

CIVILITY IN THE IDAHO LEGISLATURE

A SUMMARY OF
RESPONSES TO THE
NICD/WASHINGTON
STATE UNIVERSITY STATE
LEGISLATIVE CIVILITY
SURVEY

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Civility in the Idaho House of Representatives

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The quality of discourse in state legislatures has been a matter of perennial concern. While there are many programs designed to encourage bipartisan dialogue in the United States Congress, our state legislatures are often neglected by these programs. There are, in addition, many research programs aimed at measuring the quality of life within the United States Congress, and we know much about how changes in partisanship, changes in the workload of members of Congress, and how campaigns for federal office influence the interactions of lawmakers. State legislatures are subject to many of the same dynamics, but differences in the institutional and cultural characteristics of the states have made research and reform efforts difficult.

Since 2011, the National Institute for Civil Discourse (NICD) has conducted workshops in a number of state legislatures aimed at facilitating civil, bipartisan dialogue. A crucial part of this project is the effort to understand *baselines* – which states tend to have particularly civil or distinctly uncivil legislative processes? What interventions might improve the quality of discourse in the states? And, how do the characteristics of particular states determine what works? This project, in short, calls for research into what the quality of discourse in state legislatures is before and after workshops such as those conducted by NICD. This brief report describes characteristics of political discourse in the legislature of one state, Idaho. It serves, we hope, as a means not merely of describing what goes on in Idaho, but of describing what we can learn from a study of Idaho that might be of use in other states and in NICD's ongoing efforts.

NICD, in cooperation with Nicholas Lovrich and Francis Benjamin of Washington State University's (WSU) *Legislative Service Project*, administered a survey on civility to the Idaho House of Representatives during late November and early December of 2017. The survey was patterned on one which had been given to legislators in the State of Washington during 2009, 2012, and 2013. Question wordings were kept as similar as possible in order to facilitate cross-state comparisons at a later date. The survey provides a snapshot of life within the Idaho legislature, but the goal is to administer the survey in as many states as possible in order to eventually gain an understanding of the challenges facing state legislators in general. and the ultimate goal is to identify perceptions of civility and bipartisan cooperation nationwide, and to identify reforms that might be promising for the promotion of civil discourse. For the Idaho survey, some questions were slightly adjusted to fit distinct characteristics of the state's legislature; we were aided in our implementation of the survey by Professors Gary Moncrief and Stephanie Witt of Boise State University. Links to the online survey were sent to all Idaho House and Senate members. Speaker of the House Scott Bedke and Democrat State Legislator Melissa Wintrow each sent separate emails to members encouraging them to complete the survey.

We received a total of 47 responses to this survey; there are only 70 members in the Idaho House, so the response rate here is quite good – 67 percent. At the time of the survey, 59 members of the Idaho House were Republicans and 11 were Democrats. Although response rates were similar across the two parties, in our judgment the number of Democrats is too small to generate meaningful statistical comparisons across parties. The same goes for gender – there are 23 women in the Idaho House, and response rates for women were somewhat lower than for men. There was, in addition, significant roll-off in the survey. We thus focus our attention primarily on the aggregate data, although in our consideration of open-ended responses we do note instances where partisanship or gender may have been related to the response.

The major findings of this study indicate that civility is a matter of concern for Idaho legislators. While legislators report that they are generally satisfied with many aspects of their careers, the report shows as well that Idaho legislators of both parties believe that civility can be improved, and that its improvement requires greater efforts by legislative leaders to model civil behavior and for informal actions on the part of legislators to reach out across the aisle and across intra-party factional lines. The findings here should be seen as preliminary, for two reasons. First, we do not yet know for certain how the quality of discourse has changed in Idaho; we can only know that after subsequent surveys in the state. And second, we are able to make preliminary comparisons with one state, Washington, but we will know more about the effects of particular characteristics of Idaho – characteristics such as the lopsided partisan balance, the size of the state and the state legislature, and other cultural features of Idaho and its region of the country only after we have had the opportunity to conduct surveys in states with different institutional and cultural features. This report should be seen, then, as a sort of marker for Idaho legislators and citizens, and for those concerned with political discourse in state legislatures more broadly.

