



### **Keith Allred on Keeping Our Democracy | June 12, 2022 | LTIS Episode 10**

**TIM:** Thank you for joining me today on “Legislatures: The Inside Story.” I am Tim Storey, the CEO of the National Conference of State Legislatures. Today we are going to talk about that often-bemoaned political chasm that exists in this Country. It just seems to be getting worse. But is the divide as big as it seems? My guest today is Keith Allred, Head of the National Institute for Civil Discourse – a group determined to find common ground among Americans and their leaders and get them talking. There is more common ground than you might think even on the most controversial issues. Keith grew up in Idaho on a ranch that his family had owned for generations. He worked cattle. He rode in cutting horse competitions, a hobby he continues to this day.

He fell in love with American History when he went to Brown University in Rhode Island. An environment vastly different than the conservative mountain west where he grew up. That dichotomy set him on a path to explore and bridge differences. He got a Ph.D in organizational management. Taught at Columbia, then at Harvard’s Kennedy School of Government. But he eventually returned to Idaho and devoted himself to bringing people together to talk about common sense solutions to the most vexing policy problems. I asked him how this became so important to him.

KEITH: I was an American History undergrad. I had always been you know just fascinated by the American founding. How do you go from 3000 years of dozens of attempts at self-government that had all failed to just this pretty wildly successful version of it where not only did the American founders make it work for the first time at scale for an extended period of time? But bend the arc of world history so that self-government goes from a laughingstock to a dominant form of government in the world. It's just a stunning achievement and I wanted to understand you know how do you pull that off? What was their secret sauce? And I was fortunate to have Gordon Wood for History of the Early American Republic. Gordon Wood may be the best historian of our founding that we have ever produced. It was formative. It really shaped my life particularly my career.

TIM: How so?

KEITH: There were two particular insights that were critical in that class for everything that followed for me. One was that the founders diagnosed that the reason that self-government had always failed before is what they called the spirit of party or the problem of faction. But as soon as you put the ultimate power in the people, the people divided themselves up into different groups and tried to drive the government in different directions and the contention that ensued made the government so incompetent and unstable that it opened the door for despotism to come back in. The second insight was that their answer to that problem was to erect barriers so that it was really hard for any one party to impose a will on everyone else. So, this is why we take the separation of power further than anyone else for example. But coming out of there with the implications of those two insights for me was that it put a real premium on our ability to finding champion solutions wise enough to attract broad support since by design the Constitution is meant to check anything else. So that became kind of the consuming passion of my career is to figure out practically at scale in a country of over 300 million people teaming with diversity, how do we find and champion a kind of diverse broadly supported solutions that the founders envisioned.

TIM: How do you wind up at the center, the Institute, I'm sorry, for Civil Discourse?

KEITH: I'll just hit a couple of them you know main steps along the way. I ended up transferring to Stanford and graduated from there. Went and got a Ph.D in Negotiation and Conflict Resolution at UCLA because I wanted to say, hey, how do we work across these divides. I didn't intend to be a scholar. I really wanted to you know be on the ground working to find those kinds of broadly supported solutions but had an offer to join the faculty at Columbia coming out of grad school. And if you are a Twin Falls, Idaho kid, you're like oh boy Columbia professor sounds pretty good. I'll go do that for a little bit. Three years into that, the Kennedy School at Harvard called me and said hey we are going to hire our

first ever position in negotiation conflict resolution. Would you be interested in that job and went there for five years and said man, this scholarly thing went a lot further than intended. Did end up resigning that position to move back to Idaho so that I could pilot sort of the thrust of where my research had been taking me. You know, I was in this hunt for how do we find and champion into these broadly supported solutions at the scale of the country today and had what I thought was an idea that might work which is what became the National Institute for Civil Discourse Common Sense American Program. But I wanted to pilot it at a state level first, so I moved back to Idaho and piloted it there and it was basically a citizen's organization. Idaho Pilot we had 1,700 Republicans, Democrats and Independents from across Idaho in a way using online tools to make it efficient and easy of finding and championing those kinds of solutions and then championing them into the state legislature.

