Day 1 Breakout Information

At two points during the course of the retreat, the full group will be divided into smaller groups to work more intensively on various parts of the initiative.

Each group will be “kicked-off” by a presenter who will take approximately 5 minutes to layout some of the issues. Each group will also be facilitated by a member of the planning committee, and will contain a “scribe” who will help to keep track of the flow of the conversation and help report back to the group. Each group will also designate a “reporter” who will summarize the small-group discussion for the larger group.

Included in this packet are some readings that will provide background and/or stimulate thought and discussion. They are not in any way intended to necessarily be the focus of the discussion.

The topic of the sessions were suggested by the common themes that emerged from OMB Watch’s regional strategy sessions, and have been selected and modified by the planning committee so as to make the retreat as productive as possible.

Below, the sessions are briefly listed and fuller descriptions and session-specific readings follow. As mentioned, you will be asked to express your preference for which breakout you would like to attend, using the preference sheets in the side pockets of your notebook.

Day 1 – Breakout Groups

1. What would a vision statement look like?
2. How do we address the attacks on the role of government?
3. Improving our Language: Messaging and Framing
4. Civic engagement – Steering the debate

Day 1 – Breakout Groups: Descriptions

1. What would a vision statement look like?
   Presenter: Nancy Amidei; Facilitator: Christina Macklin; Scribe: Ellen Taylor

   Some people talked about a new social compact or something that describes the American dream. Others talked about building something around the Preamble to the U.S. Constitution. Yet others talked about ideas for “healthy communities,” including universal health care, affordable house, clean environment, etc. What should we be striving towards during the next 10 years? (And who is the “we”? ) How does this help low- and moderate-income families? How does this help achieve a sustainable community and environment? Provide specific ideas. How do we know if we are making progress, and if and when we get there? Do we get together marketers and movement builders?
What is the plan for articulating, testing, getting “buy-in,” and using the vision to develop better tax and budget policies?

2. **How do we address the attacks on the role of government?**
   *Presenter: Michael Lipsky; Facilitator: Richard Healey (GPP); Scribe: Lois Canright*

   Many felt that the tax and budget debates are really a proxy for a bigger issue about the role and responsibilities of government today. As the conservative movement leader Grover Norquist says, “Kill the taxes and you kill the government.” A recent poll found the public was willing to pay taxes as part of our responsibility for being a US citizen or having good schools and other services. But the same poll found 65% saying, “I don’t like paying taxes because the government is too wasteful and inefficient.” Progressives sometimes contribute to anti-government sentiment, and perhaps we need to figure out ways to demand accountability of government? How should the fact that many nonprofits actually do government’s work, i.e., “we are government,” be portrayed or used? What specific steps should be taken to address all of these issues? What is the right approach to state-level work – e.g. common messages or state-specific messaging? How do we develop a better “frame” for discussion? How do we shape opinion over time? How do we attack things we don’t like about government?

What is the plan for formulating and acting on our message and strategies?

3. **Improving our Language: Messaging and Framing**
   *Presenter: Dan Seligman; Facilitator: Brett Houghton; Scribe: John Irons*

   There has been discussion of developing new language and improving how we frame our messages. How should that be done and what would this new framing look like? Who should be our target audience(s)? Can we agree on common messages? Will messages need to be tailored to be specific to states or specific communities? What kind of messaging development and dissemination needs are there; and how do we meet those needs?

   How should we talk about tax issues? How should we talk about government spending?

   What infrastructure is needed to generate effective messages and then effectively use results from message development efforts?
4. Civic engagement – Steering the debate
Presenter: Diana Aviv; Facilitator: Bruce Astrein; Scribe: Debbie Weinstein

i. Many people argued that a successful proactive long-term initiative requires a more actively engaged electorate. There was a broad range of ideas to address this – from improve the advocacy skills of nonprofits to holding elected officials more accountable for their actions. What needs to be done under a long-term initiative to strengthen civic responsibility? And what needs to be done to implement them?

How do we strengthen the ties between voter-turnout efforts and advocates? Between civic engagement and public accountability?

ii. Base broadening - Others have said we need new strategies to reach the public and to get legislation passed, that our current approaches are not working. Who is missing? How can we engage them? What would these new strategies look like?

Provide specific strategies that should be employed by this proactive long-term initiative.
What would a vision statement look like?

In order to be more effective advocates for policy change, many have said that we must have an overall “vision” for the nation and our government’s policies. Some have suggested we need to rearticulate an “American dream,” an ideal of healthy communities, or to restate the Preamble to the U. S. Constitution.*

Creating a vision for our future could provide a guide to policy proposals that would implement that vision, and would provide a framework for guiding long-run strategy.

It would obviously be beyond the scope of this reader to include various “vision statements.” This section, however, does include a short article by Mark Schmitt that examines the need to connect to the “historical legacy of liberalism.”


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* Preamble: The Constitution of the United States of America

“We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.”
History 101
Is contemporary liberalism cut off from its rich history? The first installment of a new TAP online column

By Mark Schmitt
Web Exclusive: 05.20.04

American liberals suffer from a well-earned inferiority complex. How often do we hear phrases like, "We need a Heritage Foundation for our side," or, "We need ideas and a framework, like the right has"? Robert B. Reich has put forth the most comprehensive such argument in the May issue of the English magazine Prospect: "The radical conservatives have a movement, which explains their success ... they have frames of reference used in the policy debates ... and they have developed a coherent ideology ... Democrats have built no analogous movement."

It's not that this is wrong. It's inarguably correct (though changing, with the establishment of the Center for American Progress and a few other outfits). But to pretend that all that stands between progressives and power is money, message discipline, rapid response, and a friendly cable-news network or three is a dangerous delusion. By so often looking to the right for the model of ideological success, we risk cutting ourselves off from our own strengths, the power of our own ideas, and, above all, our rich history.

I began thinking about this paradox most recently when I joined a blog exchange, responding to a contention in a National Review Online posting by Jonah Goldberg that his fellow conservatives are universally literate in the intellectual heritage behind their belief system, in contrast to "the generalized ignorance or silence of mainstream liberals about their own intellectual history." As an example, Goldberg asked, "When was the last time you saw more than a passing reference to Herbert Croly?"

I thought there was a kernel of truth to Goldberg's mostly incorrect claim, and I intend to explore that kernel in more depth through this occasional column. The relationship of liberalism's current plight to its intellectual history is far more complicated than Goldberg recognized.