Overall Satisfaction with Legislative Service

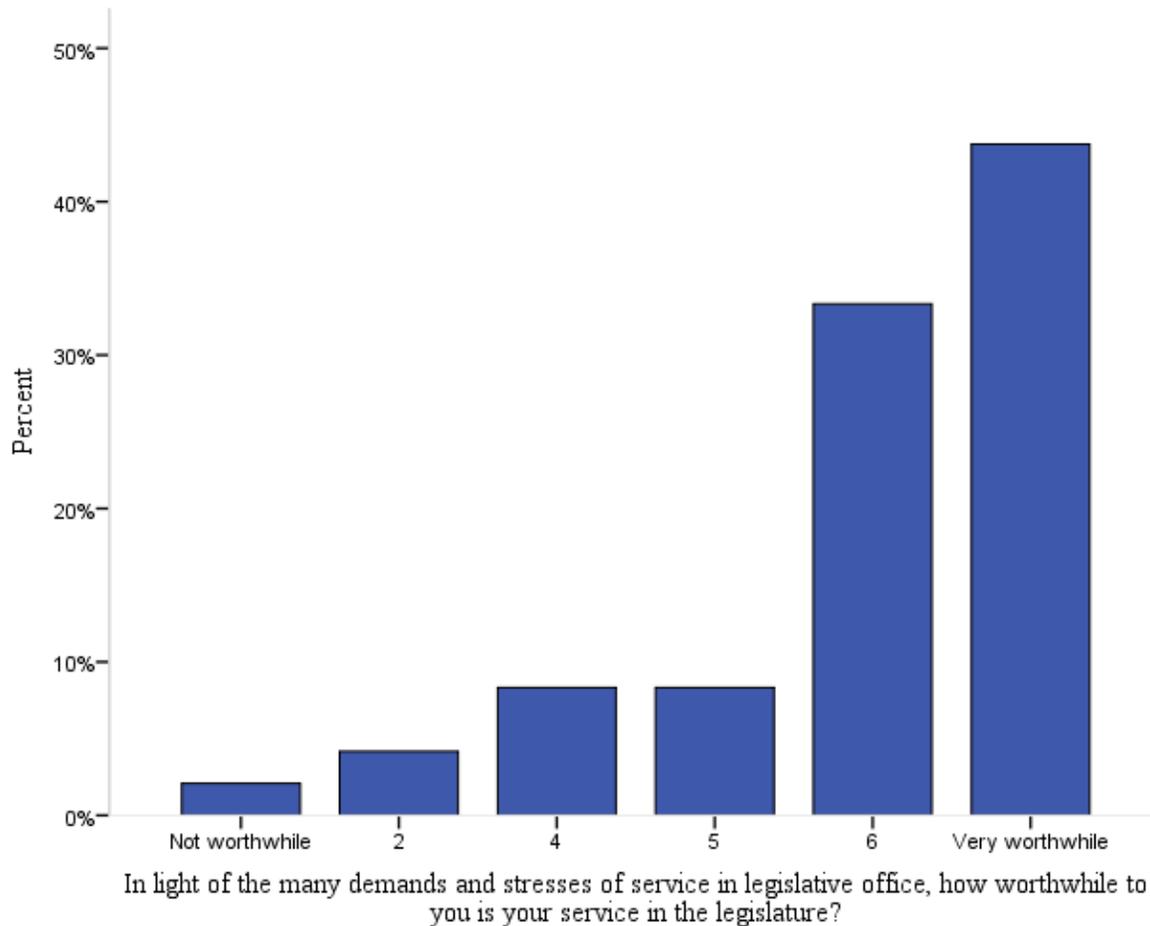
Overall, legislators provided very positive responses about their satisfaction with their legislative service; as Figure 1 shows, 76 percent of Idaho legislators found their service as legislators to be very worthwhile, and only six percent responded that their service is not worthwhile. Likewise, 76 percent of legislators said that if they were to live their lives again they would wish to be a legislator anew, and only one respondent claimed that he or she would not want to be a legislator were he or she to have a chance to reconsider.

We asked legislators to comment on the most worthwhile aspects of legislative service. Most respondents discussed the rewards that came from their interactions with constituents:

The opportunity to represent constituents of underserved populations and to advocate for justice.

Impact on policy (both improving good policy and stopping bad policy in my perspective), more fully understanding the fabric of our society and hearing from citizens about challenges they face, building friendships (not in the political sense).

