



## Center for Collaborative Democracy

### A Strategy to Save American Democracy

### and Resolve Our Critical Problems to the Long-Term Benefit of All

The Center for Collaborative Democracy grew out of the MIT-Harvard Public Disputes Program. We integrate insights from game theory, behavioral economics and conflict resolution in order to help resolve societal ills that established institutions are failing to remedy.

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## Why Our Republic is Headed for Civil War — Unless . . .

In more than 200 political controversies that the Center for Collaborative Democracy has investigated, elected officials repeatedly deadlocked, which spurred the interest groups involved — environmentalists, businesspeople, consumer advocates, labor unions, civil rights organizations, educators, government agencies and so on — to seek a solution.

To that end, each interest group chose the person in their own ranks whom they most trusted to represent them in negotiations with the other groups.

The representatives then met and engaged in intense give-and-take over the various issues dividing them — looking for trades by which each group would advance a top priority in return for giving ground elsewhere.

These representatives thereby reached agreement on how each group could attain more of its top objectives than seemed feasible any other way.

Each representative then persuaded his/her own group that this was far too much progress to pass up.

By analyzing these situations, this document will:

1) Build a case that Americans left and right, poor and well-off, young and old, coastal and heartland, have such different beliefs, values, needs and perceptions of reality that whoever wins election to Congress or the White House cannot possibly bridge our country's differences over any critical problem of these times, including:

- severe income inequality
- K-12 schools among the worst in the developed world
- the most cost-ineffective health care in the world
- unsustainably rising debt
- dangerously climbing temperature
- an economically destructive tax code

2) Present evidence that if voters in each socio-economic-political category were given an opportunity to identify whom outside government they would most trust to represent them on these issues, these representatives would be highly motivated and well equipped to work out an agreement resolving these problems to the long-term benefit of each constituency.

3) Show how these representatives could persuade their constituents to support this wide-ranging pact — vocally enough that politicians across the spectrum would have overwhelming incentives to endorse it.

4) Show how citizens alarmed about our country's extreme polarization and political dysfunction can help launch this consensus-building enterprise and marshal the resources necessary for it to succeed.

5) Show that, without this endeavor, Americans' hostility toward one another will escalate to the breaking point, and our country will succumb to rising class warfare, crushing debt and catastrophic climate change.

## **Who is Best Equipped to Resolve Divisive Issues?**

When Congress was deadlocked over nearly every facet of environmental policy in the mid-1990s, 25 prominent advocates for the various opposing sides agreed to meet. They included top executives from Dow Chemical, General Motors, Chevron Oil and Pacific Gas & Electric; leaders of the Sierra Club, Environmental Defense Fund, World Resources Institute and National Wildlife Federation; the director of the EPA; the secretaries of energy, commerce, interior and agriculture; and the president of the AFL-CIO.

The 25 formed seven task forces to evaluate potential solutions for each area of conflict. Each task force was chaired by three members: one from industry, one environmentalist and another from government. Each task force interviewed more than 60 experts to develop a comprehensive menu of potential solutions.

From among the task forces' recommendations, the 25 hashed out a combination of reforms by which each advocate would significantly advance his/her side's top priorities. That included increasing "jobs, productivity, wages, capital, savings, profits, knowledge and education" while reducing "pollution, waste and poverty."<sup>1</sup> All 25 signed the agreement.

Each CEO then persuaded other industry executives that this plan would meet their needs far better than any politically feasible alternative. Each environmentalist won over other environmental groups. The labor leader sold the plan to other unions. And each federal official enlisted his/her colleagues in government.

"We succeeded," one advocate told us, "because we each understood our own community well enough to know what a deal had to include for them to consider it. We got the deal done because the alternative was for our communities to continue wasting resources battling one another. And we each had enough history with our own community for them to trust our case that this deal we had negotiated on their behalf would advance their interests much further than their other options."

