
Column

Breaking Robert's Rules

Lawrence Susskind

Ending the Reign of *Robert's Rules of Order*

I am a member of a traditional religious community. Like most communities of faith, mine has secular bylaws that govern its operation. And just like any not-for-profit organization, the thirty-year-old bylaws of the congregation to which I belong call for the election of officers, an annual members' meeting, and the appointment of numerous committees. In many respects, the approach to decision making mandated by our bylaws follows the model of a New England town meeting. That is, there is a chair (our elected president), a parliamentarian (selected by the chair), and a requirement that we adhere to *Robert's Rules of Order* in deciding who speaks, what the speaker is allowed to say, and how members can vote.

Eighteen months ago, I was asked by the president of our congregation to cochair a committee to revise our encyclopedic bylaws. I did not anticipate the depth of opposition that we would face as our committee tried to formulate a better method of governance that we thought would be more appropriate to a community of faith. Through our experiences, we learned some important lessons that I believe could be useful to anyone advocating a more consensus-oriented approach to group decision making — in all kinds of organizations.

Robert's Rules of Order was written by a military man more than one-hundred-fifty years ago. Above all, General Robert wanted to be sure that when people gathered to make decisions, order would be maintained.

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He therefore recommended parliamentary procedure, which specifies in strict detail the rules for presenting and voting on proposals. These procedures essentially mandate that the majority rules and make no provision for addressing the concerns of those in the minority, also known as the losers.

These procedures are spelled out in such great detail that only someone well versed in *Robert's Rules* is likely to be familiar with all the permissible procedural maneuvers, and many participants are ignorant of which motions trump other motions. For example, participants may not communicate directly with each other but must direct all their comments to the chairperson.

Although many in our congregation know the rudiments of parliamentary procedure, confusion and discontent often ensue when the rigidity of the process prevents participants from deliberating in the way they might like. When a member seeks to resolve a disagreement by proposing a change to a motion currently under consideration, he or she is often told by the parliamentarian that the question has already been "moved" and no further discussion will be allowed. Thus, parliamentary procedure sometimes straitjackets a group attempt to resolve disagreements.

Why do we view majority rule as the essence of democracy? Would it not be better to find a process that meets almost everyone's interests, rather than upsetting a minority whose members will just bide their time, nurse their grievance, and wait to raise the same issue at a later date? Why should we prize an outcome that displeases up to 49 percent of our community?

With these questions in mind, our bylaws committee proposed to do away with *Robert's Rules* altogether and replace them with a consensus-building approach. We already had some momentum on our side. Most of our committee meetings do not really follow Robert's cumbersome and inflexible rules. Rather, hybrid approaches have evolved, although they are never written down, forcing members at every subsequent meeting to waste time inventing still another hybrid method. At our annual meetings, some exchanges (particularly those concerning controversial issues) are so testy that some members have stopped attending altogether. Many members have told me and other members of the by-law committee privately that we ought to find a way of working together that, at least when it comes to the most important decisions, privileges agreement rather than procedure, outcome as much as process.

So, we reviewed our procedural methods in light of a few core values consistent with our beliefs. We wanted to build trust, especially trust between and among the members and the officers. We wanted to encourage a greater sense of partnership and greater participation by *all* members. And, finally, we wanted to ensure accountability. Consensus building, rather than majority rule, seemed more consistent with these values.

In the proposed redraft of the bylaws that we posted on the congregation's web page, we outlined how consensus building would work. We

called for the appointment of a trained facilitator rather than a parliamentarian to help manage annual meetings and for occasional straw polls to see whether our conversations were leading us closer to consensus. We urged that all decision making “seek unanimity” but “settle for overwhelming agreement” as long as reasonable efforts are made to respond to dissenters. In addition, we proposed modifications to the structure of the board of directors, the budgeting process, and the roles and responsibilities of the professional staff.

A Passionate Opposition

We were unprepared for the vehemence of our opposition. Critical comments began appearing on the web page within hours. How could we deprive the members of the congregation of their “right to vote” and their power to make decisions? Did we not know that consensus building would take too long and lead to bad decisions? A number of people thought that “facilitator” meant “arbitrator” or some other unelected person who would impose her will on the group. Several people said that they really liked “the town meeting model.” Besides, they pointed out, even if the existing process was not ideal, it was *democratic*.

We conducted small group meetings. Several of the most outspoken members of the congregation voiced opposition to the proposed changes. Whenever we pointed out the advantages of consensus building, we met strong resistance. Often, it seemed that people were reacting to the mere suggestion of change itself — the community had managed itself in a certain way for almost thirty years, and some members seemed to feel that any proposed change threatened the well-being of a crucial organization in their lives.