Consider Goldberg's example: Are liberals familiar with or interested in Croly or the implications of his 95-year-old ideas about national greatness and federal power? In fact, about a decade ago, everyone was reading Croly's The Promise of American Life. E.J. Dionne Jr., John B. Judis, and Michael Lind were, in different ways, calling attention to Croly's ideas about a strong federal government and national identity. Croly's era, which was the transition from the Gilded Age into 20th-century progressivism, was held out as a model or prediction for that time.

But it was not just Croly. In the Bill Clinton-Newt Gingrich years, liberals seemed to be awash in many such ideas and historical antecedents. We were reviving ideas at a mad pace. Communitarians, the "politics of meaning" groupies, those interested in "civil society," the Clintonites who wanted to incubate "bottom up" community-development strategies, and even the thinkers around the Democratic Leadership Council were among many factions engaged in a deep, ongoing, and not at all destructive debate that was thoroughly rooted in history.

But since then -- silence. After the election of 2000, and perhaps earlier, liberals seemed to begin to fall back on an envious observation of the right, looking for something to emulate rather than finding our own voice. The absence of a coherent economic policy in the 2002 elections was a tactical problem, but also a symptom of a larger failing that went well beyond the policy shop of the Democratic Senate Campaign Committee.

For the most part, the mythologized history of the far right rests on the Alcoholics Anonymous theory: Only when you hit rock bottom can you begin the journey to recovery. Historians of both the left and the right find the roots of the far right's current power in the aftermath of the Barry Goldwater campaign of 1964, or in soon-to-be Supreme Court Justice Lewis Powell's 1971 memo roughly outlining the array of policy and advocacy organizations needed to reverse "the plight of the free enterprise system."

This is actually a comforting thought -- perhaps too comforting. It suggests that as low as liberalism has fallen, the seeds of its renewal may be sprouting, even if we are doing nothing to water them. Outside the realm of ideas, it is probably true: The Democrats' small-donor fund-raising base, volunteer base, Internet base, and get-out-the-vote activism would never have emerged under circumstances in which the far right's influence and ideas were more muted or forced to compromise. But, with some experience of futility over the last three years, there is little reason to think that it has helped liberals in developing either new ideas or a coherent way of talking confidently about existing ideas. Liberalism is different from conservatism, not its mirror. Liberalism thrives when it has an opportunity to experiment, to debate, to test ideas. And when, in a time of futility, we also cut ourselves off from the historical roots of our ideas, we lose the benefit of the experience and experimentation that has gone before.
The corollary to the rock-bottom theory is an overestimation of liberalism's dominance in an earlier era. We often tend to exaggerate the era of "liberal consensus," assuming that even through the Nixon administration there was unflinching public support for taxation, an activist government, redistributionist economic policies, and a rich social safety net. But each of these was a struggle then, as it is now. There were backlash and resistance throughout that era, even when conservatism did not seem to offer a coherent ideological alternative. As Jacob Hacker's *The Divided Welfare State* shows, our social-insurance programs were consistently compromised by the political pressure to expand private-sector social insurance, so that the Bush administration's preference to provide all benefits through private-sector subsidies is not a reversal of earlier trends but simply the latest stage in a long struggle.

The historical legacy of liberalism must include the 1990s, although we are perhaps too close to that era to see its virtues clearly. The Clinton years are still too often summed up in the usually disparaging terms of "Rubinomics" or "micro-initiatives" by which Clinton escaped the Gingrich revolution. But behind each of those is a struggle, a set of choices, alternatives that were either rejected or couldn't succeed politically, as well as other approaches that did not rise to scale. What is the legacy of Clinton's "Empowerment Zone" urban-development strategy, for example? What is the lesson for the future in one of the signature achievements of the 1990s, the reversal of the decline in African American incomes? How did we change the politics of crime in 1994 so that liberals are not always on the defensive, and what were the lessons of that transformation for other issues, such as the role of government and taxation?

Without reflecting on these recent as well as distant historical questions, the liberal search for "ideas" and "coherent ideology" is likely to feel like staring at a blank page for hours trying to come up with something to say. I'm not a historian and I'm not interested in these past episodes just for what they explain about their time. On the other hand, I don't think that history offers models simply to be imported into our era. But I do think that the first question to ask about any aspect of policy -- from the specifics of raising the cap on the Social Security payroll tax to grand themes such as "the opportunity society" -- is always: How did we get here?

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Breakout Readings: Day 1, Group 2

How do we address the attacks on the role of government?

In order to garner sufficient public support for adequate resources for government programs, we must address the problem that many people do not view the government as a valued and effective way to address social concerns.

The readings in this section do not begin to even scratch the surface of the wealth of information and thought on the proper role and scope of government. However, they may be of interest.

- “Notable quotations from Catholic social teaching on the theme of Government and the Role of the State” – Archdiocese of St. Paul and Minneapolis.

The conservative “drown [the government] in the bathtub” sentiment has long-standing philosophical roots. One example of this thinking is embodied in the arguments for the “watchman state” or the “minimal state,” in which individual rights are placed above all else and government only has a role in national defense, police protection, and enforcing property rights.

Notable quotations from Catholic social teaching on the theme of Government and the Role of the State

There are needs and common goods that cannot be satisfied by the market system. It is the task of the state and of all society to defend them. An idolatry of the market alone cannot do all that should be done.

*The Hundredth Year* (Donders) #40

It is agreed that in our time the common good is chiefly guaranteed when personal rights and duties are maintained. The chief concern of civil authorities must therefore be to ensure that these rights are acknowledged, respected, coordinated with other rights, defended and promoted, so that in this way each one may more easily carry out his duties. For "to safeguard the inviolable rights of the human person, and to facilitate the fulfillment of his duties, should be the chief duty of every public authority."

*Peace on Earth* (#60)

Society as a whole, acting through public and private institutions, has the moral responsibility to enhance human dignity and protect human rights. In addition to the clear responsibility of private institutions, government has an essential responsibility in this area. This does not mean that government has the primary or exclusive role, but it does have a positive moral responsibility in safeguarding human rights and ensuring that the minimum conditions of human dignity are met for all. In a democracy, government is a means by which we can act together to protect what is important to us and to promote our common values.

*Economic Justice for All* (#18,PM)

If any government does not acknowledge the rights of man or violates them, it not only fails in its duty, but its orders completely lack juridical force.

*Peace on Earth* (#61)

It is also demanded by the common good that civil authorities should make earnest efforts to bring...
about a situation in which individual citizens can easily exercise their rights and fulfill their duties as well. For experience has taught us that, unless these authorities take suitable action with regard to economic, political and cultural matters, inequalities between the citizens tend to become more and more widespread, especially in the modern world, and as a result human rights are rendered totally ineffective and the fulfillment of duties is compromised.

