



## The Sutherland Difference

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Delivered at The Sutherland Institute Inaugural Event  
Grand America Hotel, Salt Lake City, Utah  
January 21, 2004

Thanks, folks, for staying around this long. It's been a long evening and we appreciate it. We hope that you've gained something from having been here, besides a free meal. I will abbreviate my remarks, but there are a few things that should be said since this might be the last time that any of you see me or come to a Sutherland event – who knows? I do want to thank Bill Crim and Dani Eyer. I count them as my friends.

As you can tell, I am fortunate to work with and associate with many fine people. Much of what we have learned that now shapes Sutherland has come from decades of combined experience in politics, public policy, law and business. In addition, some of what we have learned has come from this very difficult process of organizational soul-searching, probably not unfamiliar to most of you in your work – things that you have to go through, regularly. We all have to look in the mirror, time and again.

In the few minutes remaining I have here, I just want to summarize what difference I think we will make for Utah. Call it a new ethos or new corporate culture or whatever. I call it the Sutherland Difference.

First, I know we will make a difference in public discourse. We feel confident that we understand the transcendent value of balance, or equilibrium, in the marketplace of ideas. The traditional marketplace is no stranger to this concept; in fact, many of us are so familiar with it that we assume that the marketplace of ideas operates optimally in the same way.

But the truth is that the traditional marketplace and the marketplace of ideas do not operate optimally in the same manner. While both marketplaces are in a constant state of flux, equilibrium in the traditional marketplace occurs once the dust has settled – it's a big fight with the last man standing being the winner, and then, after wounds have healed, more fighting to create a new equilibrium, and so on and so on.

In contrast, for the marketplace of ideas to operate optimally, equilibrium must occur even before the dust has been kicked up. In this case, balance or

equilibrium is a complete and clear understanding of what is at issue, what is at stake, and what all others have to say about it.

Real and lasting value within our democratic processes only will occur as this balance is imposed on the front end of these processes. Our new approach at the Institute is to facilitate this sort of discipline on the public discourse. We will insist as an organization that understanding others is the first prerequisite to a constructive dialogue; that is, that understanding others is more important than persuading others. Persuading will come, but it will come naturally.

Next, I know we will make a difference in improving education, in lifting people to self-reliance, and in strengthening families. We feel confident that we understand the transcendent value of lasting solutions. That's all we're concerned about, now, as an Institute. But what does that really mean? We all know what political solutions look like. But what does a lasting solution look like?

In its depth and richness, a lasting solution does not view conflicting perspectives as mutually exclusive combatants. In this view, rather than being a negative source of energy, conflicting perspectives complement each other. They strengthen each other. One perspective will be better because of the other perspective. A lasting solution seeks to obtain a balance among conflicting perspectives and embraces the good in any one and all of them.

Let me be more specific in how I think about this. Clearly, as we look at public education, public schools add value to Utah. So much of our society depends on them to meet a multitude of social, emotional, communal, and economic demands. For many Utah families, there is no substitute for a vibrant and successful public school system. By the same token, we recognize the added value to Utah of parental interest, involvement, and control of a child's education. There is no greater measure of success in a child's educational experience than the degree to which a parent is involved. Period. Too many parents, unfortunately, disenfranchise themselves of this wonderful opportunity and from this unique responsibility, but it is a double tragedy when our laws and policies discourage this essential and intimate involvement in a child's life.

We must value the good in both perspectives. Public education and educational freedom are not mutually exclusive ideas IF we are open to accepting the added value to Utah that both ideas offer. In this case, a lasting solution in education means that Utah is as committed to educational freedom as it is to providing an exceptional public school system.

Next, I know we will make a difference in our political culture. We feel confident that we understand the transcendent value of true civility. The table booklet placed in front of you is laced with definitions of true civility.

True civility transcends politeness. It is so much more than smiling in defeat and composure in victory. True civility is a way being. It is humane and does not objectify the carrier of a contrary opinion. True civility values humanity. It looks beyond what, is at first glance, threatening and sees a word as a person.

Civility is a term we too easily bandy about. In the coarse world of politics it is drawn like a weapon to disarm and discredit opponents in much the same way other words such as "tolerance" and "unity" are sometimes used. True civility is different. It never can be used against someone. It only can be used on behalf of someone.

I would now turn your attention, now, to the big screen. [Segment from the film, Patton:

Ten hut! (As Reveille is trumpeted, General George F. Patton walks toward the front of a stage with a huge American Flag in the background. He then speaks to a large group of US soldiers): Men, all this stuff you've heard about America not wanting to fight, wanting to stay out of this war, is a lot of horse dung! Americans traditionally love to fight. All real Americans love the sting of battle. When you were kids, you all admired the champion marble-shooter, the fastest runner, the big-league ball players, the toughest boxers. Americans love a winner and will not tolerate a loser. Americans play to win all the time. I wouldn't give a hoot in hell for a man who lost and laughed. That's why Americans have never lost –and will never lose – a war because the very thought of losing is hateful to Americans.]

