

BAR BULLETIN



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‘Can’t We All Just Get Along?’

By Larry G. Johnson

In my December 2016 Bar Bulletin article, I asked, “America, Is It Time for a Divorce?”¹ I suggested that a state’s secession from the Union, such as CalExit, might not be a bad idea, given the deep political divisions in this country. But in light of recent events, now I need to ask, “Does America need an intervention?”

Mass hysteria across the entire political spectrum seems to be on the rise. Emblematic of that is today’s headlined story as this is being written about a prominently pictured “comedian” holding up a mock, severed head of Donald Trump. She is now holding a press conference, blaming Trump for “bullying” and “ruining” her life. Yet, victim though she claims to be, she will “continue to make jokes” about the president.

And not so long ago, Trump faced angry gatherings of supporters who chanted, “Lock ‘er up! Lock ‘er up!” with the sort of verve reminiscent of a lynching. Instead of admonishing the crowd about the meaning of due process of law, Trump just gloried in the moment and smiled.

In Texas, two legislators on the state House floor, a Democrat and a Republican, got into a heated argument that ended in a scuffle and an exchange of death threats.² I have no doubt you could point to similar excesses repeatedly replayed in the media’s wallowing in the blood sport that politics has become. Name calling, wild conspiracy theories and condoned acts of violence are drowning out civility and reason.³

Mass media feed off this stuff. Cable outlets such as Fox News, CNN and MSNBC have departed from reporting the news and become forums for sensationalist, cheer-leading entertainment. Gone

forever are the days when almost everyone believed Walter Cronkite every evening, when he signed off his CBS News broadcast with: “And that’s the way it is.” Cronkite was the way it was.⁴

How Did We Get Here?

You could argue we were a divided nation from the very start. Gross social and economic inequities were institutionalized in the name of revolution. America was born in an environment dominated by a few wealthy, white landowners who were the only ones allowed to vote or hold office.

They created a government that excluded slaves and women, as well as many insufficiently propertied laborers, farmers, shopkeepers and indentured servants. It is often overlooked that the Revolutionary War was essentially a civil war between rebels and loyalists. As many as one-third of the colonists supported the English motherland, and thousands of Tories had to flee to Canada to avoid retribution and reprisals.⁵

The Civil War only superficially ended bitter North-South divisions. To this day, the South remains a fairly consistent and persistent conservative voting bloc — first for decades as Jim Crow Democrats/Dixiecrats and now as a Republican centerpiece in Trump’s political base.

Maybe Our DNA Is To Blame

But we need to look deeper, beyond our history. What if all the current, partisan craziness is hard-wired in our genes, coming to the fore now as we become more crowded together and grouchier, and ready access to instant information shrinks geographic gaps? Are we paying a price now because our DNA favored tribalism for eons as a survival strategy?

Perhaps we are stuck in hunter-gatherer bodies that are now ill-equipped for an exponentially changing civilization.

While watching a Seahawks game on TV I had an epiphany: Look at those fans — their faces greased over with war paint in Seahawks colors; their dyed, werewolf hair; their screaming and jumping around like crazed apes. How different, really, are these sports fans from the stolid burghers whom Hitler managed to stir into frenzies of mass hysteria? The appeal is the same to a tribalism that lurks right at the surface. Aren’t our politicians (for power) and news media (for ratings) feeding and stoking similar kinds of tribal responses?

What if our true biological identity is not as individuals, but rather as parts of a super-organism with its own overriding logic, its own agenda? Maybe we are not at all unlike ant colonies, subservient to the bigger whole.

Maybe we are hopelessly hard-wired to morph from time to time into lemming-like creatures destined to inevitable self-destruction; destined for endless war.

An “ADR-like” Hope

If we are doomed by our biology, then we are doomed. But that is uncertain and nothing useful comes from surrendering to defeat. The existentialist in me says: Even if you don’t believe you can change things, take the courage to pretend you can. Perhaps the pretending will make it so.

I choose to believe we lawyers have a special mission to use our skills to reduce human conflict, because we have the training and experience to do so. The big success story of our profession, in my opinion, has been alternative dispute resolution, especially mediation. It

works in the vast majority of cases once people are brought to understand how they can benefit from it, and how there is wisdom in not getting 100 percent of what you want. Parties in mediation get the satisfaction of being active participants in resolving their own problems.

Simple Small Steps

To bridge the partisan divide, we can start with ourselves. When is the last time you had a calm conversation with somebody whose opinions you don't agree with? How many people do you even know who have opinions contrary to yours? When was the last time you said, "I think you're right, I was wrong, you changed my mind."

Are you capable of changing your mind?

In March, a group of people with opposing political views decided to get together to open a respectful and open-minded dialog. Twenty King County progressives took a 10-hour road trip to Sherman County in eastern Oregon — Trump country. They wanted to understand how anybody could have wanted to vote for Trump.

Just like parties who agree to mediate their differences rather than litigate, these folks promised to listen to each other respectfully and make an effort to

see things from the other side's point of view. After spending time together, they reportedly gained new insights and a greater tolerance for differing views; they plan to meet again.⁶ What a creative, yet simple thing to do.

A friend of mine, Fred Noland (a past president of the King County Bar Association), recalls a moment during the Cold War when he was tired of all the hostile rhetoric between the Soviets and U.S. politicians. He was frustrated and felt he had to do something on his own, even if it was something modest. He decided to organize with others the development of peace parks in the sister cities of Tashkent and Seattle, and to use those projects to get people from both cities to meet each other.

Fred told me, "I just wanted people to meet and get to know each other, to see themselves as ordinary human beings with the same hopes and needs, people sharing more in their common humanity than the differences dividing them created by the politicians." He is now active in promoting a similar people-to-people, sister cities program between the Iranian city of Isfahan and Seattle.

From such butterfly effects of good will can come ... who knows what, maybe miracles.

I have started a much less ambitious

journey toward moderation by turning off the cable channels. Instead, I tune in to foreign news sources. I was quite surprised by what all is actually happening in the world once I made that switch. ■

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¹ <https://www.kcba.org/kcba/newsevents/barbulletin/BView.aspx?Month=12&Year=2016&AID=article13.htm>

² See <http://www.zerohedge.com/news/2017-05-30/texas-democrat-threatens-kill-republican-legislative-floor-after-be-called-ice-prote>. Each alleged combatant claimed only the other guy made the death threat.

³ It is beyond irony that some on the left, in "resisting" Trump "fascism," themselves resort to thuggish, fascist methods. See "The Roots of Left-Wing Violence," <http://www.nationalreview.com/article/448275/antifa-protest-donald-trump-roots-left-wing-political-violence>.

⁴ For those who remember Cronkite, here is a short, nostalgic video where he explains the origin and popularity of his famous sign-off tagline: <https://www.youtube.com/watch?v=NOa4sg2W0EQ>.

⁵ For further reading on this topic, see *Tories: Fighting for the King in America's First Civil War*, by Thomas B. Allen.

⁶ For the whole story, go to <https://theevergrey.com/took-10-hour-road-trip-cross-political-divide-heres-happened/>.