Peace on Earth (#63)

Just freedom of action must, of course, be left both to individual citizens and to families, yet only on condition that the common good be preserved and wrong to any individual be abolished. The function of the rulers of the State, moreover, is to watch over the community and its parts; but in protecting private individuals in their rights, chief consideration ought to be given to the weak and the poor.

The Fortieth Year (#25)

The complex circumstances of our day make it necessary for public authority to intervene more often in social, economic and cultural matters in order to bring about favorable conditions which will give more effective help to citizens and groups in their free pursuit of man's total well-being.

The Church in the Modern World (#75)

Furthermore, the state has the duty to prevent people from abusing their private property to the detriment of the common good. By its nature private property has a social dimension which is based on the law of the common destination of earthly goods. Whenever the social aspect is forgotten, ownership can often become the object of greed and a source of serious disorder, and its opponents easily find a pretext for calling the right itself into question.

The Church in the Modern World (#71)

The teachings of the Church insist that government has a moral function: protecting human rights and securing basic justice for all members of the commonwealth. Society as a whole and in all its diversity is responsible for building up the common good. But it is the government's role to guarantee the minimum conditions that make this rich social activity possible, namely, human rights and justice. This obligation also falls on individual citizens as they choose their representatives and participate in shaping public opinion.

Economic Justice for All (#122)

It is clearly laid down that the paramount task assigned to government officials is that of recognizing, respecting, reconciling, protecting and promoting the rights and duties of citizens.

Peace on Earth (#77)
[The Catholic tradition calls for] a society of free work of enterprise and of participation. Such a society is not directed against the market, but demands that the market be appropriately controlled by the forces of society and by the State, so as to guarantee that the basic needs of the whole of society are satisfied.

The Hundredth Year, (#35)

As for the State, its whole raison d'etre is the realization of the common good in the temporal order. It cannot, therefore, hold aloof from economic matters. On the contrary, it must do all in its power to promote the production of a sufficient supply of material goods, "the use of which is necessary for the practice of virtue."[7] It has also the duty to protect the rights of all its people, and particularly of its weaker members, the workers, women and children. It can never be right for the State to shirk its obligation of working actively for the betterment of the condition of the workingman.

Mother and Teacher (#20)

The government should make similarly effective efforts to see that those who are able to work can find employment in keeping with their aptitudes, and that each worker receives a wage in keeping with the laws of justice and equity. It should be equally the concern of civil authorities to ensure that workers be allowed their proper responsibility in the work undertaken in industrial organization, and to facilitate the establishment of intermediate groups which will make social life richer and more effective.

Peace on Earth (#64)

The very nature of the common good requires that all members of the state be entitled to share in it, although in different ways according to each one's tasks, merits and circumstances. For this reason, every civil authority must take pains to promote the common good of all, without preference for any single citizen or civic group. As Our Predecessor of immortal memory, Leo XIII, has said: "The civil power must not serve the advantage of any one individual, or of some few persons, inasmuch as it was established for the common good of all."

Considerations of justice and equity, however, can at times demand that those involved in civil government give more attention to the less fortunate members of the community, since they are less able to defend their rights and to assert their legitimate claims.

Peace on Earth (#56)

Human society can be neither well-ordered nor prosperous unless it has some people invested with legitimate authority to preserve its institutions and to devote themselves as far as is necessary to work and care for the good of all.
Governments must provide regulations and a system of taxation which encourage firms to preserve the environment, employ disadvantaged workers, and create jobs in depressed areas. Managers and stockholders should not be torn between their responsibilities to their organizations and their responsibilities toward society as a whole.

Where, on the other hand, the good offices of the State are lacking or deficient, incurable disorder ensues: in particular, the unscrupulous exploitation of the weak by the strong. For men of this stamp are always in evidence, and, like cockle among the wheat, thrive in every land.

Now among the rights of a human person there must be included that by which a man may enter a political community where he hopes he can more fittingly provide a future for himself and his dependents. Wherefore, as far as the common good rightly understood permits, it is the duty of that State to accept such immigrants and to help to integrate them into itself as new members.

The economy cannot be run in an institutional, juridical, or political vacuum: the state has its role to play, guaranteeing personal freedom, a stable currency, and efficient public services.
CONCLUSION

The fulfillment of the right to survival and the eradication of poverty are within the grasp of this affluent nation. And within our vision is the target of half of average income as the basic minimum for all who choose to participate in the community's economic life. The ability of industrial capitalism to end deprivation for all has been proclaimed for generations by conservative thinkers. Just before the Great Crash, Herbert Hoover stated his goal to "remove poverty
still further from our borders. John Stuart Mill insisted that he would be a communist if he believed that economic misery and deprivation were inherent in a capitalistic economy.

And Mill was right; they are not inherent and they can be eliminated. Indeed, in a democratic capitalism, they must be eliminated. The society that stresses equality and mutual respect in the domain of rights must face up to the implications of these principles in the domain of dollars. I have stressed particularly the urgency of assisting the bottom fifth on the income scale and helping them into the mainstream of our affluent society. I believe that programs to help them rise would generate momentum through time and into wider ranges of the income scale. If those at the bottom receive the contents of the leaky bucket and are granted greater equality of opportunity, most will get on their own two feet. As I noted in chapter 3, some other social scientists are less optimistic than I am, partly because they believe that only a small part of the existing inequality of income reflects family advantages or other inequalities of opportunity. That debate cannot be settled unless and until an effort is made to equalize opportunity.

In part, my optimism reflects my standards of successful equalization. I personally would not be greatly exercised about unequal prizes won in the marketplace if they merely determined who could buy beachfront condominiums, second cars, and college slots for children in the bottom quarter of academic talent. It is the economic deprivation that blocks access to first homes, first cars, and college slots for solid students that troubles me deeply. And through the kinds of reforms I have urged, these can become available to all who want them. As Tawney stated the goal, “Differences of

renumeration between different individuals might remain; contrasts between the civilization of different classes would vanish."

Throughout this essay, I have sounded a recurrent two-part theme: the market needs a place, and the market needs to be kept in its place. It must be given enough scope to accomplish the many things it does well. It limits the power of the bureaucracy and helps to protect our freedoms against transgression by the state. So long as a reasonable degree of competition is ensured, it responds reliably to the signals transmitted by consumers and producers. It permits decentralized management and encourages experiment and innovation.

Most important, the prizes in the marketplace provide the incentives for work effort and productive contribution. In their absence, society would thrash about for alternative incentives—some unreliable, like altruism; some perilous, like collective loyalty; some intolerable, like coercion or oppression. Conceivably, the nation might instead stop caring about achievement itself and hence about incentives for effort; in that event, the living standards of the lowly would fall along with those of the mighty.

