

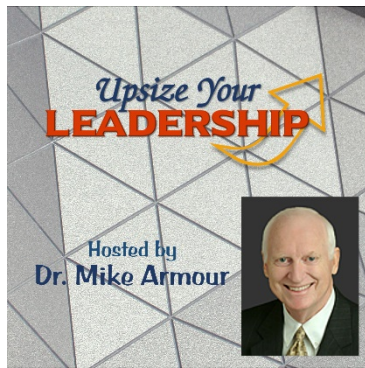
But That's Not Fair

Leading in a Polarized Culture

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Today we're going to talk about a great divide in American social and political life. We see it play out every day. And it has a direct impact on the expectations of leaders and how they are judged.

And the divide is rooted in one of the most fundamental drives of our human nature, our desire for things to be fair.

So far as we know, humans are the only creatures on this planet who have a sense of fair play. And it shows up early in childhood, seemingly without prompting. Almost as soon as children begin to speak well, they start protesting parental decisions or directives which they judge to be unfair. This is

especially true if there are siblings of similar ages in the household. When one sibling gets a privilege and the other does not, the second sibling will sound the loud protest. "But that's not fair." And when several children play together, it's a pretty good bet that, sooner or later, one will complain that the others are not playing fair.

Nor do children outgrow this. When they become teenagers, they find plenty of occasions to argue with parents or teachers that rules and limitations imposed on them are not fair. Little wonder, then, that in our hearts as adults, the issue of fairness strikes a resonant and even emotional chord.

For example, almost every reform movement in the history of politics and society has united its adherents around the battle cry, "It's not fair!" Demagogues are especially accomplished at stirring up resentment of people, institutions, or practices which they accuse of being unfair.

As a result, leaders lose credibility if they are perceived as being grossly unfair. It's seen as a flaw in their character. And few attacks on leaders are more damaging than assaults on their character. When I coach senior executives, whether in huge organizations or smaller ones, they frequently lament that on controversial issues, no matter what they decide, one party or the other will label the decision unfair. They struggle to understand why it's so difficult to find universal agreement on what makes for a fair play.

So, let's explore that question for a few minutes, shall we? And the place to begin, I believe, is to examine the fundamental notion of what makes something fair. As I see it, there are two fundamental ways to make that assessment. One is to determine fairness by evaluating the outcome. The other is to determine fairness by evaluating the process which led to the outcome.

In the first case we are asking whether the result was fair. In the second we are asking whether the process was fair.

Let me cite some examples. About 15 years ago I worked for several months with the Ministry of Health in Ukraine to mitigate an outcome which was patently unfair in its results. To isolate the issue, I need to give you some background.

Major cities in Russia and Ukraine have very high curbs along their main thoroughfares. When the spring thaw occurs and millions of gallons of melting snow flow into the streets, the high curbs are necessary to channel the runoff. In these same cities, most people live in apartment buildings, many of which have no elevators. And existing elevators are often so small that they are snug, even for a single passenger. In addition, doorways into many buildings are quite narrow to limit the intrusion of cold air during the bitter winters.

Now, consider what happens in this environment when someone suffers a crippling back injury, leaving the person wheelchair-bound for life. Even if these men and women can afford a wheelchair (which many cannot), it does them no good if they live above the first floor of their apartment building. They can't ride the wheelchair up and down what are inevitably steep stairways. And there's a good likelihood that the wheelchair won't fit into the elevator.

In addition, when people in wheelchairs are able to make it out of their building, they face the constant challenge of high street curbs which block their movement. And when they prepare to enter a store, the doorway may be too narrow for the wheelchair.

As a result, once people sustain any illness or injury which confines them to a wheelchair, their career and social life effectively end. They are trapped in their apartment for the rest of their lives. This problem is so huge that many people I've talked to in Ukraine don't think there are many crippled people in their country, because on the streets and in businesses, you never see anyone in a wheelchair.

In fact, I will never forget a question posed to me by a very bright young man from Russia with whom I traveled widely in the U.S. for two weeks. One day, while waiting for a flight, he was looking around the airport and noticed passengers being transported to their gate in wheelchairs. He turned to me and asked, "Why are there so many crippled people in your country?" When I replied that our rate of disabilities was no greater than in his own country, he looked at me in disbelief. "Why do you say that?" he asked. "You never see people in wheelchairs where I live."

What these facts point to is an outcome which is genuinely unfair. When injuries or illness take away personal mobility, one effectively loses his or her occupation and a meaningful social life. That's completely unfair, by anyone's standard.

Now, no one set out to design a system which was unfair. It just happened that as buildings were erected with limited funding and streets were designed to handle heavy runoff, those in wheelchairs were put in an untenable position.

Incidentally, my project with the Ministry of Health was not aimed at removing these impediments to movement. The price tag would have been impossible for a struggling economy like Ukraine's. Rather, our focus was on minimizing the number of people subjected to this outcome by improving rehabilitation programs which would reduce the number of people made immobile by spinal injuries.

I believe that you would concur that the situation which I've just described is a clear case of an unfair outcome. Now let me cite an example of something which we would consider unfair due to the process behind it.

On several occasions during my years of coaching, I've become aware of a new product or service which a client company was about to announce and which would probably trigger a sharp jump in their stock price. I could have used that information to buy a block of stock, then made a windfall profit once the announcement pushed stock prices up. To do so, however, I would violate laws against insider trading.

As a nation, we have general agreement that buying and selling of stocks should be done fairly. And a process which gives financial benefit to people with insider knowledge is considered inherently unfair, whatever its results. I might buy the stock, only to see the price stay flat in spite of the announcement. In such a case, I would be no better off than any other investor. But the outcome, in this instance, is not the issue. The issue is the process. Because the process itself is unfair, separate and apart from the outcome, my action would violate the law.