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<sup>1</sup> See "A New Consensus for Prosperity, Opportunity and a Healthy Environment," U.S. Gov't Printing Office, 1996 (available online).

Yet, congressional leaders rejected the plan, telling the advocates that most lawmakers would not give up the environment as a campaign issue in return for a solution too complex for them to sell to their diverse voters.

In over 200 controversies that we know of, advocates for the various sides found solutions that all sides supported.<sup>2</sup> And yet elected officials often ignored the result.

## **Why Politicians Keep Failing to Resolve the Critical Problems of These Times**

The authors of the U.S. Constitution believed that each member of Congress would need to represent constituents who shared similar economic interests, so he could show them how he was advancing their interests, if indeed he was.<sup>3</sup>

At the time, 80 percent of American families were tilling crops suited to local conditions, while most of the rest were providing goods or services to nearby families.

And as the nation's population grew, the founders expected that each congressional district would shrink in geographic area and thereby continue to encompass people who shared common interests.<sup>4</sup>

But the voters in each district now include high-school drop-outs, college graduates and advanced-degree holders; office workers, technicians, laborers, professionals, business owners and the unemployed; the struggling, the up-and-coming and the thriving; every age from 18 to 90+; singles, couples, families and empty-nesters.

Of the 26 former lawmakers from both parties that we have interviewed, all but one acknowledged that his/her constituents had sharply conflicting interests that he/she could not reconcile. Typical comments:

Whatever I proposed on health care, jobs, taxes, education or the environment, various blocs of voters objected that I was ignoring their needs or placing an unfair burden on them

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<sup>2</sup> Examples at [www.GenuineRepresentation.org/consensus](http://www.GenuineRepresentation.org/consensus)

<sup>3</sup> James Madison, *The Federalist*, Nos. 56 and 57

<sup>4</sup> Ibid

Our voters were so hard to satisfy that my colleagues and I often had incentives to fail to reach agreement. Each of us could then blame the impasse on the other party.

Most of us, if put under sodium pentothal, would have admitted that we couldn't keep our jobs by doing what we knew to be right.

What I positively hated about the place and got me to quit was that most of my colleagues believed that, to win reelection, they had to stoke their voters' hostility toward the other party.

That hostility has steadily intensified since the end of the Cold War, which for 45 years had united voters left, right and center against the threat of communism. As that threat waned, candidates increasingly found that they could win elections by convincing voters that the other party was the main threat to their way of life.

Indeed, most Democratic and Republican voters now see the other as immoral and/or unpatriotic, clash over basic facts and embrace fundamentally different values.<sup>5</sup>

Congress further undercuts its ability to act in the nation's best interests by delegating each area of public policy to a different committee, and handing control of each committee to a senior member of the majority party who guards that turf jealously. As a result:

Issues and interest groups favored by leaders of one party dominate the agenda at the expense of issues and groups those leaders ignore or oppose.

Each piece of legislation can undermine others. For example, tax measures often subsidize activities that other bills are designed to curtail.

When bipartisan groups of lawmakers negotiate over various divisive issues at one time, committee chairs and party leaders intent on preserving their own power typically reject the result.

By isolating each area of public policy in a different committee, party leaders have hobbled Congress's ability to deal with a basic human trait known as "loss aversion" — meaning that nearly everyone avoids costs far more than they seek equivalent gains.<sup>6</sup>

For example, lowering marginal tax rates while curbing deductions would benefit the vast majority of Americans, according to economists across the political spectrum.

Yet lawmakers who have proposed reforms of that kind have faced far stronger opposition from the groups that would lose deductions than support from the 200 million Americans who would clearly benefit.<sup>7</sup>

In a similar fashion, various blocs of voters have refused to pay the higher taxes or accept the slower rise in benefits that would keep the entitlement programs from going bankrupt; objected to raising energy prices sufficiently to avert catastrophic climate change; opposed the increased federal spending that the nation's thousands of school districts would need to deliver a first-rate education to each student; and so on.