And so, we just passed a raft of legislation that way over a five-year period. And so, it completely exceeded my expectations for how effective it was. And so then at the end of five years, I said well you know we've proven the concept at the state level about as well as we can. We ought to try to scale this to the federal level so I started taking steps to launch it at the federal level. National Institute for Civil Discourse NICD contacted me. I had been involved with them since their beginning and they knew about this idea and they said hey we hear you are getting about ready to launch the federal version finally. And I said yeah. And they said you know we really like this idea and we think it needs a good platform so why don't you come and lead the whole institute and bring that program with you and integrate it into those programs. You know, with that, Tim, if it's alright, I'll just tell a little bit of the origin story then of NICD that, why that was so compelling. Many people are familiar with the Tucson shooting that killed six and injured another 13 including Representative Gabby Giffords. A part of that story that a lot of people don't know is that Representative Giffords approached the University of Arizona just two or three weeks before the shooting and shared with them her concern about declining civility and bipartisanship. And in Congress, the Affordable Care Act debate was going on at the time and she was less than impressed with both sides in that debate. And so was encouraging the University to establish a center and an institute on that. So then when the Tucson shooting happened just a couple of weeks later, they were committed that that not be the last chapter in the story. They really were able to put together an incredible advisory board. So, George H.W. Bush and Bill Clinton were the honorary co-chairs. Tom Daschle and Sandra Day O'Connor, Colin Powell, Madeline Albright, Katie Couric, Al Simpson, Olympia Snow, Bill Richardson – just this. I don't think there has been a more impressive group of bipartisan leaders in the country standing up for the proposition that we got to engage our differences more constructively.

When they called and said hey, we would really like you to bring Common Sense American program to NICD and lead the whole institute, that was a pretty compelling opportunity. That was in 2018 and you know the polarization has continued to get worse and it just felt like the existential challenge of our times to be working on and I couldn't think of a better platform than NICD to do it from.

(TM): 8:16

TIM: And the mission of NICD?

KEITH: To build the Nation's capacity to engage our differences constructively.

TIM: Build the Nation's capacity to engage differences which you know of course, I would say, you just described the legislative process. These are institutions that were built to have constructive conversations right.

KEITH: Yeah. And again going back to the founders. They saw it as the essential challenge as managing the differences, factional partisan, however you want to describe the differences in a constructive way so that you didn't end up tearing yourself apart like every other republic had done in history.

TIM: We always find ourselves in these moments in history and we think that it's never been like this or it is worse than it has ever been. And we need people like you to grant perspective and sometimes the answer might be yes that's it's never been. You know the Civil War would be the low point of American history where we literally started to kill each other. Can you give us a perspective on how bad it is?

KEITH: You know as you noted, we have been more deeply divided in our history before. Certainly, the Civil War. I think arguably the you know Civil Rights and Vietnam era we were more deeply divided. What is unique about our period and the worst it has ever been in American history is how much our divisions play cleanly along partisan lines. In both the Civil War and the Civil Rights Movement and Vietnam era, those deep divisions crossed party lines. So, you know the attitudes over slavery, you had pro and anti-slavery attitudes in both parties and of course that ended up blowing up a two-party system at the time. And the Whig party went out of existence and the Republican party became into being there and so that kind of scrambled things so things didn't break cleanly along party lines. You know a higher percentage of Republicans in the House of Representatives voted for the 1964 Civil Rights Act than Democrats. So, a few points then to sort of document that on that point of partisan divisions, it's the worse it has ever been. Lots of data on that. The most compelling data I would say is research by two political scientists, Keith Poole and Howard Rosenthal, who have come up with a way of analyzing the more than 14 million roll call votes

cast since 1789 by mathematically calculating you know using every vote. OK, if Elizabeth Warren votes this way on a roll call vote, who votes with her. Who votes on the other side? You can do that across all those votes and come up with a dimension on which you can score every single member of the House and Senate going all the way back to 1789. It's a very rarest measure just how polarized are we. Going all the way back to 1789 and when you run those numbers, what you find is that in the 114<sup>th</sup> Congress in 2015 through 2016, we broke the record that had stood for 205 years as the most polarized Congress there had ever been.

But Tim, that's not even the most alarming part of it. The most alarming part in my view is that it's a more than 40-year trend line of accelerating polarization. So, we've had periods in our history of spiking polarization along party lines, but they have tended to come down about as fast as they spiked. We have never had another period in American history of more than 40 years of continually accelerating polarization. And so that's what is really new and challenging.

TIM: A couple of things come to mind when I hear that. One is it strikes me in talking to legislators who talk to their constituents that there is a massive chasm between the epicenter of American views on issues and these, the two-party polarization right. So why are we so polarized with the party leadership and obviously you've got media outlets which are pure, undistilled versions of the doctrine of the two parties let's say. And then there's versions of that to the left and to the right. So, I think what you are saying is entirely accurate. But then I think about what happens at state capitals where we know that roughly 87% of legislation is bipartisan. Some of that means they've picked up one or two votes from the other side, but a lot of it is just unanimous voice votes on local bills and just like hey we are going to take care of the state and do what is right.