For such reasons, I cheered the market; but I could not give it more than two cheers. The tyranny of the dollar yardstick restrained my enthusiasm. Given the chance, it would sweep away all other values, and establish a vending-machine society. The rights and powers that money should not buy must be protected with detailed regulations and sanctions, and with countervailing aids to those with low incomes. Once those rights are protected and economic deprivation is ended, I believe that our society would be more willing to let the competitive market have its place. Legislators might even enact effluent fees and repeal usury laws if they saw progress toward greater economic equality.

A democratic capitalist society will keep searching for better ways of drawing the boundary lines between the domain of rights and the domain of dollars. And it can make progress. To be sure, it will never solve the problem, for the conflict between equality and economic efficiency is inescapable. In that sense, capitalism and democracy are really a most improbable mixture. Maybe that is why they need each other—to put some rationality into equality and some humanity into efficiency.
CHAPTER 3

Moral Constraints and the State

THE MINIMAL STATE AND THE ULTRAMINIMAL STATE

The night-watchman state of classical liberal theory, limited to the functions of protecting all its citizens against violence, theft, and fraud, and to the enforcement of contracts, and so on, appears to be redistributive. We can imagine at least one social arrangement intermediate between the scheme of private protective associations and the night-watchman state. Since the night-watchman state is often called a minimal state, we shall call this other arrangement the ultraminimal state. An ultraminimal state maintains a monopoly over all use of force except that necessary in immediate self-defense, and so excludes private (or agency) retaliation for wrong and exaction of compensation; but it provides protection and enforcement services only to those who purchase its protection and enforcement policies. People who don't buy a protection contract from the monopoly don't get protected. The minimal (night-watchman) state is equivalent to the ultraminimal state conjoined with a (clearly redistributive) Friedmanesque voucher

Excerpted from Nozick, Robert, Anarchy, State, and Utopia (Basic Books, 1974)
Moral Constraints and the State

plan, financed from tax revenues.* Under this plan all people, or some (for example, those in need), are given tax-funded vouchers that can be used only for their purchase of a protection policy from the ultraminimal state.

Since the night-watchman state appears redistributive to the extent that it compels some people to pay for the protection of others, its proponents must explain why this redistributive function of the state is unique. If some redistribution is legitimate in order to protect everyone, why is redistribution not legitimate for other attractive and desirable purposes as well? What rationale specifically selects protective services as the sole subject of legitimate redistributive activities? A rationale, once found, may show that this provision of protective services is not redistributive. More precisely, the term "redistributive" applies to types of reasons for an arrangement, rather than to an arrangement itself. We might elliptically call an arrangement "redistributive" if its major (only possible) supporting reasons are themselves redistributive. ("Paternalistic" functions similarly.) Finding compelling nonredistributive reasons would cause us to drop this label. Whether we say an institution that takes money from some and gives it to others is redistributive will depend upon why we think it does so. Returning stolen money or compensating for violations of rights are not redistributive reasons. I have spoken until now of the night-watchman state's appearing to be redistributive, to leave open the possibility that nonredistributive types of reasons might be found to justify the provision of protective services for some by others (I explore some such reasons in Chapters 4 and 5 of Part I.)

A proponent of the ultraminimal state may seem to occupy an inconsistent position, even though he avoids the question of what makes protection uniquely suitable for redistributive provision. Greatly concerned to protect rights against violation, he makes this the sole legitimate function of the state; and he protests that all other functions are illegitimate because they themselves involve the violation of rights. Since he accords paramount place to the

* Milton Friedman, Capitalism and Freedom (Chicago: University of Chicago Press, 1962), chap. 6. Friedman's school vouchers, of course, allow a choice about who is to supply the product, and so differ from the protection vouchers imagined here.
protection and nonviolation of rights, how can he support the ultramiminal state, which would seem to leave some persons' rights unprotected or illprotected? How can he support this in the name of the nonviolation of rights?

MORAL CONSTRAINTS AND MORAL GOALS

This question assumes that a moral concern can function only as a moral goal, as an end state for some activities to achieve as their result. It may, indeed, seem to be a necessary truth that "right," "ought," "should," and so on, are to be explained in terms of what is, or is intended to be, productive of the greatest good, with all goals built into the good. Thus it is often thought that what is wrong with utilitarianism (which is of this form) is its too narrow conception of good. Utilitarianism doesn't, it is said, properly take rights and their nonviolation into account; it instead leaves them a derivative status. Many of the counterexample cases to utilitarianism fit under this objection, for example, punishing an innocent man to save a neighborhood from a vengeful rampage. But a theory may include in a primary way the nonviolation of rights, yet include it in the wrong place and the wrong manner. For suppose some condition about minimizing the total (weighted) amount of violations of rights is built into the desirable end state to be achieved. We then would have something like a "utilitarianism of rights"; violations of rights (to be minimized) merely would replace the total happiness as the relevant end state in the utilitarian structure. (Note that we do not hold the nonviolation of our rights as our sole greatest good or even rank it first lexicographically to exclude trade-offs, if there is some desirable society we would choose to inhabit even though in it some rights of ours sometimes are violated, rather than move to a desert island where we could survive alone.) This still would require us to violate someone's rights when doing so minimizes the total (weighted) amount of the violation of rights in the society. For example, violating someone's rights might deflect others from their intended action of gravely violating rights, or might remove their motive for doing so, or might divert their attention, and so on. A
allocation. He ignores the question of where the things or actions to be allocated and distributed come from. Consequently, he does not consider whether they come already tied to people who have entitlements over them (surely the case for service activities, which are people's actions), people who therefore may decide for themselves to whom they will give the thing and on what grounds.

Equality of opportunity has seemed to many writers to be the minimal egalitarian goal, questionable (if at all) only for being too weak. (Many writers also have seen how the existence of the family prevents fully achieving this goal.) There are two ways to attempt to provide such equality: by directly worsening the situations of those more favored with opportunity, or by improving the situation of those less well-favored. The latter requires the use of resources, and so it too involves worsening the situation of some: those from whom holdings are taken in order to improve the situation of others. But holdings to which these people are entitled may not be seized, even to provide equality of opportunity for others. In the absence of magic wands, the remaining means toward equality of opportunity is convincing persons each to choose to devote some of their holdings to achieving it.