Given that most voters resist the costs of solving long-term problems, lawmakers intent on reelection have every incentive to offer simplistic slogans as remedies.

### **How, Then, Can the U.S. Resolve Its Existential Ills?**

In cases cited on page 1, groups clashing over various issues agreed on a mix of solutions by which each group would advance its top objectives — enough so that all groups accepted the costs that agreement would entail.

Could America's diverse groups reach that kind of agreement?

To find out, we looked at how the major think tanks proposed to solve America's economic, environmental, health, educational and fiscal problems. From those ideas, we put together a multi-issue grand bargain that

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<sup>6</sup> See Kahneman, Daniel, and Tversky, Amos, "Prospect Theory: An Analysis of Decision under Risk," *Econometrica*, (March 1979).

<sup>7</sup> See Norm Ornstein, "The Rise and Precipitous Fall of Serious Bipartisan Tax Reform," *The Atlantic*, Mar. 20, 2014.

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<sup>5</sup> "Partisan Antipathy: More Intense, More Personal," Pew Research Center

we thought would enhance every American's life sufficiently for all sectors of society to strongly support the result.

We then spoke with high-profile activists and analysts whose agendas ranged from far left to far right. To each, we said, in effect, "The policies you have long championed have not gained traction with most of the public. So, how do you think those measures could realistically become law?" The typical answer: a shrug.

Then, we described the parts of the grand bargain that we knew he/she would strongly support and asked if, to achieve all that, would he accept the parts he would otherwise resist.

After some discussion, each said yes, yet most doubted that counterparts in the opposite camp would go along.

"But," we responded, "they're in the same position you are: no realistic way to get their ideas enacted. So, those we've spoken to did say yes."

From these interactions, we expect that if we publish this grand bargain — in whatever order we list its elements — some readers would balk at the first component, enough so to reject the total package; others would see the whole idea as devised by their ideological opponents; and most of the rest would expect their opponents to reject it.

By contrast, in the political conflicts cited at the start, each of the opposing groups chose an advocate they trusted to speak for them. And when he/she presented the agreement he had negotiated on their behalf, they accepted his case that it would advance their interests further than they could by any other means.

So, with the American public more divided than ever in our lifetimes, can the various sectors of society agree on solutions for our existential problems *without* relying on individuals that each sector trusts to speak for them?

We do not see how that is possible.

**We therefore maintain that to resolve America's critical problems, it will be necessary to:**

Give every registered voter an opportunity to identify the individuals outside government whom they would most want to be their advocate.

Convene the advocates whom 1 percent or more of the public support<sup>8</sup> — and provide facilitators who would:

help the advocates evaluate proposals from the major think tanks, so that in their first few meetings they can put together a combination of reforms that each advocate sees as advancing his/her political priorities sufficiently to support the whole package; and

using this result as a benchmark, help the advocates work out a far more detailed grand bargain resolving our country's troubles in ways that they expect their constituencies will all far prefer over the country's current trajectory.

Provide each advocate with expert help in communicating to his/her constituents how this grand bargain would vastly improve the quality of their lives — until the public overwhelmingly supports the pact.

The rest of this document will spell out how we propose to implement each of these steps and reach a successful conclusion by the end of 2023.

**Who Will Launch This Effort and How Will They Marshal the Resources Needed for It to Succeed?**

We will seek out visionary leaders in business, public policy and the media who have voiced alarm about income inequality, climate change, education, the national debt or the threats to our democracy.

We will make a case to these leaders that America's political institutions are far too dysfunctional to enact a fair, sensible, affordable solution for *any* critical national problem. Hence, the strategy spelled out above is necessary to resolve our country's ills.

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<sup>8</sup> This 1 percent threshold would, we believe, justify calling the advocates the most representative body ever assembled.

We thereby intend to motivate these leaders to support our forming a coalition of politically diverse organizations that will refine this strategy into an operational plan.