Figure 1



Connecting people who are struggling to find service or justice in systems with appropriate resources to find the answers to their daily problems. For example, one of my constituents with a severe physical and developmental disability was not receiving private duty nursing benefits which he qualified for. This had a very bad impact on his ability to move in the public realm and was actually against federal law. After a number of meetings, discussions, and letters, the Department of Health and Welfare conceded that he should be getting these services and would make amends to him and send word to all the service agencies providing service.

Being a citizen legislator and hoping to make a difference in the freedom and liberty of our State.

In contrast, most legislators' comments about "the most trying aspects of legislative service" emphasized the difficulties in dealing with problematic colleagues or, in some cases, with directives from legislative leaders:

Lack of civility, incorrect information circulated by opposition.

Some of the legislators are there for their personal reasons and not for their constituents.

Having to deal with personal attacks.

Listening to debate from legislators that do not know what they are talking about.

Personal attacks from colleagues and campaigning.

Working with legislators who do not believe in any type of compromise.

Colleagues with limited vision who are grounded in “good old boys” club and remain tied to outdated approaches.

Politics....trying to work on legislative needs & issues, making good decisions while dealing with the narcissistic demands, personal agendas and attitudes.

Not being able to change direction the ship is going, it takes a long to turn around an Ocean Liner. Learning that not everyone thinks the way I do!

Other legislators who won't rationally discuss issues.

Thus, while the legislators reported a relatively high level of job satisfaction, their frustrations with their colleagues were evident. This appeared to be a sentiment shared across the political spectrum; minority party members cited the problems of being in the minority, but majority party members often cited factional conflict within the Republican Party.

Perceptions of Civility

There are concerns, then, about the level of civility in the Idaho legislature today. As Figure 2 shows, very few legislators (eight percent) believe that the level of civility has increased; slightly less than half of respondents reported no change, and forty-three percent reported that legislative life has become less civil. We asked respondents about the effects of this perceived increase in incivility; very few legislators felt that their own commitment to the legislative process, the institution, or their own jobs had been harmed, but many responded that their interactions with their colleagues had been affected; by far the most common effect (noted by 73 percent of respondents) was that legislators tend to avoid colleagues who they perceive to be problematic (see Figure 3).