The model of a race for a prize is often used in discussions of equality of opportunity. A race where some started closer to the finish line than others would be unfair, as would a race where some were forced to carry heavy weights, or run with pebbles in their sneakers. But life is not a race in which we all compete for a prize which someone has established; there is no unified race, with some person judging swiftness. Instead, there are different persons

the goals to descriptions of the activities. For essentialist issues only becloud the discussion, and they still leave open the question of why the only proper ground for allocating the activity is its essentialist goal. The motive for making such an essentialist claim would be to avoid someone's saying: let "schmoctering" be an activity just like doctoring except that its goal is to earn money for the practitioner; has Williams presented any reason why schmoctering services should be allocated according to need?
separately giving other persons different things. Those who do the giving (each of us, at times) usually do not care about desert or about the handicaps labored under; they care simply about what they actually get. No centralized process judges people’s use of the opportunities they had; that is not what the processes of social cooperation and exchange are for.

There is a reason why some inequality of opportunity might seem unfair, rather than merely unfortunate in that some do not have every opportunity (which would be true even if no one else had greater advantage). Often the person entitled to transfer a holding has no special desire to transfer it to a particular person; this contrasts with a bequest to a child or a gift to a particular person. He chooses to transfer to someone who satisfies a certain condition (for example, who can provide him with a certain good or service in exchange, who can do a certain job, who can pay a certain salary), and he would be equally willing to transfer to anyone else who satisfied that condition. Isn’t it unfair for one party to receive the transfer, rather than another who had less opportunity to satisfy the condition the transferrer used? Since the giver doesn’t care to whom he transfers, provided the recipient satisfies a certain general condition, equality of opportunity to be a recipient in such circumstances would violate no entitlement of the giver. Nor would it violate any entitlement of the person with the greater opportunity; while entitled to what he has, he has no entitlement that it be more than another has. Wouldn’t it be better if the person with less opportunity had an equal opportunity? If one so could equip him without violating anyone else’s entitlements (the magic wand?) shouldn’t one do so? Wouldn’t it be fairer? If it would be fairer, can such fairness also justify overriding some people’s entitlements in order to acquire the resources to boost those having poorer opportunities into a more equal competitive position?

The process is competitive in the following way. If the person with greater opportunity didn’t exist, the transferrer might deal with some person having lesser opportunity who then would be, under those circumstances, the best person available to deal with. This differs from a situation in which unconnected but similar beings living on different planets confront different difficulties and have different opportunities to realize various of their goals. There,
the situation of one does not affect that of another; though it would be better if the worse planet were better endowed than it is (it also would be better if the better planet were better endowed than it is), it wouldn't be fairer. It also differs from a situation in which a person does not, though he could, choose to improve the situation of another. In the particular circumstances under discussion, a person having lesser opportunities would be better off if some particular person having better opportunities didn't exist. The person having better opportunities can be viewed not merely as someone better off, or as someone not choosing to aid, but as someone blocking or impeding the person having lesser opportunities from becoming better off. Impeding another by being a more alluring alternative partner in exchange is not to be compared to directly worsening the situation of another, as by stealing from him. But still, cannot the person with lesser opportunity justifiably complain at being so impeded by another who does not deserve his better opportunity to satisfy certain conditions? (Let us ignore any similar complaints another might make about him.)

While feeling the power of the questions of the previous two paragraphs (it is I who ask them), I do not believe they overturn a thoroughgoing entitlement conception. If the woman who later became my wife rejected another suitor (whom she otherwise would have married) for me, partially because (I leave aside my lovable nature) of my keen intelligence and good looks, neither of which did I earn, would the rejected less intelligent and less handsome suitor have a legitimate complaint about unfairness? Would my thus impeding the other suitor's winning the hand of fair lady justify taking some resources from others to pay for cosmetic surgery for him and special intellectual training, or to pay to develop in him some sterling trait that I lack in order to equalize our chances of being chosen? (I here take for granted the impermissibility of worsening the situation of the person having better opportunities so as to equalize opportunity; in this sort of case by disfiguring him or injecting drugs or playing noises which prevent him from fully using his intelligence.) No such consequences follow. (Against whom would the rejected suitor have a legitimate complaint? Against what?) Nor are things different if the differential opportunities arise from the accumulated effects of people's acting or transferring their entitlement as they choose. The case is even
easier for consumption goods which cannot plausibly be claimed to have any such triadic impeding effect. Is it unfair that a child be raised in a home with a swimming pool, using it daily even though he is no more deserving than another child whose home is without one? Should such a situation be prohibited? Why then should there be objection to the transfer of the swimming pool to an adult by bequest?

The major objection to speaking of everyone’s having a right to various things such as equality of opportunity, life, and so on, and enforcing this right, is that these “rights” require a substructure of things and materials and actions; and other people may have rights and entitlements over these. No one has a right to something whose realization requires certain uses of things and activities that other people have rights and entitlements over. Other people’s rights and entitlements to particular things (that pencil, their body, and so on) and how they choose to exercise these rights and entitlements fix the external environment of any given individual and the means that will be available to him. If his goal requires the use of means which others have rights over, he must enlist their voluntary cooperation. Even to exercise his right to determine how something he owns is to be used may require other means he must acquire a right to, for example, food to keep him alive; he must put together, with the cooperation of others, a feasible package.

There are particular rights over particular things held by particular persons, and particular rights to reach agreements with others, if you and they together can acquire the means to reach an agreement. (No one has to supply you with a telephone so that you may reach an agreement with another.) No rights exist in conflict with this substructure of particular rights. Since no neatly contoured right to achieve a goal will avoid incompatibility with this substructure, no such rights exist. The particular rights over things fill the space of rights, leaving no room for general rights to be in a certain material condition. The reverse theory would place only such universally held general “rights to” achieve goals or to be in a certain material condition into its substructure so as to determine all else; to my knowledge no serious attempt has been made to state this “reverse” theory.
A Framework for Utopia

thizes with voluntary utopian experimentation and provides it with the background in which it can flower; does this position fall within the utopian or the antiutopian camp? My difficulty in answering this question encourages me to think the framework captures the virtues and advantages of each position. (If instead it blunders into combining the errors, defects, and mistakes of both of them, the filtering process of free and open discussion will make this clear.)

UTOPIA AND THE MINIMAL STATE

The framework for utopia that we have described is equivalent to the minimal state. The argument of this chapter starts (and stands) independently of the argument of Parts I and II and converges to their result, the minimal state, from another direction. In our discussion in this chapter we did not treat the framework as more than a minimal state, but we made no effort to build explicitly upon our earlier discussion of protective agencies. (For we wanted the convergence of two independent lines of argument.) We need not mesh our discussion here with our earlier one of dominant protective agencies beyond noting that whatever conclusions people reach about the role of a central authority (the controls on it, and so forth) will shape the (internal) form and structure of the protective agencies they choose to be the clients of.

