

# Leading from the back bench demands persistence and focus

**T**he public discourse often confuses authority for leadership. Too often, people assume men and women with big jobs, fancy titles and lots of formal power are the epitome of leadership.

Exercising leadership and exercising authority, however, are very different activities.

Authority is a contract for services. Whether you are talking about a mom or dad, the CEO of IBM or the speaker of the House, people in authority are supposed to provide certain services, for which they will be rewarded.

Leadership is a very different matter. It is about meeting needs rather than wants. It's about helping communities face up to their most difficult problems. It's about making progress on tough issues.

In legislative life, we have institutionalized this confusion by calling people majority and minority leaders. As every legislator knows, you get to be majority or minority leader by satisfying caucus members, or at least half plus one of them. That's necessary work, but often has little to do with leadership.

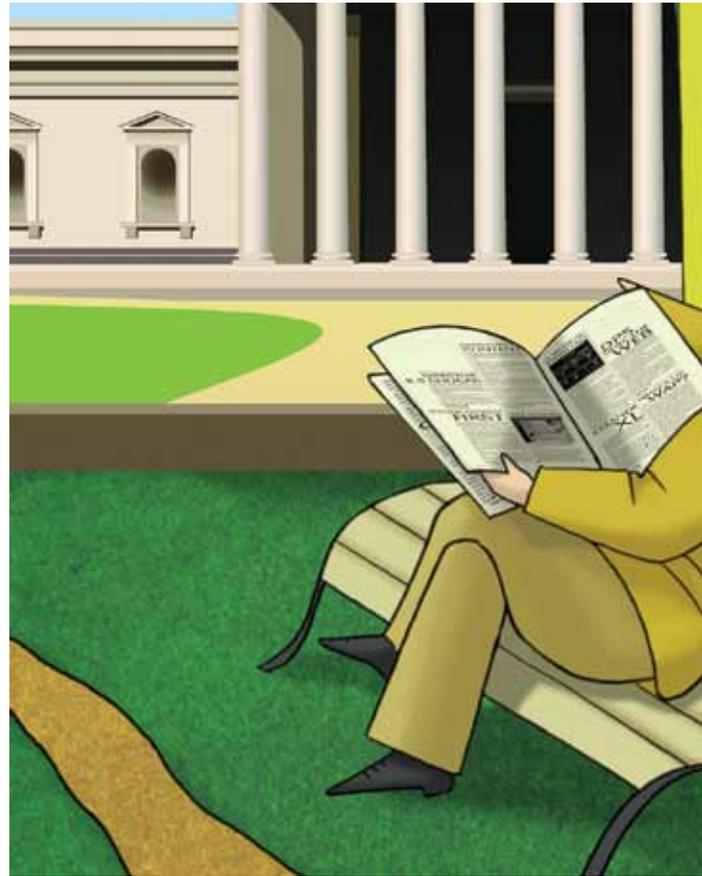
Two types of legislators exercise leadership with little or no authority. The first is a back-bencher, particularly a minority party back-bencher, whose skill and persistence shepherds an important and perhaps controversial piece of legislation through to enactment. The second is a back-bencher who through dint of expertise or longevity and personality is able to exercise leadership across ideological and partisan divides, and influence the chamber without having much formal authority.

## What It Takes

I'd like to focus on the first type—back-benchers who pushed difficult legislation through to enactment—to understand what it takes to make that happen. My next column will focus on the second type of back-bencher.

Two such stories, one involving Massachusetts Representative Carl Sciortino Jr., a Democrat, and the other Washington Representative Kevin Parker, a Republican, illustrate my point.

Sciortino is in his fourth term representing two blue collar Boston suburbs and is openly gay. In 2007, he was the lead sponsor of legislation to classify discrimination against



transgender people a hate crime. He assembled a large number of co-sponsors, but couldn't get the bill out of committee.

By 2009, the opposition had organized. Calling it the "bathroom bill," they raised fears that transgender individuals would be able to use public bathrooms of either gender. Some legislators who had signed on to the earlier version of the bill were scared off by the publicity. At the 2010 Republican state convention, the bill was the subject of derision and ridicule. The media coverage of the bill was mostly negative, some of it harshly so.

Sciortino had to re-group.

He organized lobby days at the State House for transgender people to meet one-on-one with lawmakers, often their own legislator. Many of those lawmakers had never talked to a transgender person before.

He began negotiating the details of the bill with the House speaker, who had been a co-sponsor before he was elected speaker. Sciortino had voted for the speaker in a contested election. His goal, Sciortino says, was "to give him all the tools he needed to keep his word."

He enlisted the help of a colleague—a "straight suburban dad and lawyer"—to bring a different kind of credibility and expertise to the negotiations. He also sought out a quiet senator from western Massachusetts to take the lead in the Senate.

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Sciortino realized that if he “stopped, the bill would stop.” He chose to make it his No. 1 priority and be obsessive about pushing the bill. It worked.

The bill passed 94-60 in the House and on a voice vote in the Senate.

### Building Alliances

Representative Kevin Parker of Washington proposed legislation in January to fight Medicaid fraud by using software that would help predict who was going to commit fraud before it happened. The current system is to pay the bills and then chase folks who appear to be committing fraud.

“It is all about partners, patterns and product,” says the Republican from Spokane.

First, partners. Even though the Democratic caucus in the Washington House in general and the Health Care Committee in particular are very liberal—and would choose adequate health care for the most vulnerable over rooting out every last bit of Medicaid fraud—Parker knew he would have to get support from one of them to have any chance of success. He focused on Eileen Cody, one of the most liberal members of the House and a member of the Health Care Committee. He not only approached her about the bill, but also some of her friends and colleagues in the Democratic caucus with whom he had

worked in the past. He asked them to vouch for him with Cody. Her support was indispensable.

Second, patterns. He knew the bill involved two very different values that appealed to different legislative constituencies: adequate health care for all and being tough on crime. Democrats were not going to go for the bill unless they believed that it would increase funding for health care, a harder case to make than the anti-crime argument. Because of this, the Washington State Health Care Authority’s position was going to be critical because the agency was the one that would implement the new procedures to try to anticipate fraud. Early on he reached out to officials in the HCA and, after a series of meetings, gained their support. He also held one-on-one meetings with every member of the Health Care Committee to listen to their concerns and make the case that the money saved by cutting down on fraud would be used for more health care services.

Third, product. From the outset, he was willing to make significant accommodations in the legislation to meet the concerns of the HCA and the Health Care Committee Democrats as long as he did not lose the core innovation of predictive modeling.

Parker’s bill passed on March 8, the last day of the session, and it was signed by the governor March 30.

What can we learn from them about how to lead from behind? Maybe one of the most important things is that backbenchers have the luxury of being able to concentrate on a single piece of legislation. But keep these points in mind, too.

- ◆ Be relentless, work on the bill every day, never take no for a final answer, and continue to negotiate and build your coalition.
- ◆ Be brutally realistic about your resources and constraints. What assets do you have inside and outside the legislature? What are the liabilities? How have you helped other legislators? What untapped networks do you have?
- ◆ Create unexpected alliances. People notice.
- ◆ Find out what other people care about, even if it is not what you care about. Be willing to compromise as long as doing so does not undermine your core purpose.
- ◆ Bring legislators face-to-face with real people hurt by the absence of the legislation.

The most important lesson of these two stories is that legislative leadership is not the exclusive prerogative of speakers, senate presidents, minority or majority leaders, or committee chairs. The opportunities to exercise leadership without formal authority are available to every member. The only questions are whether they see those opportunities when they arise, and have the skill and courage to step up, take the initiative and see it through, no matter how daunting the challenge.

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