Figure 2

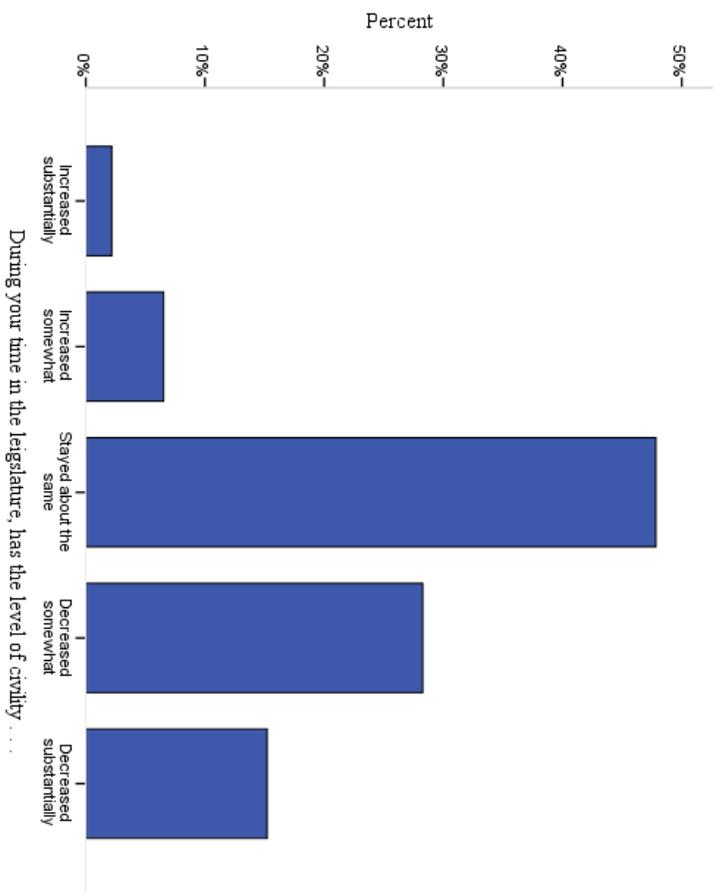
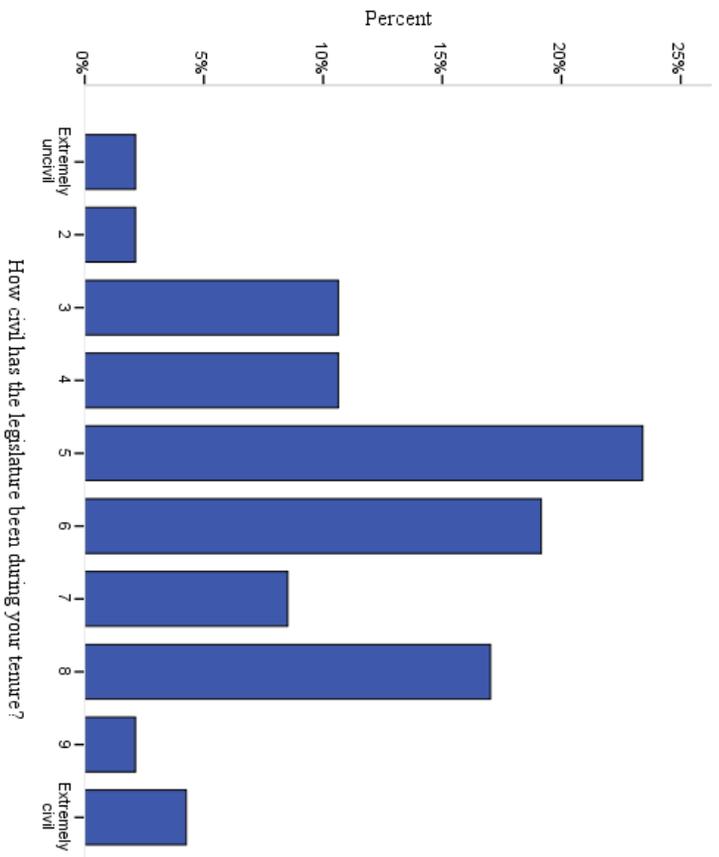
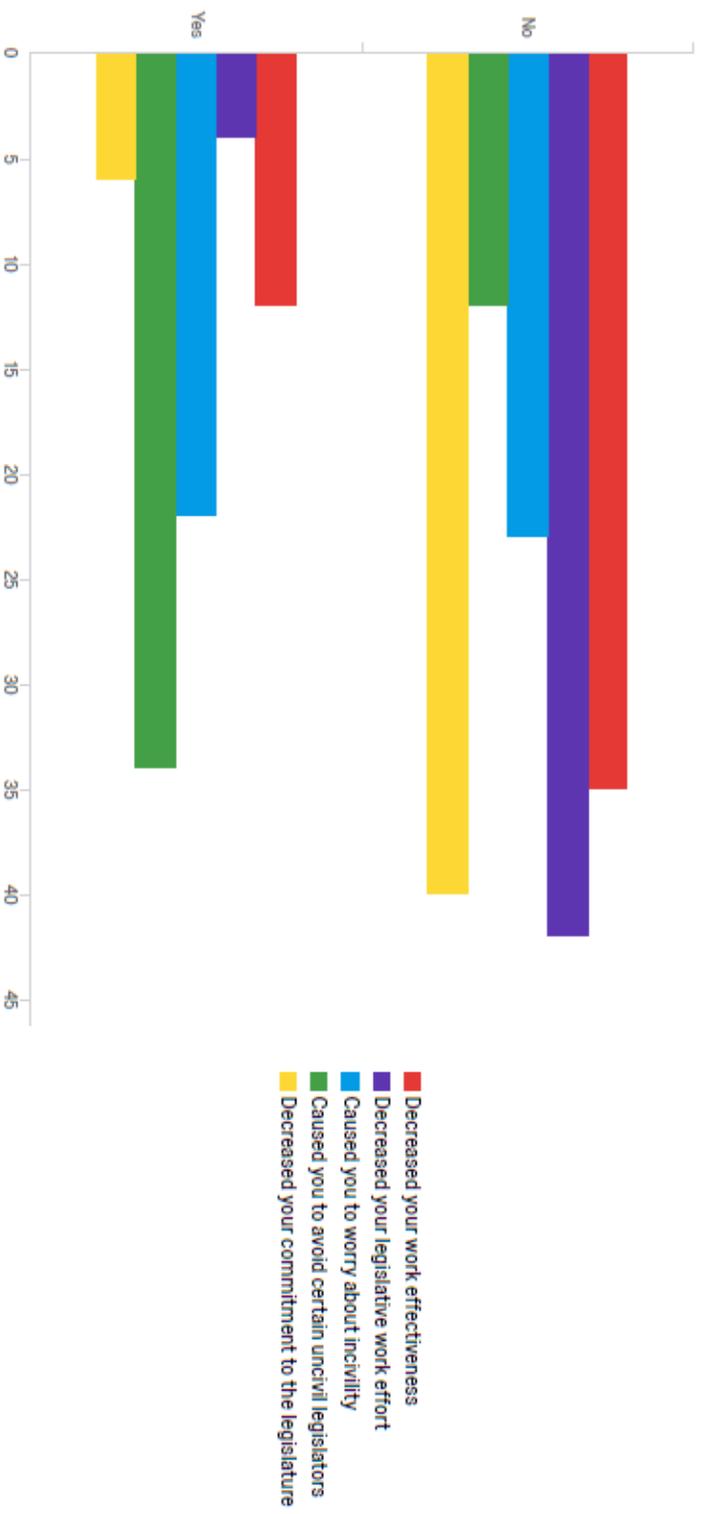