We argued in Part I that the minimal state is morally legitimate; in Part II we argued that no more extensive state could be morally justified, that any more extensive state would (will) violate the rights of individuals. This morally favored state, the only morally legitimate state, the only morally tolerable one, we now see is the one that best realizes the utopian aspirations of untold dreamers and visionaries. It preserves what we all can keep from the utopian tradition and opens the rest of that tradition to our individual aspirations. Recall now the question with which this chapter began. Is not the minimal state, the framework for utopia, an inspiring vision?

The minimal state treats us as inviolate individuals, who may not be used in certain ways by others as means or tools or in-
struments or resources; it treats us as persons having individual rights with the dignity this constitutes. Treating us with respect by respecting our rights, it allows us, individually or with whom we choose, to choose our life and to realize our ends and our conception of ourselves, insofar as we can, aided by the voluntary cooperation of other individuals possessing the same dignity. How dare any state or group of individuals do more. Or less.
Breakout Readings: Day 1, Group 3

Improving our Language: Messaging and Framing

In today’s media-centric environment, of central importance is finding the right language to use to describe vision, policy and policy proposals.

Messaging and “framing” would then seem to be an important part of any long-term initiative.

Two names that often emerge in discussion of framing are George Lakoff and The FrameWorks Institute, among others. The two readings that follow give a brief flavor of their work:

- G. Lakoff, American Prospect, “Framing the Dems,” *The American Prospect*
- “The FrameWorks Perspective: Strategic Frame Analysis”

The third reading in this section looks at language specifically on tax and budget policy.

- M. Bostrom, “Communicating on Budget and Taxes”
On the day that George W. Bush took office, the words "tax relief" started appearing in White House communiqués. Think for a minute about the word relief. In order for there to be relief, there has to be a blameless, afflicted person with whom we identify and whose affliction has been imposed by some external cause. Relief is the taking away of the pain or harm, thanks to some reliever.

This is an example of what cognitive linguists call a "frame." It is a mental structure that we use in thinking. All words are defined relative to frames. The relief frame is an instance of a more general rescue scenario in which there is a hero (the reliever), a victim (the afflicted), a crime (the affliction), a villain (the cause of affliction) and a rescue (the relief). The hero is inherently good, the villain is evil and the victim after the rescue owes gratitude to the hero.

The term tax relief evokes all of this and more. It presupposes a conceptual metaphor: Taxes are an affliction, proponents of taxes are the causes of affliction (the villains), the taxpayer is the afflicted (the victim) and the proponents of tax relief are the heroes who deserve the taxpayers' gratitude. Those who oppose tax relief are bad guys who want to keep relief from the victim of the affliction, the taxpayer.

Every time the phrase tax relief is used, and heard or read by millions of people, this view of taxation as an affliction and conservatives as heroes gets reinforced.

The phrase has become so ubiquitous that I've even found it in speeches and press releases by Democratic officials -- unconsciously reinforcing a view of the economy that is anathema to everything progressives believe. The Republicans understand framing; Democrats don't.

When I teach framing in Cognitive Science 101, I start with an exercise. I give my students a directive: "Don't think of an elephant." It can't be done, of course, and that's the point. In order not to think of an elephant, you have to think of an elephant. The word elephant evokes an image and a frame. If you negate the frame, you still activate the frame. Richard Nixon never took Cognitive Science 101. When he said, "I am not a crook," he made everybody think of him as a crook.

If you have been framed, the only response is to reframe. But you can't do it in a sound bite unless an appropriate progressive language has been built up in advance. Conservatives have worked for decades and spent billions on their think tanks to establish their frames, create the right language, and get the language and the frames they evoke accepted. It has taken them awhile to establish the metaphors of taxation as a burden, an affliction and an unfair punishment -- all of which require "relief." They have also, over decades, built up the frame in which the wealthy create jobs, and giving them more wealth creates more jobs.

Taxes look very different when framed from a progressive point of view. As Oliver Wendell Holmes famously said, taxes are the price of civilization. They are what you pay to live in America -- your dues -- to have democracy, opportunity and access to all the infrastructure that previous taxpayers have built up and made available to you: highways, the Internet, weather reports, parks, the stock market, scientific research, Social Security, rural electrification, communications satellites, and on and on. If you belong to America, you pay a membership fee and you get all that infrastructure plus government services: flood control, air-traffic control, the Food and Drug Administration, the Centers for Disease Control and so on.
Interestingly, the wealthy benefit disproportionately from the American infrastructure. The Securities and Exchange Commission creates honest stock markets. Most of the judicial system is used for corporate law. Drugs developed with National Institutes of Health funding can be patented for private profit. Chemical companies hire scientists trained under National Science Foundation grants. Airlines hire pilots trained by the Air Force. The beef industry grazes its cattle cheaply on public lands. The more wealth you accumulate using what the dues payers have provided, the greater the debt you owe to those who have made your wealth possible. That is the logic of progressive taxation.

No entrepreneur makes it on his own in America. The American infrastructure makes entrepreneurship possible, and others have put it in place. If you've made a bundle, you owe a bundle. The least painful way to repay your debt to the nation is posthumously, through the inheritance tax.

Those who don't pay their dues are turning their backs on our country. American corporations registering abroad to avoid taxes are deserting our nation when their estimated $70 billion in dues and service payments are badly needed, for schools and for rescuing our state and local governments.

Reframing takes awhile, but it won't happen if we don't start. The place to begin is by understanding how progressives and conservatives think. In 1994, I dutifully read the "Contract with America" and found myself unable to comprehend how conservative views formed a coherent set of political positions. What, I asked myself, did opposition to abortion have to do with the flat tax? What did the flat tax have to do with opposition to environmental regulations? What did defense of gun ownership have to do with tort reform? Or tort reform with opposition to affirmative action? And what did all of the above have to do with family values? Moreover, why do conservatives and progressives talk past one another, not with one another?

The answer is that there are distinct conservative and progressive worldviews. The two groups simply see the world in different ways. As a cognitive scientist, I've found in my research that these political worldviews can be understood as opposing models of an ideal family -- a strict father family and a nurturant parent family. These family models come with moral systems, which in turn provide the deep framing of all political issues.

The Strict Father Family
In this view, the world is a dangerous and difficult place, there is tangible evil in the world and children have to be made good. To stand up to evil, one must be morally strong -- disciplined.

The father's job is to protect and support the family. His moral duty is to teach his children right from wrong. Physical discipline in childhood will develop the internal discipline adults need to be moral people and to succeed. The child's duty is to obey. Punishment is required to balance the moral books. If you do wrong, there must be a consequence.

The strict father, as moral authority, is responsible for controlling the women of the family, especially in matters of sexuality and reproduction.