Now, I am concerned that this hyper polarization is leaching out to capitals and how do you reconcile what you just described as a, I'm not saying a uniquely Washington problem, but this hyper polarization as you look at votes. And I think the House or the House and the Senate. We don't need to get into that versus where most Americans are. And the thing is you can cite issues that would play both directions and I think you know which ones I'm talking about where Americans really are in agreement on but this is from the left and the right and not just. You know people are going to instantly think we are talking about abortion or gun control. Some of these really lightning rod issues, but you know they are coming from both sides and have a lot of common ground. Why massive disconnect between where the American people are and where our politics are?

(TM): 14:13

KEITH: There are policy proposals within each of those areas that will attract 70, 80, 90% bipartisan support even on those tough issues. The question is why and what do you do about that and I think there are just a host of issues to explain. I'll just mention a couple that I think are important at explaining. How is it? What is supposed to be a representative government, we have a government that is more extreme than we are as a people. I think the first step to me the first order effect that comes earlier and is the deepest thing that everything else afterwards is connected to in some way is that the two parties began to sort themselves out ideologically for the first time in the 1970s.

For a set of odd historical reasons, the United States has always had ideologically mixed parties. Yet a real mix of liberals, moderates and conservatives from both parties. In our lifetimes, you know, conservative Southern Democrats and liberal Northern Republicans were pretty common. That just really is not true anymore. There are virtually no conservatives left in the Democratic party and few moderates. Virtually no liberals left in the Republican party and fewer moderates. So, the parties began to sort themselves out and that gave rise to the extremism among the elected officials. The ideology sorting starting to sift down to everyday Americans so they started to sort themselves under the two parties in more ideologically consistent ways without getting as extreme on the issues. But then the second order of effect that has been really devastating is that starting in about the 1990's, we started to sort ourselves socially as well as politically and align them with our political identities. So, you get ideology and party aligned first beginning in the 70's. And then in the 90's, social identity. So, in the 60's or 70's if you knew whether somebody lived in a rural or urban area. If you knew how often they went to church and you knew what their race was, that told you almost nothing about their party. Today it is highly, highly correlated. And so, we've stacked on top of our political identity in a way more deeper social identities and that's what's given it it's really tribal feel of an us versus them. It's not a dispassionate policy judgement anymore. It's like this is my tribe and I've got to defend it against that dangerous tribe over there. And that really then cranked up the bitterness of it.

So, I would say, the original fuel for the fire is the ideological sorting of the parties. You add some really heavy fuel and accelerant with the social polarization and then put some more accelerant on there like social media, like cable news that is segmented into the liberal and conservative. And you know some of these other things. Boy, we've really got a bonfire raging now.

TIM: And I'm thinking about inside legislatures too right who are, who operate in the real world here in this environment and they come together. And we have seen beginnings of this process where there is less conversations. There's less getting to know each other you know finding out hey we've got so much in common. We

are diametrically opposed on our views of the world of key issues, but we share these fundamentals in common and a lot of that has to do with talking with each other right. And approaching each other as people who you respect who have value and have ideas that are valid even though they might wear one color jersey or the other. Is this why National Institute for Civil Discourse is so important?

KEITH: Yeah. I mean that is absolutely our mission is to you know if we are going to engage our differences more constructively, we have to do it in a way where we recognize a human being and a fellow American on the other side of the political divide and not just a competing political, a stereotype of a competing political position. And this point that you are making, Tim, about you know that personal human connection, I think is part of the reason that state legislatures aren't as toxic as Congress is. You know a couple of things that have happened in Congress over the last couple of decades that have also been accelerants one is just the schedule. You know they basically start on late Tuesday morning or Tuesday afternoon. They end by Thursday early afternoon and they are spending a lot of time on planes. It used to be you know you would move here if you were elected to Congress, and you'd have barbecues on the weekend with your spouses and kids and so they really did get to know each other as human beings in a way that they just do not. It's much bigger than most state legislatures, than all state legislatures, and just much more impersonal that way.

In state legislatures, you still have a little more of an opportunity to get to know each other as human beings. And so, I think that's you know, Tim, as you know NICD looks out at the nation and how are we going to address the polarization problem. We really put a premium on state legislatures and state legislators as critical leaders to get us beyond the kind of crisis we're in right now. And that's part of the reason I think is that state legislatures are in a little better position on this is because they are still engaging each other as human beings a little bit more than we are in the Congress.