Figure 3

Q16 - Has legislative incivility affected you in any of the following ways?



Our respondents offered many different definitions of what civility is. While some considerations of civility emphasize what one might call “surface level” civility – politeness, cordiality, and so forth, most legislators emphasized their belief that legislative civility included a serious consideration of others’ points of view, and a willingness to break with partisan orthodoxy in committee hearings, legislative debate, and informal interactions. As with some of the other questions, many respondents took particular notice of factional conflict within the majority party and the attitudes of, and toward, the legislative leadership:

Treating others with honesty, without personal name calling, belittlement, threats, or aspersion to motive, while at the same time not taking offense to vigorous debate, or limiting the depth of debate and exchange of ideas.

If you are equating civility with politeness it [the level of civility in the legislature] is good. If you mean consideration of others and flexibility in views it is not good.

2017 was totally out of control! A wedge within our party that has divided us and almost a third wanting to form a separate "Freedom Caucus." I am totally supportive of this work to assist with bringing our caucus back together.....if possible. Mostly disappointed with the disrespect of our leadership.

Your demeanor in and out of public view. Also, how you carry on your personal political newsletters and how you directly influence third parties to carry out your positions.

Civility is more than please and thank you, although these are important. Civility is about providing a fair opportunity for all ideas to come to the table for discussion and a vote. Incivility is blocking an idea from coming forward because of a party affiliation. I think core to civil discourse and behavior is honesty and initiative. I try very hard to let folks know what I'm doing so they can prepare. If the press is coming their way, I give a phone call. If there is something I am going to disagree with in public, I try to share that with appropriate parties. Civility includes the thought about who needs to know something and when and how to communicate it. Civility is also about fairness. It also includes considering that I may be wrong about something. Coming to the table with the mindset that I may not have all the info and I may be convinced otherwise.

To me, civility has two components. The first and most important component is having enough respect for others and the market place of ideas to listen to and discuss things with them. The second, and less important—although still important—is to listen and discuss in a respectful and civil manner that allows others to be heard and their views seriously considered. To me all of this (taken together) means that legislative leaders need to stop preventing proposed bills from being heard and considered. Refusing to hear legislation simply silences people, means that there is no listening or discussion, and that there is a fundamental disrespect for competing ideas and the people who espouse them.

Partisanship and Interactions across Party Lines

Legislators' interactions with their colleagues tend to be limited to activities conducted while the legislature is in session. Most legislators report formal and social interactions with members of the opposing party while the legislature is in session, but rather few reported social connections with the opposing party outside of the legislative session. A substantial majority of respondents claimed that they know most members of the opposition party, that they respect most of them, that they share common values with the opposition, and that they have at least some friends in the opposition party. Respondents were less likely to respond that they trust or confide in very many members of the opposition party; only nine percent of respondents said that they confide in all or most of the opposition party members, and fifteen percent said that they trust most or all of the opposition party members (see Figure 4). The questions here were arranged to roughly correspond to depth of relationship – that is, they go from mere acquaintance to close friendship. The responses support what we see elsewhere in the survey; most legislators respect most other legislators, and most tend to have some friends in the opposition party. At the same time, it is rare for legislators to trust or confide in these friends, and most members harbor some suspicion toward some members of the opposition party.

