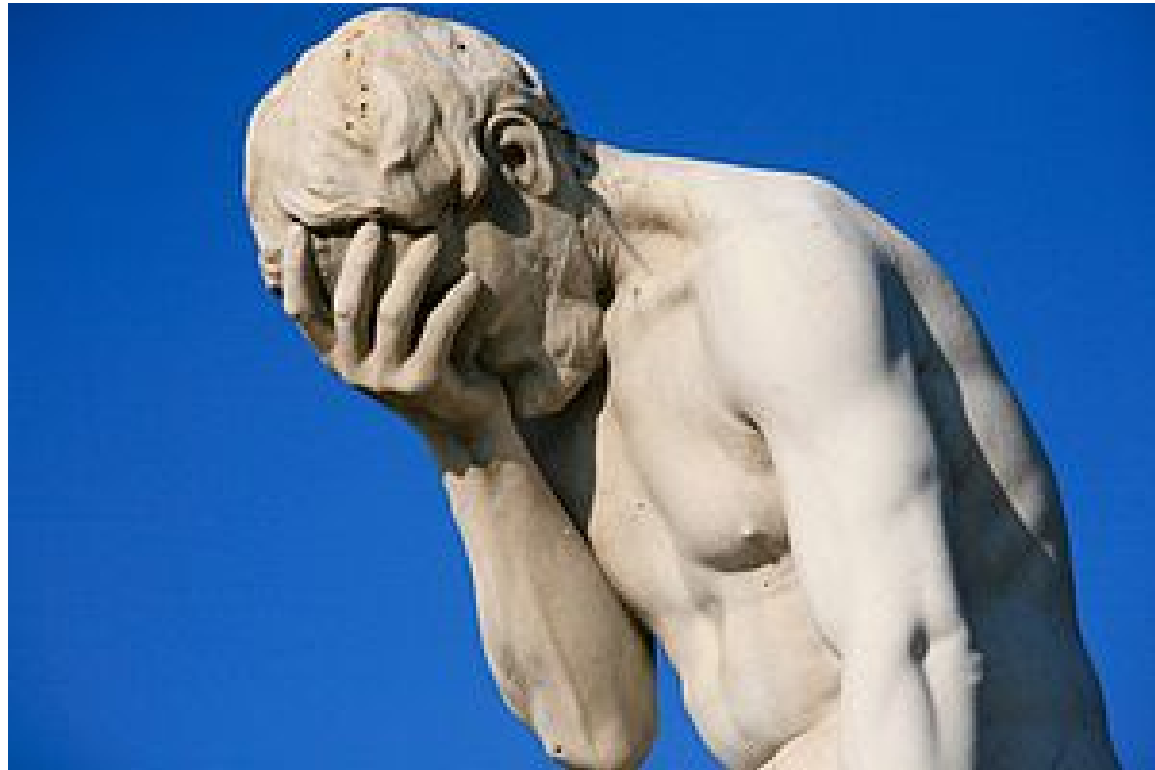
One last tip - when things go wrong

■ Controversial comments

- Address comment
- Offline contact
- Discuss resolution
- Explanation

■ Issue Apology

- Do it quickly
- Be respectful
- "I'm sorry."





NCSL

NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

A word about failure...

- **Babe Ruth**

- 714 home runs!!! (3rd all time best)
- Strikeouts?
- 1,330 – (most strikeouts record at that time)
- We all fail!
- Key is to keep trying!

[This Photo](#) by Unknown Author is licensed under [CC BY-NC-ND](#)





NCSL

NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

Commitment

- Learn and Commit:
One thing you will do
to ensure a values-
based workplace.



