

# Learning to Govern Ourselves

## An Essay about G2

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Do we really need a formal system to govern ourselves?

The short answer to the question is “Yes.” But let’s not be dogmatic. Why is it so, and if it must be so, what form does it take?

I take some pains to mention this because in the earliest days of G2 some voices advocated somewhat freewheeling alternatives to more conventional self-governance. This may be understandable. Several of the original supporters of the project brought their interests in social theory and experimentation to G2, hoping or expecting to put such ideas into practice. Such interests inevitably collided with the reality that G2 was legally founded with a homeowners’ association (G2 HOA). The result was confusion over fundamental processes, rights, and responsibilities. Ten years later echoes from that confusion are still heard. This essay is a reflection on how I have come to appreciate G2 governance, a system that, while imperfect, I believe is fair, open, and solves more problems than it creates.

Whenever people come together to live in a community, especially a residential structure, they usually adopt some means to establish boundaries, reach goals, manage resources, and resolve disputes. Naturally, informal relationships and processes typically grow on formal structures. This essay primarily concerns the G2 formal system, but acknowledges the informal, too.

At G2 there is such a formal structure. It exists because living together *successfully* in a civilized way (at least in California) requires some degree of explicit arrangements. There is no shortage of formal systems to choose from, but in California the decision is a *fate accompli*. State law dictates that our association must use a legal system designed for condominiums, tenancies in common, and similar residential associations. Alternative social theories are simply incompatible with our legal framework, as most homeowners have come to appreciate.

Our particular system is founded on two governing documents and implemented by an elected board of five owners (the HOA Board of Directors). The documents, known as the *CC&Rs* (*Declaration of Covenants, Conditions & Restrictions*) and the *Bylaws*, serve as the constitution. The *CC&Rs* describe basic responsibilities and relationships. The *Bylaws* specify processes for self-government, including legislative, judiciary, and executive functions. The *Bylaws* also describe how committees and individuals can participate in this process. Together these documents and the board address questions such as:

- What is our decision-making process? Who is involved and how?
- What are my responsibilities? What are those of the Board of Directors?
- How is the building to be used and shared?
- How are disputes between owners to be settled?
- What can people do with their own units or the G2 common areas? What is not permitted?

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Formal rules, processes, and property descriptions are attempts to rationally define how people in an association should relate. But people sometimes share common interests and sometimes do not. Their interests and needs can change over time. Above all, people are complex social beings with emotional, creative lives that crave respect as much as physical sustenance and security.

So people live together, not legal abstractions. Yet people adopt abstract laws and processes and rely on them for good reasons. Without a generally agreed-upon legal framework the result can be anarchy, a situation that may sound temporarily tempting to a few, but is ultimately unpalatable after most people consider the practical challenges. And some alternatives that do use legal frameworks, like aristocracy, theocracy, and communism are largely discredited as undesirable, at least in the West. Even “direct democracy,” a gift from ancient Greece, sports few adherents in modern times. Perhaps it is because “tyrannies of the mob” are more dangerous than tyrannies from the few. Perhaps it is simply that direct democracy is even more inefficient than representative forms. In any case, such alternatives cannot legally supersede the system bequeathed to our association by the State of California.

At G2 our legal framework is representative democracy. Every homeowner is a citizen. The citizens tax themselves in the form of dues, and use those taxes to pay for common concerns, like fixing the roof that all must live under. Citizens annually elect representatives to the Board. And the Board in turn makes community-wide decisions, including how to administer the dues, manage vendors, set policies, and even discipline members. *G2 is in fact a miniature republic:* that is the crux of things, but it is by no means all there is to it.

My guess is that most G2 residents would agree that the G2 republic is *designed* to establish reasonable limits in a democratic environment where authority, responsibility, and participation are balanced. The residents may disagree that the *implementation* does not always satisfy everyone’s hopes or serve every eventuality with efficiency. But the design does aim for fairness through mutual responsibility. Boundaries and standards exist, but are as minimal as possible. Violations do occur; minor infractions are usually accommodated, although the Board has been obliged to intervene on severe violations. Participation ebbs and flows; in some years there are few nominees for the Board, while recently elections are competitive.

G2 residents face problems beyond those of conventional condos. G2 is unusual because Artsdeco (a non-profit organization founded from the original artists evicted from the Goodman building) continues as one of the owners. It rents out five residences and one theater unit, while the other 24 units are individually owned. The 24 original purchasers were selected in a lottery process that included portfolio review to seed the project with working artists. Most of these prospective owners also had to qualify for low-income status, while still being considered good risks to lenders. A Program Committee was also established in the *Bylaws* at Artsdeco’s urging. This committee automatically includes representation from all 30 units, whether owned or rented. The mission of this committee is for “programming arts and cultural events” in the common areas. In the early years this complex arrangement was further confused by partisan struggles to claim primacy as first-time owners, Artsdeco, and renters wrestled with understanding their roles.

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Such history is perhaps a topic for other essays. Suffice it to say that confusion and cross-purposes entangled early efforts at self-governance. To this day such loose tangles occasionally trip up residents. Fortunately, most G2 citizens have come to appreciate that the HOA Board is the appropriate empowered body to manage the building and govern the association. Our republic may not be perfect, but it has shown the community that it successfully engages not only common condominium problems, but also the special challenges at G2.

Winston Churchill famously quipped that representative democracy is the worst form of government, except for all the others. It is a sentiment worth pondering. It is convincingly a better system than any others that were proposed or even briefly attempted at G2. I, for one, am grateful that we live in a republic and not something else.