*(TM): 20:05*

TIM: I hear you. But I also have in my mind that members who have told me in campaign season, not even campaign season. Out of campaign season. You know their opponents make accusations about them in campaigns that are so much farther beyond the pail than I think we were maybe 20 years ago. You know the shell is pretty thick by the time you wind up on the floor for swearing in day when your opponents led by maybe the opposing caucus leader have and you happened to make it through. You won. You got to the floor. The other party's leader has said you know you want to you know kill grandmothers or you know put puppies in the ocean. I'm trying to think of something horrific that's not so awful and graphic, but you know you've been called awful things. Now you

have to say oh okay, I guess we can be friends, but you know that cut pretty deep. That was pretty personal. I'm concerned about that. How do we solve that problem?

KEITH: I wish I had a silver bullet for it Tim. You know I'd like to say there is an easy answer. It is just honestly a very, very tough problem.

TIM: The toxicity of the campaigns and the dialogue that happens outside the capitals in social media. How do you just pretend that doesn't exist? That's you know.

KEITH: Just to pile on for a second on how bad the problem is and then I'll try and say something a little more constrictive of what we do about it. Those conditions that I described of what has happened over the last 40 years or so in this country to bring us to this state means that that kind of tribal warfare of stirring up the pot to mobilize people with anger and fear to say do you see that tribe over there? They are really extreme and dangerous. You need me to protect you from them has just become more effective under these conditions that I described. That's a much more powerful campaign tool than it used to be.

And the problem is that if we have a system set up where you can win elections by playing that game, that kind of tribal stirring the pot game, there's always going to be somebody willing to do that you know if you can win that way. If that's a good strategy for winning. The challenge is you finish that campaign, you make it to the floor, you take an oath in office to support a federal constitution and all state constitutions are very similar in structure that has purportedly made it nearly impossible to actually govern in the way you campaigned. So, you can win campaigns that way, but you cannot govern in our system that way by design of the founding fathers. And I think that's one thing we've got to recognize is you are going to run head long into the barriers that they founding fathers purposely erected to that partisan governing that you ran on. And so there really is this kind of fundamental clash in a way that has not been true before between the current two-party structure and our constitutional structure. So just to pile on how deep the problem is and how much, how hard that is to engage the other side to find solutions that are wise enough to attract broad support if you had that kind of name calling in this role sort of campaigns.

TIM: What is the National Institute for Civil Discourse doing to try to address this?

KEITH: A couple of things then you know of what you can do about it. As you know, Tim, NCID has a program called Next Generation, which is dedicated to state legislatures and state legislators, and you know that will tell you again that we vote with our feet strategically. When we look at okay how are we going to build the Nation's capacity to engage differences? Where do we go that are the

biggest most important levers? State legislatures really loom large in our view and so we've dedicated a whole program to that. So, we have our building trust through civil discourse workshop that we do. I tell you. It won't surprise you at all, Tim, and it won't surprise people who actually have experience in legislatures, but there is so much good to build on in legislatures and I'll. You know, one of the things we do in our building trust through civil discourse workshop is we start with what is called the personal journey where you know we breakout into you know groups of 20 or 30 legislators and we have facilitators who are state legislators from another state, a pair of Republican and Democrat facilitators for each group and they just share the story. You know each person is asked to share a story of a person or an experience in their life that was deeply formative for them and shaped who they are.

It is just amazing how much you can find. Colleagues that have been in the legislature together for 20 or 30 years and have never talked to each other at that level. And how much that changes it when they discover the humanity on the other side. And I've seen crusty old conservative cattle ranchers in Idaho to you know far left folks do that and just come away really deeply feeling in their bones and in their heart how much we share. And then that opens up for more constructive kind of practical problem solving and we get all the way to an action you know action plans for how do you build better ability to engage differences in your legislature. And cool things come out of those. I don't think our workshop was the sole source of this, but I think it was part of it and Maine as I'm sure you know, they changed their seating so that it was Republican, Democrat, Republican, Democrat. And as one Maine legislator told me it's a lot easier to work across the aisle when there is no aisle.

You know they come in on Monday after the weekend and they are sharing pictures of their grandkids and what they did over the weekend. And they are engaging each other as human beings. And then when it turns to the hard task of legislating and addressing difficult problems, they are in a better shape to do that.

*(TM):* 26:32

TIM: I think you and I are both sort of optimist. I can obviously sense that in the work that you do and we see that. I mean I've seen it many times where it turns out just a small conversation you suddenly discover you have something really in common with someone who may seemingly be the other side of the world from where you are and you may never vote the same on a bill the entire session, but you might co-sponsor one bill because it turns out you share this one thing. And like hey my incredibly urban district has this same problem with your incredibly rural district or two suburban districts from the opposite sides of the metro area for that matter. So, I think this is a very powerful elixir. But there are counter forces. I mean it is. We are politic. I mean sometimes leaders don't necessarily

want their members talking a whole lot to the other side because they want to keep that caucus tight and inline cause they've got some big priorities. So, some of it is convincing I think leaders and others that this is a good thing. That you know that you know yeah you may get the core bill through that you want. And maybe they will be perfect, but how often do we hear don't make perfect the enemy you are good which seems to be a real plague upon us that you know you've got these purists who seem to be more in power than before.