[This Photo](#) by Unknown Author is licensed under [CC BY](#)

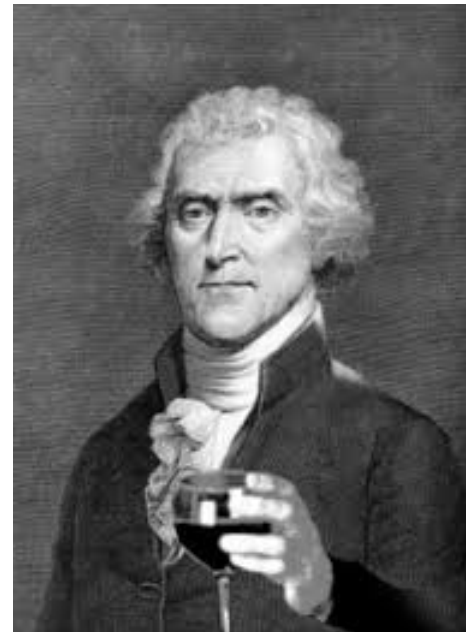


NCSL

NATIONAL CONFERENCE *of* STATE LEGISLATURES

The Forum for America's Ideas

- "I am sure that in estimating every man's value either in private or public life, a pure integrity is the quality we take first into calculation, and that learning and talents are only the second." -
-Thomas Jefferson





NCSL

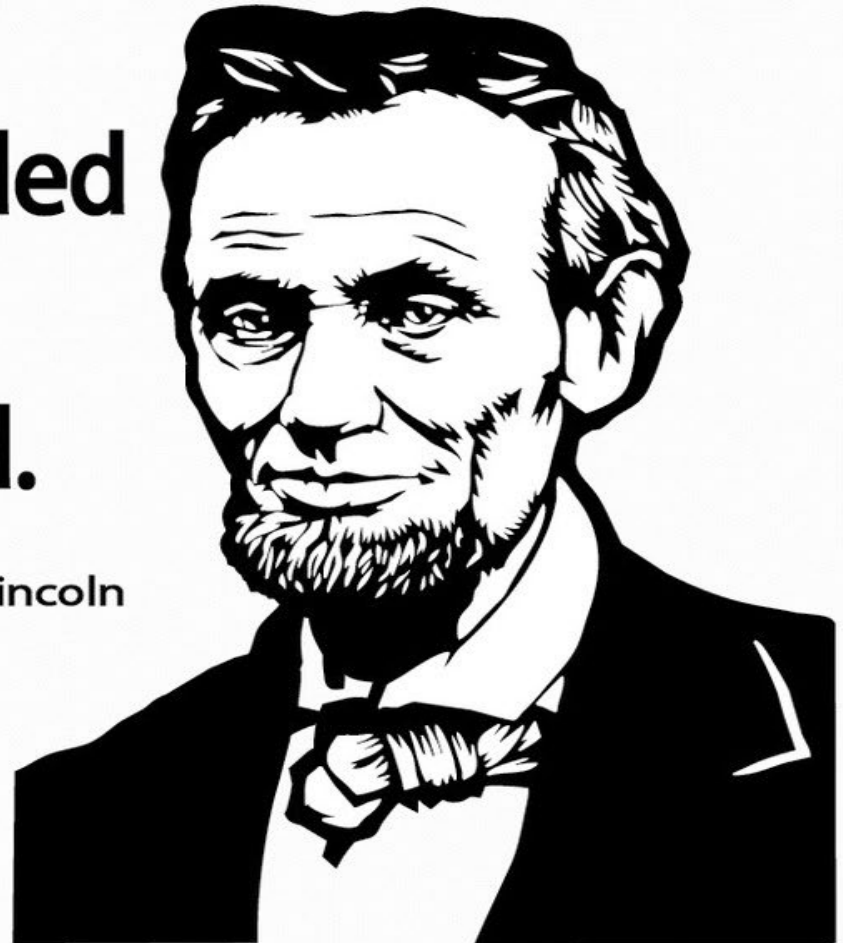
NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

Civility...pass it on

**A house divided
against itself
cannot stand.**

Abraham Lincoln





NCSL
NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

Do values matter?





NCSL

NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

THANK YOU!

- NCSL is committed to the success of all legislators and staff.
- **Contact us at Ncsl.org**
 - Mark.quiner@ncsl.org