That will include assembling the staff and resources necessary to launch this endeavor.

The next step would be to conduct nationwide polls to identify the 50 to 100 individuals whom voters would be most likely to choose as their advocates — and then engage the entire public in selecting among them.

### **Going Public with the Project and Giving It a Name**

To draw tens of millions of voters, the coalition could enlist iconic figures in the arts, business and media to broadcast a message such as:

- Our country faces the greatest crises of our lifetimes, yet the members of Congress keep clashing rather than working out realistic solutions.
- So, I believe that we, the American people, need to seek out the men and women we know we can trust to act in our interests, and ask them to work out solutions that will benefit us all.
- If enough of us supported their recommendations, politicians who wanted to keep their jobs would listen.
- I believe in this idea so strongly that I have joined a group that will make it happen. We call it the Forum for Nationwide Prosperity.
- We are organizing it so that one or more Forum members will speak for your concerns — if you visit the Forum website and follow the steps it lays out.

This media campaign would include mailing each registered voter a unique code providing access to a website where the voter would be asked to:

- fill out a brief checklist of his/her values, concerns and aspirations;
- watch brief videos of advocates whose priorities match his/her own;

- identify the advocates he/she would most trust: a first choice, second choice, third and so on.

Advocates will be selected with an algorithm by which each voter who follows the website's instructions will get one of their choices, and each category of voters will get representation in proportion to their numbers. The algorithm is available on request.

### **Obstacles the Prosperity Forum Will Face and How We Propose to Overcome Them**

*Many voters will know little about the issues and pick Forum representatives by superficial criteria.*

That is inevitable with any selection process. But the one above, by enabling each voter to get a representative they trust, will put each representative in the best possible position to win his/her voters' support for the final agreement.

*Some voters will choose spokespeople who refuse to negotiate with ideological adversaries.*

Most voters drawn to the idea of the Forum will want a spokesperson who explains how he/she will deliver far better results than politicians have and are thus likely to shun candidates who sound like politicians.

*Some voters will still choose Forum members who prefer divisive slogans and grandstanding.*

Forum meetings will be held in private; so the members will have no audience or cameras to grandstand to.

*Some voters will object to private meetings.*

Our response to this objection will be that no one has been able to cite to us *any* group of political adversaries that negotiated a constructive deal in public.

Every such agreement we know of, including the U.S. Constitution, was hammered out behind closed doors. The participants could thereby talk candidly with one another until they resolved their differences. Each negotiator then showed his/her constituents how the resulting deal would advance their interests.

Each Forum member will do the same — if they have enough privacy to work out the kind of agreement that media-obsessed politicians cannot.

*Some Forum members will lack negotiation skills, including some who will be too aggressive.*

Forum meetings will be led by facilitators experienced in helping representatives with diverse temperaments to negotiate an agreement they all can support.

*Each Forum member will have a different level of knowledge and expertise in energy policy, education, health care, social policy, entitlements and taxes — which will make negotiating among all these issues very difficult.*

The members will therefore form task forces. Each will:

Analyze a different policy area.

Be composed of members who represent the entire Forum as closely as feasible.

Meet with top experts and evaluate a wide range of reforms on its designated subject.

Have a staff that will summarize the benefits, costs and risks of each reform.

The members of each task force will have opportunities to question the staff about its conclusions until satisfied that they understand how much each reform would advance their own objectives and the objectives of other Forum members.

Each task force will then try to agree on which combination of reforms would have the greatest appeal to the most Forum members. If they cannot reach consensus, the combination with the most support will be considered the task force's initial recommendation.

We will present these recommendations to each Forum member — starting with the proposed solution for his/her top priority issue. We will ask, "Does this total package meet your objectives sufficiently for you to far prefer it over the status quo?"

If some members are dissatisfied, we will ask them to identify the clauses they most want changed.

Once all these clauses are in hand, the relevant task forces will explore ways to modify them so as to increase the number of advocates who will approve.