Given the lack of a baseline or a comparison group, it is somewhat difficult to know what to make of these responses. This is, in addition, a question on which we would gain a good deal more leverage were the Idaho legislature less overwhelmingly Republican. Most legislators clearly feel that the quality of deliberation requires some level of bipartisanship; only fifteen percent of respondents claimed that bipartisan dialogue and deliberation are not important for the legislative process. Likewise, when we asked legislators about potential reforms to encourage greater interaction across party lines, the legislators were very enthusiastic about virtually all of these prospective reforms (see Table 1). They were particularly open to self-initiated, informal efforts such as visiting each other's districts, socializing with them, or reaching out to them as part of the legislative process. They were, however, a bit more skeptical that formal changes, such as mixing offices or seating assignments, would substantively improve the quality of deliberation and dialogue. As with the broader questions, this suggests that legislators primarily see the challenge for bipartisanship and civility to be a matter of personal choices and of the actions of a small number of legislators, not as a larger institutional problem.

The open-ended responses here largely back up this contention. In addition to soliciting opinions on a variety of different reforms, we also asked legislators to explain their views on these reforms, or to offer additional suggestions:

The state legislature should have no hand, take no action, in improving legislative relationships.

I don't have any. We have rules of decorum and those should be enforced. Otherwise, we are dealing with adults of wide ranging personalities and views. If you compare our civility to other legislative bodies such as the British parliament or Congress in the 1800s, we are far and away more civil. Political discourse can be uncivil by nature. Our problem today is not so much incivility as it is a drastic change in the way people view very fundamental issues of life. That brings the polarization that we see, and classes on

Figure 4

Q19 - In reference to members of the legislature from the other political party:

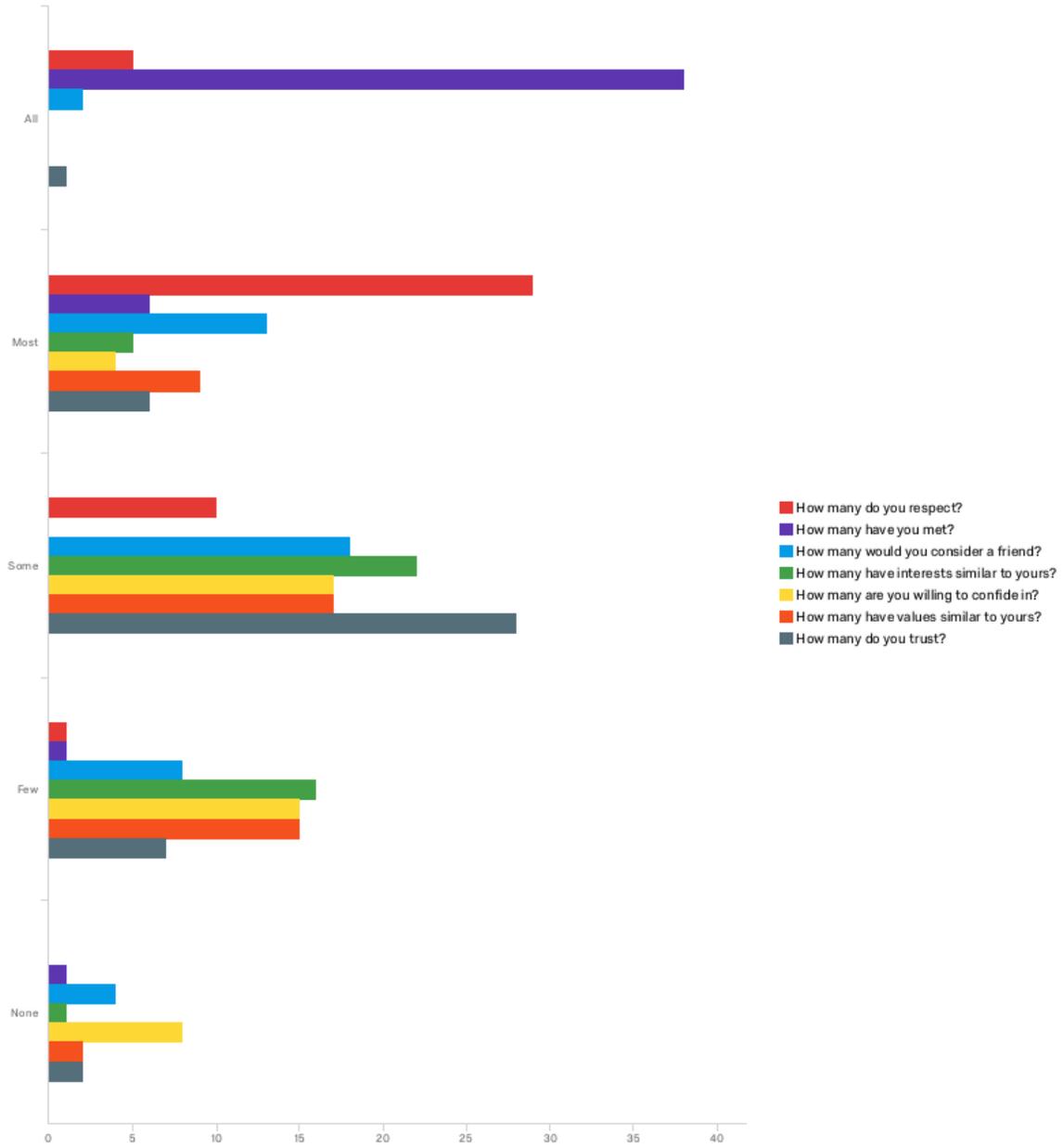


Table 1: Legislator Support for Reforms to Encourage Civility and Bipartisan Dialogue

Reform	Highly Effective	Moderately Effective	Not Very Effective	N
Show respect for other people and their opinions	88.9	6.7	4.4	45
For legislators to be an example of statesmanship	84.5	4.4	11.1	45
Work with legislators from the other party on joint projects	65.9	18.2	15.9	44
Being willing to work with someone with whom you disagree	55.6	33.3	11.1	45
Eat meals with other legislators	55.6	28.9	15.6	45
Hold social functions which are limited to legislators	54.6	29.5	15.9	44
Visit other legislators in their legislative districts	52.4	22.2	24.4	45
Spend time with other legislators outside of the session	47.8	29.3	25.0	44
Change seating assignments so parties are intermixed	27.3	15.9	56.8	44
Change office assignments so parties are intermixed	22.7	20.5	56.8	44

civility are not going to change that. I think most legislators realize that what goes around comes around, and on any particular issue one day's opponent will be tomorrow's ally, even across party lines. I think the media and certain interest groups have seized on civility as a problem at the legislatures and magnified it, but that is not the problem. From a historical standpoint, I think we have a very civil legislature in an environment where there will always be differing opinions and shifting alliances overshadowed by growing polarization in society.

Better relations between representatives and senators.

Reconsider the office assignments so that seasoned legislators are in the proximate areas as new legislators. Break up the political cliques.

Leadership should meet with each person in the minority party and build a relationship. I would also ask that the Leaders of the majority party discuss with their members to be mindful in including all members in order to safeguard the democratic republic. It is in all our interests to be sure that everyone feels that they have the OPPORTUNITY [caps in original] to be at the table. When people feel blocked or ignored, the opportunity for incivility and revolt increases. When people who don't feel they have anything to lose, they act that way and will do all they can to break a system.

Legislators have been voted for in their districts; therefore they are very independent and often unwilling to change the goals and ideas they presented to their constituents for which they were voted for. Even those who differ in the same party. We need to realize all our goals and ideas likely will not be honored and/or become policy; but we still must respect the process and the leadership without creating discontent and animosity in the body.

There have been some attempts to improve the environment, but it is very fleeting. In my opinion attempts to educate us with workshops etc. will not work in this age in the political arena. Things have got too personal and dogmatic.

Those in leadership could speak more positively of the opposition in caucus.

While most legislators (70 percent) have work-related interactions with members of the opposition party every day during session, and most reported having social interactions at least 3-4 times per week during session as well, there is little interaction outside of session. Fifty-three percent of legislators reported that they have work-related contacts with members of the opposition fewer than a few times a year, and 82 percent reported that they have social interactions with members of the opposition fewer than a few times a year. In fact, 36 percent of legislators reported that they **never** see members of the opposing party socially.