Children are to become self-reliant through discipline and the pursuit of self-interest. Pursuit of self-interest is moral: If everybody pursues his own self-interest, the self-interest of all will be maximized.

Without competition, people would not have to develop discipline and so would not become moral beings. Worldly success is an indicator of sufficient moral strength; lack of success suggests lack of sufficient discipline. Those who are not successful should not be coddled; they should be forced to acquire self-discipline.

When this view is translated into politics, the government becomes the strict father whose job for the country is to support (maximize overall wealth) and protect (maximize military and political strength). The citizens are children of two kinds: the mature, disciplined, self-reliant ones who should not be meddled with and the whining, undisciplined, dependent ones who should never be coddled.

This means (among other things) favoring those who control corporate wealth and power (those seen as the best people) over those who are victims (those seen as morally weak). It means removing government regulations, which get in the way of those who are disciplined. Nature is seen as a resource to be exploited. One-way communication translates into government secrecy. The highest moral value is to preserve and extend the domain of strict morality itself, which translates into bringing the values of strict father morality into every aspect of life, both public and private, domestic and foreign.

America is seen as more moral than other nations and hence more deserving of power; it has earned the right to be hegemonic and must never yield its sovereignty, or its overwhelming military and economic power. The role of government, then, is to
From this perspective, conservative policies cohere and make sense as instances of strict father morality. Social programs give people things they haven't earned, promoting dependency and lack of discipline, and are therefore immoral. The good people -- those who have become self-reliant through discipline and pursuit of self-interest -- deserve their wealth as a reward. Rewarding people who are doing the right thing is moral. Taxing them is punishment, an affliction, and is therefore immoral. Girls who get pregnant through illicit sex must face the consequences of their actions and bear the child. They become responsible for the child, and social programs for pre- and postnatal care just make them dependent. Guns are how the strict father protects his family from the dangers in the world. Environmental regulations get in the way of the good people, the disciplined ones pursuing their own self-interest. Nature, being lower on the moral hierarchy, is there to serve man as a resource. The Endangered Species Act gets in the way of people fulfilling their interests and is therefore immoral; people making money are more important than owls surviving as a species. And just as a strict father would never give up his authority, so a strong moral nation such as the United States should never give up its sovereignty to lesser authorities. It's a neatly tied-up package.

Conservative think tanks have done their job, working out such details and articulating them effectively. Many liberals are still largely unaware of their own moral system. Yet progressives have one.

The Nurturant Parent Family
It is assumed that the world should be a nurturant place. The job of parents is to nurture their children and raise their children to be nurturers. To be a nurturer you have to be empathetic and responsible (for yourself and others). Empathy and responsibility have many implications: Responsibility implies protection, competence, education, hard work and social connectedness; empathy requires freedom, fairness and honesty, two-way communication, a fulfilled life (unhappy, unfulfilled people are less likely to want others to be happy) and restitution rather than retribution to balance the moral books. Social responsibility requires cooperation and community building over competition. In the place of specific strict rules, there is a general "ethics of care" that says, "Help, don't harm." To be of good character is to be empathetic and responsible, in all of the above ways. Empathy and responsibility are the central values, implying other values: freedom, protection, fairness, cooperation, open communication, competence, happiness, mutual respect and restitution as opposed to retribution.

In this view, the job of government is to care for, serve and protect the population (especially those who are helpless), to guarantee democracy (the equal sharing of political power), to promote the well-being of all and to ensure fairness for all. The economy should be a means to these moral ends. There should be openness in government. Nature is seen as a source of nurture to be respected and preserved. Empathy and responsibility are to be promoted in every area of life, public and private. Art and education are parts of self-fulfillment and therefore moral necessities.

Progressive policies grow from progressive morality. Unfortunately, much of Democratic policy making has been issue by issue and program oriented, and thus doesn't show an overall picture with a moral vision. But, intuitively, progressive policy making is organized into five implicit categories that define both a progressive culture and a progressive form of government, and encompass all progressive policies. Those categories are:

Safety. Post-September 11, it includes secure harbors, industrial facilities and cities. It also includes safe neighborhoods (community policing) and schools (gun control); safe water, air and food (a poison-free environment); safety on the job; and products safe to use. Safety implies health -- health care for all, pre- and postnatal care for children, a focus on wellness and preventive care, and care for the elderly (Medicare, Social Security and so on).

Freedom. Civil liberties must be both protected and extended. The individual issues include gay rights, affirmative action, women's rights and so on, but the moral issue is freedom. That includes freedom of motherhood -- the freedom of a woman to decide whether, when and with whom. It excludes state control of pregnancy. For there to be freedom, the media must be open to all. The airwaves must be kept public, and media monopolies (Murdoch, Clear Channel) broken up.

A Moral Economy. Prosperity is for everybody. Government makes investments, and those investments should reflect the overall public good. Corporate reform is necessary for a more ethical business environment. That means honest bookkeeping (e.g., no free environmental dumping), no poisoning of people and the environment and no exploitation of labor (living wages, safe workplaces, no intimidation). Corporations are chartered by and accountable to the public. Instead of maximizing only shareholder profits, corporations should be chartered to maximize stakeholder well-being, where shareholders, employees, communities and the environment are all recognized and represented on corporate boards.

The bottom quarter of our workforce does absolutely essential work for the economy (caring for children, cleaning houses, producing agriculture, cooking, day laboring and so on). Its members have earned the right to living wages and health care.

http://www.prospect.org/print-friendly/print/V14/8/lakoff-g.html
But the economy is so structured that they cannot be fairly compensated all the time by those who pay their salaries. The economy as a whole should decently compensate those who hold it up. Bill Clinton captured this idea when he declared that people who work hard and play by the rules shouldn't be poor. That validated an ethic of work, but also of community and nurturance.

Global Cooperation. The United States should function as a good world citizen, maximizing cooperation with other governments, not just seeking to maximize its wealth and military power. That means recognizing the same moral values internationally as domestically. An ethical foreign policy means the inclusion of issues previously left out: women's rights and education, children's rights, labor issues, poverty and hunger, the global environment and global health. Many of these concerns are now addressed through global civil society -- international organizations dedicated to peacekeeping and nation building. As the Iraq debacle shows, this worldview is not naive; it is a more effective brand of realism.

The Future. Progressive values center on our children's future--their education, their health, their prosperity, the environment they will inherit and the global situation they will find themselves in. That is the moral perspective. The issues include everything from education (teacher salaries, class size, diversity) to the federal deficit (will they be burdened with our debt?) to global warming and the extinction of species (will there still be elephants and bananas?) to health (will their bodies be poisoned as a result of our policies, and will there be health care for them?). Securing that future is central to our values.