OK. Have any of you met this person? Have any of you elected officials been lobbied by this person? Do they work for you? Is he the volunteer from hell – for you community organizations?

My favorite football coach of all-time is best known for the expression, "Winning isn't everything, it's the only thing." Almost echoing the previous caricature of General Patton, the legendary coach Lombardi also said, "It is and always has been an American zeal to be first in anything we do, and to win, and to win, and to win."

Candidates for office do not run to lose. Clients do not hire attorneys to lose. Politics as usual is a zero-sum game, meaning that there are winners and losers and only winners and losers. The mere fact that we refer to "the game of politics" and the "battleground of the courtroom" attests to this fact.

Historically speaking, neither General Patton nor Coach Lombardi were humble men. In fact, any person whose sole objective is winning cannot possibly be a

humble person.

While I want my General Patton to win his wars, and while I want my Coach Lombardi to win his games, I want my elected officials to govern. And while winning in politics has much to do with position, power, and ego, winning has very little to do with governing.

In his fascinating book about the moral life in concentration camps, Jewish author Tzvetan Todorov writes that,

War is not the continuation of peace by other means.... After the Second World War, Churchill and De Gaulle were no longer needed; left in power, they might have become dangerous. In normal times, democracy does quite well without these "great men." As Brecht's Galileo says in a burst of true democratic spirit, "Woe to the country that needs heroes."

And I might add, woe to a democracy that only views the world in terms of winners and losers.

So, allow me to repeat, winning has very little to do with governing.

But how can that be? It sounds so counterintuitive. Certainly you have to be able to win something to govern a state like Utah.

Then again, in a vibrant democracy, maybe not. And this is one last area I will mention tonight in which I know Sutherland will make a difference. We feel confident that we understand the transcendent value of moving beyond politics as usual.

This understanding is derived from the most significant political event to ever occur in the history of mankind: the Constitutional Convention of 1787.

This model for a lasting solution, rarely experienced in America since those days, is what we must turn to here in Utah if we are committed to a good and prosperous future. If all we ever focus on in our democratic processes is winning, we will fail to govern effectively. If we ignore lasting solutions and focus only on temporary political solutions we will fail our children and grandchildren.

I, for one, am tired of this "winning ethos" and egotistical ideas of some sort of a ruling class among us. We are now ready to help cultivate a true governing class of citizens serious about the best interests of Utah's future and serious about implementing good public policy based on sound principles of good government.

Much of what I have said here, and much of what you have heard tonight, might

seem idealistic to many of you. Some of you might even remain cynical and distrustful of what you have heard. So be it.

We have asked you here tonight to do more than listen to our messages. We sincerely hope that perhaps even just one of our messages has resonated with you; that you, too, might be tired of politics as usual. Perhaps you have heard something very familiar tonight – an echoing of your own hearts and minds.

At your tables, like Jim Jenkins mentioned, are cards. These cards represent many things. For elected officials here tonight, the card with the facsimile of a \$20 bill represents our commitment to you, to serve you personally and to assist you in becoming the best and brightest public servants you can be. I kind of liked Senator Ron Allen's comment in the newspaper article yesterday, when hearing about this program. He would call the participants "SLU's" – smart like us – that's OK with me. That's alright. I want to be smart and I hope elected officials want to be smart, too. I emailed Ron and thanked him and I also asked him what I should say tonight. I won't tell you what he said, but I've already said it. So, we need you in this effort. If you are an elected official and you have an interest in having this ethos that we've described tonight as a part of your professional development, please take a moment and fill out the card before you go.

For our businessmen and women here tonight, the card with the facsimile of a \$100 bill, that Jim alluded to, represents our commitment to serve you and to assist you in focusing and optimizing your time and resources to make Utah a better place to live. We call that effort our Club of 100. You, you businessmen and women, are key to the future of Utah. That card before you is your gateway to influencing law and politics in the right ways and for the right reasons.

For our community leaders present, you who already make great sacrifices for the betterment of the community around you, the card with the facsimile of a blank check represents our commitment to serve you and to partner with you to help find lasting solutions to the community problems you feel most strongly about. This effort is expressed through our new Community Solutions Councils program. So, if you're in that, if anything tonight has struck a chord, please take time to fill that out. Please let us know right now if you are interested in this effort.

This has been a very special night for us at Sutherland. And, hopefully, it will have been a very historic night for Utah. Perhaps this night will become known as the beginning of the end of politics as usual.

We appreciate your attendance, and we look forward to talking with each of you in the near future. Thank you very much for coming.