Substituting these modifications in the overall package, we will again ask each Forum member whether he/she prefers the result over the status quo.

We will keep exploring modifications until we can no longer increase the number of Forum members who are satisfied.

At that point, we will need to explain to the holdouts that the vast majority expect their constituents to strongly support the tentative agreement — whereas the holdouts are asking for measures drawing enough opposition from Forum members that most of the public is likely to oppose them as well.

We expect the holdouts will not want to end up empty-handed and that most will try their best to reach an agreement with the other members.

*The final agreement may address issues more timidly than these times require.*

Voters will strongly support the agreement only if they perceive it as advancing their priorities as much as feasible.

Each Forum member will therefore have incentives to reach an agreement that as many other members as possible can present to their voters that way.

*Some voters will have unrealistic expectations, which the final agreement will not meet.*

We will hire experts in communication to help each member show his/her constituents how the Forum plan is their best option. The gist could be:

This deal gives us the policies we have most wanted but that politicians never delivered. They promise the moon and then blame failure to keep their promises on scapegoats. So, we either support this deal in its entirety, or we are signing up for the political paralysis of the past few years and no progress on the issues we care about.

*Various media will likely spread conspiracy theories about the Forum and distort its recommendations.*

Media that spread disinformation will continue to exacerbate America's ills *until* we convene individuals that each segment of the public trusts. They, and they alone, could persuade each segment to ignore the lies and distortions.

*Congress has ignored many initiatives that the public has supported.*

That has depended on the intensity of the support and how widely it was distributed.

Specifically, if enough constituents in a district or state feel strongly enough to base their vote on one issue, while the majority care far less about it, a lawmaker who wants to keep his/her job will cater to those constituents on that issue.

The steps outlined on these pages are designed to produce a deal that advances each constituency's top priorities as much as feasible — and thereby motivates voters to support more vigorously than any other measure.

*Many Americans are leaning toward tribalism, nihilism or extremism, seemingly indifferent — or even opposed — to resolving long-term problems, a mindset the Forum may be unable to overcome.*

Americans who favored the Forum's plan could outmaneuver extremists by voting in congressional primaries.

Primaries typically draw just 20 percent of registered voters. So, if 15 percent of voters signed on-line pledges to vote in their state's and district's primaries exclusively for candidates who supported the Forum's plan, candidates would have strong incentives to change their priorities accordingly.<sup>9</sup>

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<sup>9</sup> CCD is a 501(c) 3 organization, so advocates we convene could urge followers to vote but not whom to vote for or against.

**In Summation:** This document has presented evidence that America's 330 million people — divided along social, economic and ideological lines — cannot possibly bridge their differences on our country's existential ills by relying on lawmakers who speak for geographic districts or states, and who can easily win elections by offering simplistic slogans as remedies and stoking their voters' hostility toward others.

By contrast, various groups that had long clashed over multiple issues have reached wide-ranging agreements that advanced the long-term interests of all involved.

We propose to apply the same methods on a national scale, by:

- Enabling each segment of our society to identify whom they would most trust to represent them
- Providing these representatives with the resources to:
  - evaluate a wide range of solutions for each critical problem;
  - work out the combination of reforms that best advance the interests of all; and
  - mobilize their constituencies to vocally support the result

Are there simpler ways to resolve America's gravest problems in time to prevent the most extreme voices from tearing our society apart? We have posed that question to political reformers of many kinds. None offered an answer that addressed the flaws in our political system outlined here or that could conceivably be implemented in this age of extreme polarization.

The individuals and organizations trying to strengthen our democracy are fast losing ground to the forces dividing our country into hostile camps. If our republic is to survive, we need a far more ambitious strategy than any to date, a strategy that can unite most Americans around practical solutions for our existential ills.

We invite readers to share their thoughts with us. Please contact Sol Erdman at the Center for Collaborative Democracy:

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