

# Richard Levick –The Middle Road



**"Can we all get along?"**

The Best Columns and Podcasts from LEVICK 2021

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*"I was lyin' with my mess-mates on the cold and rocky ground  
When across the lines of battle came a most peculiar sound  
Says I "Now listen up me boys", each soldier strained to hear  
As one young German voice sang out so clear  
"He's singin' bloody well you know", my partner says to me  
Soon one by one each German voice joined in in harmony  
The cannons rested silent. The gas cloud rolled no more  
As Christmas brought us respite from the war  
As soon as they were finished a reverent pause was spent  
'God rest ye merry, gentlemen' struck up some lads from Kent*

*The next they sang was 'Stille Nacht'. 'Tis 'Silent Night''  
says I  
And in two tongues one song filled up that sky"*

*– John McCutcheon's song Christmas in the Trenches about the  
World War I Christmas Soccer Truce on the Western Front*

Each year we produce a Year-In-Review eBook with a theme based on the year that was, filling it with our 50-or-so columns and hundreds of podcasts. 2021 seems to be about learning to live with loss – with nearly 5.5 million people worldwide dying of Covid-19. It was also a year for Americans and others in democratic nations to think the unthinkable: Will democracy survive?

As someone who has suffered great loss in this lifetime, the key lesson I have learned is that acceptance and adaptation – not revenge – is the path that works. But history is a long arc measured in eons, not a single lifetime, so perspective and certainty are a challenge. I suspect we know as much about the heavens as an ant does about humanity.

Although I never voted for him, one of the things I always admired about President Ronald Reagan was that he never took his suit jacket off in the Oval Office. He had too much respect for the institution and its symbols. I have never been much of a rule follower myself. Growing up in the shadow of the anti-Vietnam War protests and living in Washington, DC when Woodward and Bernstein were first writing about a break-in at the Watergate, I had a tangled relationship with authority. It turns out that symbols, manners, kindness and soft power – mean something. In fact, they mean more than something. They are the glue of civilizations.

I have always been a change advocate, working for Ralph Nader organizations as a first career decades before environmental and conservation measures were “cool.” But with something gained is always something lost. I remember the family-owned

convenience stores in the 1970s asking how they could safely and cleanly store returnable bottles if the government was going to mandate them. Long before the era of superstores, it was a concern that could mean the difference between profit and loss for these local businesses. Today, as much as I like the idea of electric cars, I worry about the 85% of electric cars in Asia powered by dirty coal from China and the new minerals war shaping up over cobalt. It will not end well for the Congolese who will either do the mining under harsh conditions or be forced to move off their ancestral land with little or no consideration. At the risk of repetition, for everything gained, something is lost.

I think this is one of the reasons the late Archbishop Desmond Tutu and President Nelson Mandela sought change “via media” – the Latin phrase meaning “the middle road.” It is an aphorism for life which advocates moderation in all thoughts and actions. As Aristotle wrote, “moderation is the essence of wisdom.”

2021 started with the violent January 6th insurrection – nothing short of a presidential coup – and has ended with Covid-19 fatigue. We are fighting over masks and vaccines for heaven’s sake. The conversation is about individual liberties when it should be about shared responsibilities.

It seems we have all taken our jackets off when really, we should be doing the exact opposite. Fully stopping at stop signs, being kind to our neighbors, opening doors for strangers, listening before speaking or judging. Simply because the internet gives us newfound power of publication and amplification does not mean we should.

The late Harry Reid grew up without indoor plumbing and an alcoholic, violent and suicidal father. He would grow up to serve 12 years as one of the longest tenured Senate Majority Leaders. In America, everything could still be possible. It is a remarkable experiment in self-rule and well worth our

dedication.

In late December 1890, 300 peaceful and cooperative Lakota men, women and children were gunned down with three mountain guns – the precursor to the machine gun – at the Massacre at Wounded Knee. 131 years later we still live with the shame of this tragedy committed by hung-over members of the Seventh Cavalry seeking revenge for the death of General George Armstrong Custer 14 years earlier. This road to the extremes does not lead us where we want to go.

*Via media.* We need to find the middle way or be condemned to replace one injustice with another.

Peaceful process may be boring, make few headlines and be slow and plodding, but it is also the magic of long-lived societies.

In the linked eBook you will read essays about the news of the day for the past year and find links to more than one hundred of 2021's most popular podcasts that we hosted on *In House Warrior*, the daily podcast I host for the *Corporate Counsel Business Journal*, sharing views on dozens of issues from all points of view. Hopefully they are helpful and instructive. Some may even be inspiring.

Over the past week, we kicked off 2022 with new podcast guests who, in fact, are finding *via media*.

David Bodanis, a *New York Times* best-selling author, spoke about his new book, *The Art of Fairness: The Power of Decency in a World Turned Mean* which seems like an essential read for what is likely to be a bumpy ride in 2022.

Danny Heitman, the editor of Phi Kappa Phi's *Forum* magazine, an award-winning columnist who frequently writes for *The Wall Street Journal*, *Christian Science Monitor*, *New York Times*, *Washington Post* and others, discussed the joys and lessons learned from writing obituaries – an unusual but powerful

source of daily inspiration.

On how to build for the future, my old friend, Dr. Habib Al Mulla, a partner at Baker McKenzie and one of the UAE's most highly respected legal authorities, joined me for a show. He is a key architect of Dubai's financial free zones, the legal framework establishing the Dubai International Financial Centre (DIFC) and how Dubai became a leading center for Foreign Direct Investment.

Looking forward, Kirk Nahra, a partner at Wilmer Hale and Co-Chair of both their Big Data and Cybersecurity and Privacy practices and a leading authority on privacy and cybersecurity matters for more than two decades, spoke about privacy and security laws and trends for 2022. He covered what to expect in state and international regulation; best practices for avoiding privacy and security investigations and how to navigate them when they occur; the unique challenges of privacy issues in health care; and career opportunities.

Looking backward, Chip Jones, author of *The Organ Thieves: The Shocking Story of the First Heart Transplant in the Segregated South* and winner of the 2021 Library of Virginia Literary Award for Nonfiction, discussed the tragic true story of Bruce Tucker, a middle-aged African American family man, who had his heart and kidney harvested after an accident, without consent or even notification to his family and before he was clinically dead. To those who wish to curtail or outlaw freedom in teaching, it is yet another lesson on the importance of learning from our history so that we do not repeat it.

Maybe 2022 can be the beginning of our own "Christmas soccer truce," practiced for more than one day. Imagine.

*"Manners are of more importance than laws. Upon them in a great measure, the Law depends. The Law touches us but here and there, and now and then. Matters are what vex or soothe,*

*corrupt or purify, exalt or debase, barbarize or refine us, by a constant, steady, uniform, insensible operation, like that of the air we breathe in. They give their while form and color to our lives. According to their quality, they aid morals, they supply them, or they totally destroy them.”*

– Edmund Burke

Happy New Year.

Enjoy the shows.

**Richard Levick**

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