

# A matter of censorship (11)

The Bethlehem Gadfly City government, Gadfly's posts, Serious Issues January 14, 2019

*(11th in a series of posts on City Government)*

To begin:

Two things, not unrelated, as you will see.

- 1) Socrates died a premature death.
- 2) President Waldron has a soft gavel.

The second point gives me hope that this gadfly will not suffer the fate of the first point.

President Waldron has a “clement” gavel. “Clement” was the Merriam-Webster “word-of-the-day” on Saturday. I never thought I’d use it. But it’s appropriate here. President Waldron has a clement gavel.

The rules for public comment are made by City Council. And they have been different at different times. The public over the years has been allowed 12 minutes, 2 minutes, unlimited time – and now 5 minutes. There is a timer. Those of you “attending” your first Council meeting via the video now and henceforth available (or the live feed soon) will see a timer in front of President Waldron facing the speaker’s podium. Speakers can see their time dashing to zero. “Like sands through the hourglass, so are the days of our lives.” Sigh. But President Waldron has a soft, clement gavel. He does not gavel the wind demons like me-self precisely at the mark of doom. He prompts conclusion, and most times we obediently gallop to conclusion.

We the public are grateful for President Waldron’s soft gavel.

Apparently, that soft gavel has been criticized lately, and President Waldron felt compelled to clarify his position at the January 2 meeting, transitioning so quickly from his annual report that his clarification almost seemed part of his annual report. The key line in his position statement seemed to be “There’s been calls for me to gavel down other members of Council when they are speaking.” Some people are asking for a harder gavel.

As always, let's go to the primary source: <https://youtu.be/RptHNnGbetk>

*I also want to make a couple general remarks which I'm sure some other members of council will want to jump in on once we get to new business about some of the accusations of some of the rules of Robert's Rules, and my opinion on that. I spoke to Mr. Spirk about it, and I went back and did some research on some of the minutes and some of the things that were said by members of council and by members of the public, and I just don't see a lot there as far as violation of Robert's Rules. Personal attacks, I think, is a term getting thrown around for political reasons. I think there's a healthy debate, and I think there's respect for each another on Council. We may not agree with each other, and that's fine, and that comes down to the vote some times, and I like to think they we can move forward professionally.*

*But I think there is a decorum here, and I don't think that there has been a lack of professionalism. There's been calls for me to gavel down other members of Council when they are speaking, and I don't see myself doing that in 2019. I think that the First Amendment is strong and well in this room, and I have great respect for it to the point that I respect it over Robert's Rules. I think that people should have the ability to speak their mind as long as they are doing it in a respectful way, and I think that disagreement is good because it shows different points of view and perspectives.*

*Again, you may not agree with that assessment, and you might think that we should follow Robert's Rules to the "T," but my view is that we should be able to have a positive conversation in which we respectfully disagree with each other. That is not prone to personal attacks just because we use each other's names. That doesn't mean that it is a personal attack. It's just a differing of opinion. . . . I give great respect to Robert's Rules, but I think the First Amendment, as Mr. Spirk would agree, in court rulings is that the First Amendment will trump Robert's Rules any day of the week. So if you want to point to Robert's Rules and say these are the rules we are supposed to be following, I do respect those, however, I think that a healthy dialog starts with the ability to express yourself, and if you don't like what someone else is saying, I don't think censoring their speech is the right thing. I think topping it with better speech, more accurate, or a different point of view is a fine*

*thing to do, just like Mr. Antalics and I did this evening. And we can respectfully disagree on a different point of view, but that's part of the process, I think.*

Respectfully, this gadfly thinks that in this statement President Waldron blurs the distinction between “decorum” and “censorship.”

Gadfly is not a lawyer (just plays one – as the joke goes – on this blog), but censorship relates more to the elimination of content, of material, of ideas, of subject matter, whereas decorum relates to presentation, conduct, style, attitude, civility, propriety, decency, politeness, taste.

If people are asking President Waldron to gavel down others on Council for what they are saying, they are asking for censorship, and that's a violation of the First Amendment, and they are wrong, and President Waldron should forcefully resist such calls.

But that is not what I and others who have spoken to me had in mind. This gadfly was asking for decorum. To use President Waldron's own terms, this gadfly felt the instance he used in post 9 as an example was a personal attack, did not advance healthy debate, did not show respect for another, was not professional, was not positive conversation, was not respectful disagreement.

And this gadfly was not suggesting censorship of any individual but was suggesting reviewing the principles of decorum with the entire Council.

This gadfly thought CW Van Wirt got the distinction right when she said, “people are confusing First Amendment rights with an agreement to follow Robert's Rules of Order in a parliamentary procedure. You can say whatever you want but keep it within Robert's Rules. It's not a way of editing speech, it's a way of containing it so it doesn't involve personal attacks so that we don't get bogged down in personalities and stuff like that. The things that I'm asking that we follow are that we keep our speeches at 10 minutes each, we have no personal attacks, saying “you” don't understand something, or “you” this – that's what Robert's Rules of Order are about in terms of conduct.”

Decorum not censorship.