KEITH: There is a point that you are making that is implied to what you are saying that I think is worth amplifying. It's really nice to have more pleasant respectful relations right. And we'd like that for its own sake. But it's most important for our ability to actually problem solve and deal with the tough issues so that we get to better outcomes. I think sometimes, Tim, people can hear us talking about let's be civil and let's be nice to each other and they are maybe hearing compromise in like you are asking me to abandon my convictions. And that doesn't feel quite right to them either – understandably so. And I think James Madison's point was no the point isn't to abandon your convictions; it is that diversity of convictions that actually gives it the rigor to enact better policy. That is we want to subject policy to a rigorous view. How does it look from this perspective? How does it look from that perspective? And if we haven't found a solution yet that is wise enough to attract broad support, we maybe haven't found a good enough solution yet and we need to keep working on it.

So, it's not just about compromising and giving up on your convictions, but it is expressing those, but having this focus on the merits rather than the food fight and attacking the character and the person on the other side. It is let's engage in ideas on the substance of it. And it's not just about signing kumbaya and compromising. That's a value, an asset that we have a diversity of opinions. We just have to be able to engage them in constructive ways on the merits rather than these food fights were we are you know just impugning each other's motives and character.

TIM: I think about the you know the highly polarized issues such as guns in America and it would seem that everyone's minds are made up. That there is just so little room for what you just described. Now I'm choosing an issue that is hard packed or hard baked. It's hard to have any conversation because people have decided, and we could go down a list of these issues which the list leads us into this perpetual stalemate of you know one side says there's no problem and the other side says you've got to make these huge changes and nothing changes. And that goes on issues on both the left and the right. Are you optimistic about the endurance of democracy that we've established, or do you think we need to have some sort of fundamental structural change?

(TM): 30:49

KEITH: As you've heard, Tim, I'm pretty sober about the challenges that face us. I wouldn't pretend that they aren't deeply concerning. At the end of the day, I remain optimistic and here's a couple of the sources of the optimism. One is this point we were making that the American people are not nearly so divided on the issues as the media would have us believe and as it appears if you are looking at Congress and to a degree state legislatures. I believe the American people will be our saving grace as they always have been in the past. Now it does mean that the American people need to step up more and you know one of the problems is while most Americans are not as deeply divided on the issues, there are also not that active in politics. It's the most extreme who are the most active in politics and they talk the loudest and the longest, so they have an outsider impression. So, the rest of us that have been a little bit wilting lilies and you know wallflowers and not willing to engage are as much to blame as anyone else. And that's what our common-sense American program at NICD is all about is a chance. We now have over 38,000 Americans who have joined that. And it is a way to get engaged that doesn't ask very much of you. You spend an hour a year reviewing a policy brief and then weighing in and has been highly impactful. The first two issues we worked on were surprise medical billing and infrastructure and they both passed Congress so. But that's been highly effective, so the American people are going to have to stand up. It has never been a good bet to bet against this country. And as deep as I think this crisis is, we have faced huge crises before and there have been extended periods where you could say I don't see how you get through this. I don't see how this doesn't take you down including the Civil War. And we've always come through them. So fundamentally I'm optimistic, but I do think we are going to need the best of our state legislative leaders to be very courageous. And there probably are some systemic things we need to look at. Things like primary reform so that we do get the winners of elections are those who are the most broadly representative and not representative of a narrow, but passionate fashion.

TIM: You've said many things to give me a lot of optimism and I like you I think we sometimes lose perspective that this structure as imperfect as it is has carried us. And yeah 250 years is not a long time, but it's a long time so it's kind of a paradox that way. You've buoyed my spirits and I think the key is this getting people to talk and recognize each other for their humanity and the goodness that they all want for the people that they serve. We will stay focused on that at NCSL, and I know you will too at the Institute for Civil Discourse and I look forward to our continued partnership and helping you guys anyway we can and making sure that we are doing every little bit we can and not leaving anything on the sidelines. So, thank you Keith Allred for joining me on "The Inside Storey."

KEITH: Tim, it has been good to be with you and we are so grateful for the role that NCSL plays in this. I think you really play a critical role in the Nation.

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(TM): 34:52