So, where does this discussion of street curbs in Ukraine and insider-trading curbs in the U.S. take us? To this observation. One of the fundamental reasons that American political and corporate cultures are so polarized at present is that division is deep – very deep – with regard to what constitutes fairness.

On one side of the divide is a view which says that the primary criterion in fairness is whether the process is fair. Does the process provide equal opportunities for everyone to participate in the process or to benefit from it? If the process helps some more than others, that's a concern, but a secondary one. The primary concern is to see that the process is fair.

Those who hold this view, I should add, are not so naïve as to believe that any process is perfect. They know that unforeseen consequences may ensue, causing unintended harm to given interests. They therefore support efforts to mitigate this harm, particularly when it is serious.

Over against those who determine fairness by evaluating the process are those for whom the outcome, not the process, is the primary criterion. Was the result equitable? Did the outcome benefit everyone somewhat equally? If not, according to this outlook, the process should be ignored and some other process should be instated which will assure a more balanced outcome. Notice that this view does not say that the current process should be maintained until such time as a better process can replace it. Rather, it sets aside the existing process immediately.

Generally speaking, the line between conservatives and liberals in the U.S. follows this divide over fairness. To illustrate this divide, let me flirt with danger by touching briefly on matters political. One of the biggest bones of contention between conservatives and liberals is immigration policy. It has been a contentious issue for years.

Conservatives argue that immigration policies should be set by laws passed through Constitutional processes and enforced equally whenever any non-citizen wants to enter the country. Should even-handed enforcement of the law result in some grave injustice to a person or group of people, conservatives are open to remedies, but again, remedies arrived at through a fair process. If experience indicates that existing law is creating an excessive number of grave

injustices, conservatives are open to amending the law, but here, too, they want to follow the Constitutional process for changing it.

On the other hand, the view among liberals is quite different. If immigration laws lead to what they consider unfair results, liberals generally favor ignoring the law and rejecting any effort to enforce it. The outcome, in their judgment, is so unfair that it makes the underlying process illegitimate. And the solution for an illegitimate process is not to replace it with a better law, but to set it aside altogether. As a result, liberals voice no major objection when judges vacate immigration policies established by law and replace them with processes imposed by the court.

I know that I've ventured into hazardous territory by talking about immigration policy. The emotions on both sides of this issue run strong and deep. For that very reason, however, the issue brings to the fore these opposing views of what constitutes fairness. But just below the surface, we can find the same contrast running through dozens of other political and social issues. Both sides claim that they want what's fair. But when we peel back the resulting controversy, what we see is this fundamental difference over whether fairness is found first and foremost in the process or the results.

Racial tensions in America are playing out along these same lines. As a college student and young adult, I took a vocal role in combatting racism and segregation in all aspects of American life. The catchword of the day was "equality." We wanted equality for everyone, regardless of race. Equality, however, was defined in terms of process. Equal access to schools. Equal access to jobs. Equal access to the political arena. Everyone ought to be on an even playing field, we thought.

But in recent years, we hear less and less about equality of access as the remedy for racial issues, but we hear extensive talk about equity of outcomes. Equality and equity are two different concepts. Equity focuses on whether everyone got a balanced portion of the outcome.

The equal rights movement had to do with process. The equity movement has to do with outcomes. These are distinctly different ways of determining the degree to which racism impacts our society.

I bring these issues up, not to take sides on them, but to illustrate how the real divide in our country is less between Republican and Democrat, liberal and conservative, rich and poor than it may appear to be on the surface. The deeper divide is over how to define what's fair and what to do about things judged to be unfair.

I'm personally convinced that the debate on this topic will not go away soon, no matter what efforts are made to unify the nation. And because the debate is unlikely to subside, it will continue to raise challenges for leaders. The divide over fairness cuts its way through corporate and institutional life, just as much as through political life.

Whenever we as organizational or institutional leaders take a stance on substantive internal issues, odds are that someone will raise the question of fairness. They will question the fairness of the process or the fairness of the outcome. For the foreseeable future, I fear, leaders have no choice but to live with this reality.

It will behoove them, however, to take both process and outcomes into serious consideration in reaching a decision. First, leaders must examine themselves and determine which way they lean in the fairness debate – more toward assuring a fair process or more toward assuring an

equitable outcome. Knowing that, they should then put special effort into viewing their decision from the other perspective.

That is, if they are most inclined toward seeing that the process is fair, they need to spend serious time reflecting on how the decision will play out in the eyes of those who measure fairness by outcomes. Conversely, if a leader is most inclined toward outcomes as his or her metric for fairness, time should be given to assuring a process which is as fair as possible. In either case, when leaders announce their decision, they must stress the steps which they took to make both process and outcomes as fair as possible.

Taking both sides of the fairness equation into consideration does not exempt the final decision from criticism. Not by any means, especially in today's polarized climate. But it increases the potential to lower the intensity of any added polarization over the decision.

I'm sure that some listeners would want me to end this podcast by offering concrete ways to replace today's polarization with genuine unity. I wish I could do that. Unfortunately, I possess neither the wisdom nor the proven methodology to disarm the level of polarization with which we now contend.

But it has been my experience that when I understand the inner workings of a challenging situation, that understanding, in and of itself, makes it easier to cope with what I'm facing. And my aim today has not been to provide a solution, but to provide insight. Polarization is not going to evaporate, no matter what we do in the near term. But by understanding the deeper issues at play in polarization, perhaps we can all make better sense of what's going on when we're caught in its crossfire.

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