Most of the members had trouble envisioning how an annual meeting with one hundred or more participants could make decisions without voting — especially given the congregation’s history of sharp disagreements over such questions as how to spend money or whom to hire. We argued that most committee meetings, unlike the big annual meeting, were, in fact, conducted informally, without Robert’s Rules, but that these meetings still managed to resolve a great many disagreements. We also pointed out that the new proposed ground rules, if adopted, would signal the congregation’s commitment to solve problems and to not reach agreement until fundamental disputes were resolved.

A Surprising Outcome

As the date of the annual meeting approached, the number of concerned e-mails sent to our bylaws committee increased. Their tone, and the tone of some of the postings to the website, became even more vituperative. In response, the bylaws committee decided to adopt an utterly neutral tone and treat each and every e-mail as an occasion to teach a bit more about the merits and mechanics of consensus building. We posted every exchange on

a communal bulletin board and sent informational fliers (in a question-and-answer format) to every household in the congregation along with an annotated version of the bylaws explaining line-by-line the changes we proposed.

At the last minute, we decided to modify our proposals. We offered to “sunset” the consensus-building provisions, that is, they would remain in effect for only three years. After that, they would disappear unless a vote to make them permanent passed with a two-thirds majority.

Committee members called about sixty households, urging members of the congregation to attend the annual meeting and vote for our proposal. Because our typical attendance is around one hundred and amendments to the existing bylaws require a two-thirds favorable vote, we calculated that seventy votes were needed for our proposal to be ratified.

Attendance was far greater than we anticipated; nearly 160 people showed up at the annual meeting. The proposed bylaw changes were the first item on the agenda. The committee gave a twenty-minute presentation and asked for an up-or-down vote on the whole package of changes. (Many were interrelated and any modification to one would have had ripple effects throughout the thirty-page document.)

The first twenty or so people to speak from the floor urged defeat of the new bylaws. Even the sunset provision did not mollify them. However, someone moved the question — after all, we were still operating under Robert’s Rules. Someone else proposed that the meeting be allowed to vote item-by-item on the proposed changes, but the parliamentarian ruled that the up-or-down vote we proposed must stand. Another member argued in favor of an indefinite delay, a decision to table the motion. Confusion ensued because the question had already been moved. Because the existing bylaws, mandating Robert’s Rules, were in effect, the congregation had no choice but to follow the strained — and often counter-intuitive — logic of parliamentary procedure. In some ways, I think that this even helped to make the case for our proposed changes.

The president called for a vote, although it was not clear that everyone understood exactly what he or she was voting on. The results surprised us: almost 80 percent voted yes! It turned out that almost everyone did indeed want to try the new system.

Lessons Learned

Participants in this process learned a few lessons. We saw that the popularity of an idea could not be accurately determined based on what its loudest critics had to say. The members opposed to the changes had been quite outspoken. They came to every small group meeting, posted multiple comments on the web page, and lined up immediately to speak in opposition at the annual meeting. They included some of the most visible long-time members of the congregation.

These opponents did not, however, speak for the vast and silent majority of the congregation. Newer members, in particular, preferred to be part of a community of shared values, committed to working by consensus rather than to the convoluted political warfare associated with Robert's Rules and parliamentary procedure. Proponents of a shift to consensus building should not be discouraged if they encounter an initial wave of criticism, but they should be prepared for it.

Second, we saw that people may be more willing to accept change and take risks if the change is not necessarily permanent and the risks not necessarily inescapable. In the aftermath of the vote, a number of congregants who were on the fence when they arrived at the meeting told us they were convinced to vote yes by the "sunset clause," which effectively turned the proposed changes into a three-year *experiment*. They were more willing to try it because if they did not like it, they could go back to doing things the old way. The sunset clause placed the burden on those who advocated consensus building to show that it is working. (I will report back to *Negotiation Journal* in three years to tell you what happens.)

Third, we saw the effectiveness of responding to criticism *before* the event. People need time to rethink their initial reactions and to be persuaded "on the merits" before being pressed to take sides in the heat of a contentious meeting.

Anyone proposing a shift to consensus building — in any kind of organization — needs to know that there will be opposition from some participants who are uneasy about change. There will also be those who oppose consensus building because they cannot imagine how it can work, especially in a large group of people whose members' views are sometimes diametrically opposed. Finally, there are participants who will oppose the idea because they know how to use the current system to their advantage. For example, if you are well versed in the ins and outs of Robert's Rules, you can limit debate, eliminate the prospect of reconsidering or revoting on an item that has already been decided, or challenge the legitimacy of proposed amendments to motions that you like.

The story of our bylaws committee convinces me that the best response to these concerns is to follow a joint problem-solving approach every step of the way, by meeting criticisms early and effectively, and by proposing a shift to consensus building on an experimental basis. Especially in communities of shared values, there is a deep uneasiness about majoritarian decision making, and people need to know that there is an alternative.