Civility in Legislative Campaigns

We also asked legislators a battery of questions about their experiences campaigning for office. As some of the comments above show, hostile confrontations during campaigns can have an influence on the conduct of legislative business. Eighty-seven percent of our respondents believe that incivility in campaigns have influenced their working relationships with other legislators, and 67 percent believe that legislative campaigns have become less civil over the past ten years (only one respondent responded that campaigns have become more civil, and the remainder said that there has been no change). Despite these comments, Idaho legislators nonetheless believe that legislative campaigns are more civil than campaigns for the U.S. Congress. Seventy-four percent of respondents believe that the Idaho legislature is less polarized than the U.S. congress, and only five percent of respondents believe that it is more polarized.¹

The Quality of Legislative Life

A substantial majority of legislators believe that the legislative workload has increased during their time in the legislature. Seventy-four percent believe that the workload during session has increased, and 87 percent believe that it has increased outside of session as well. Legislators report working an average of sixty hours while the legislature is in session, and eighteen hours when it is not (the median response was 60 and 20, respectively). This heavy workload might be expected to have a number of different effects. It is clear that legislators commit a lot of time to their jobs. A majority (56 percent) of respondents said that their quality of sleep is “fairly bad” or “very bad” while the legislature is in session. Legislators report getting to sleep a half hour later than when they are out of session, and also having somewhat

¹ Idaho legislators are not entirely correct in this perception. According to Boris Shor’s analysis of polarization on roll call votes in state legislatures, the Idaho State House has become somewhat more polarized over the past decade, but it is less polarized than the average Western state legislature (eighth most polarized of thirteen states). It is, however, more polarized than the U.S. House of Representatives if one compares the median ideology score of Democratic and Republican Party legislators. See Shor’s analysis at <https://americanlegislatures.com/category/polarization/page/1/>.

more difficulty sleeping well. Yet, when we asked a battery of eleven questions about legislators' quality of life – including questions about work relationships, productivity, the quality of family life, and the quality of legislators' decisions – our respondents gave relatively positive responses. Only 45 percent said that their level of satisfaction with their job was very good or excellent and only fifty percent said that their personal enjoyment of their job was either very good or excellent. Nonetheless, legislators provided few details that suggest these attitudes have affected their personal lives.

Some Preliminary Comparisons with the Washington Studies

One of our goals in this project is to be able to make comparisons between states. Many of the survey questions used for our Idaho study were also asked of Washington legislators.² Responses in the two states are *broadly similar*. In the 2013 survey, Washington legislators' responses to questions about whether legislative service is worthwhile (Figure 1), whether they would choose to serve in the legislature were they to have a chance to live life over again, and in regards to changes in the level of partisanship over the past ten years were similar to those of Idaho legislators. In the 2010 survey, Washington legislators rated the level of civility higher than did Idaho legislators – the mean response on the ten-point scale in Washington was 6.82, and the mean was seven. In contrast, the mean response in Idaho was 5.69 and the median was six. Washington legislators also reported that they had far more social interactions with members of the other party, both during and out of session. Measures of satisfaction with personal life while in the legislature were comparable in the two states. Responses about potential reforms were also quite similar; Washington legislators tended to prefer self-initiated, informal interventions as opposed to changes in legislative rules.

There could be many reasons for the few differences noted. For instance, Washington is a larger state, so more legislators must spend some time living in Olympia as opposed to returning home; the two parties are more evenly represented in the legislature so there simply are more members of the opposing party to find if one is in the majority; and we have no guarantee that circumstances in Washington have not deteriorated since the last survey conducted there. The similarities in responses in these two states, however, suggest that the responses we received in Idaho are not aberrant. As we gather data from more states, we will be able to gain a better understanding of how state politics and state culture influence civility.

Conclusions

This report should, as we noted at the outset, be seen as a preliminary marker for understanding the quality of legislative life in Idaho, and it should be seen as a point of comparison as we conduct other studies in Idaho and elsewhere. We greatly appreciate the involvement of the Idaho legislative leadership in this project. We are particularly heartened by the work many legislators put into their open-ended comments; these comments suggest to us that while there are real problems in the Idaho legislature, there is much to build upon here and

² For a summary of results in Washington, see the Legislative Services Project website, at <https://labs.wsu.edu/political-interaction/project-results/>.

there as a genuine appetite among many of our respondents for taking steps to encourage civil, bipartisan dialogue about legislative problems. We look forward to our continuing involvement in efforts to promote civility in Idaho, and we anticipate that there is much here that can be used as a means of understanding what can be generalized to our broader inquiry into state legislative politics.

Recommended Citation

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