These are the central themes of a progressive politics that comes out of progressive values. That is an important point. A progressive vision must cut across the usual program and interest-group categories. What we need are strategic initiatives that change many things at once. For example, the New Apollo Program -- an investment of hundreds of billions over 10 years in alternative energy development (solar, wind, biomass, hydrogen) is also a jobs program, a foreign-policy issue (freedom from dependence on Middle East oil), a health issue (clean air and water, many fewer poisons in our bodies) and an ecology issue (cleans up pollution, addresses global warming). Corporate reform is another such strategic initiative.

Promoting a Progressive Frame
To articulate these themes and strategic initiatives, using government as an instrument of common purpose, we have to set aside petty local interests, work together and emphasize what unites us. Defeating radical conservatism gives us a negative impetus, but we will not succeed without a positive vision and cooperation.

An unfortunate aspect of recent progressive politics is the focus on coalitions rather than on movements. Coalitions are based on common self-interest. They are often necessary but they are usually short term, come apart readily and are hard to maintain. Labor-environment coalitions, for example, have been less than successful. And electoral coalitions with different interest-based messages for different voting blocks have left the Democrats without a general moral vision. Movements, on the other hand, are based on shared values, values that define who we are. They have a better chance of being broad-based and lasting. In short, progressives need to be thinking in terms of a broad-based progressive-values movement, not in terms of issue coalitions.

It is also time to stop thinking in terms of market segments. An awful lot of voters vote Democratic because of who they are, because they have progressive values of one kind or another -- not just because they are union members or soccer moms. Voters vote their identities and their values far more than their self-interests.

People are complicated. They are not all 100 percent conservative or progressive. Everyone in this society has both the strict and nurturant models, either actively or passively -- actively if they live by those values, passively if they can understand a story, movie or TV show based on those values. Most voters have a politics defined almost exclusively by one active moral worldview.

There are certain numbers of liberals and conservatives, of course, who are just not going to be swayed. The exact numbers are subject to debate, but from talking informally to professionals and making my own best guesses, I estimate that roughly 35 percent to 39 percent of voters overwhelmingly favor the progressive-Democratic moral worldview while another 35 percent to 38 percent of voters overwhelmingly favor the conservative-Republican moral worldview.

The swing voters -- roughly 25 percent to 30 percent -- have both worldviews and use them actively in different parts of their lives. They may be strict in the office and nurturant at home. Many blue-collar workers are strict at home and nurturant in their union politics. I have academic colleagues who are strict in the classroom and nurturant in their politics.

Activation of the progressive model among swing voters is done through language -- by using a consistent, conventional language of progressive values. Democrats have been subject to a major fallacy: Voters are lined up left to right according to

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their views on issues, the thinking goes, and Democrats can get more voters by moving to the right. But the Republicans have not been getting more voters by moving to the left. What they do is stick to their strict ideology and activate their model among swing voters who have both models. They do this by being clear and issuing consistent messages framed in terms of conservative values. The moral is this: Voters are not on a left-to-right line; there is no middle.

Here is a cognitive scientist's advice to progressive Democrats: Articulate your ideals, frame what you believe effectively, say what you believe and say it well, strongly and with moral fervor.

Reframing is telling the truth as we see it -- telling it forcefully, straightforwardly and articulately, with moral conviction and without hesitation. The language must fit the conceptual reframing, a reframing from the perspective of progressive values. It is not just a matter of words, though the right ones are needed to evoke progressive frames.

And stop saying "tax relief."

George Lakoff

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The FrameWorks Perspective: Strategic Frame Analysis

Introduction

For the past five years, a rare collaboration between communications scholars and practitioners has begun to evolve a new approach to explaining social issues to the public.

Strategic frame analysis is an approach to communications research and practice that pays attention to the public's deeply held worldviews and widely held assumptions. This approach was developed at the FrameWorks Institute by a multi-disciplinary team of people capable of studying those assumptions and testing them to determine their impact on social policies. Recognizing that there is more than one way to tell a story, strategic frame analysis taps into decades of research on how people think and communicate. The result is an empirically-driven communications process that makes academic research understandable, interesting, and usable to help people solve social problems.

This interdisciplinary work is made possible by the fact that the concept of framing is found in the literatures of numerous academic disciplines across the social, behavioral and cognitive sciences. Put simply, framing refers to the construct of a communication — its language, visuals and messengers — and the way it signals to the listener or observer how to interpret and classify new information. By framing, we mean how messages are encoded with meaning so that they can be efficiently interpreted in relationship to existing beliefs or ideas. Frames trigger meaning.

The questions we ask, in applying the concept of frames to the arena of social policy, are as follows:

- How does the public think about a particular social or political issue?
- What is the public discourse on the issue? And how is this discourse influenced by the way media frames that issue?
- How do these public and private frames affect public choices?
- How can an issue be reframed to evoke a different way of thinking, one that illuminates a broader range of alternative policy choices?

This approach is strategic in that it not only deconstructs the dominant frames of reference that drive reasoning on public issues, but it also identifies those alternative frames most likely to stimulate public reconsideration and enumerates their elements (reframing). We use the term reframe to mean changing "the context of the message exchange" so that different interpretations and probable outcomes become visible to the public (Dearing & Rogers, 1994: 98). Strategic frame analysis offers policy advocates a way to work systematically through the challenges that are likely to confront the introduction of new legislation or social policies, to anticipate attitudinal barriers to support, and to develop research-based strategies to overcome public misunderstanding.

What Is Communications and Why Does It Matter?

The domain of communications has not changed markedly since 1948 when Harold Lasswell formulated his famous equation: who says what to whom through what channel with what effect?

But what many social policy practitioners have overlooked in their quests to formulate effective strategies for social change is that communications merits their attention because it is an inextricable part of the agenda-setting function in this country. Communications plays a vital role in determining which issues the public prioritizes for policy resolution, which issues will move from the private realm to the public, which issues will become pressure points for policymakers, and which issues will win or lose in the competition for scarce
resources. No organization can approach such tasks as issue advocacy, constituency-building, or promoting best practices without taking into account the critical role that mass media has to play in shaping the way Americans think about social issues. As William Gamson and his colleagues at the Media Research and Action Project like to say, media is "an arena of contest in its own right, and part of a larger strategy of social change."

One source of our confusion over communications comes in not recognizing that each new push for public understanding and acceptance happens against a backdrop of long-term media coverage, of perceptions formed over time, of scripts we have learned since childhood to help us make sense of our world, and folk beliefs we use to interpret new information. As we go about making sense of our world, mass media serves an important function as the mediator of meaning — telling us what to think about (agenda-setting) and how to think about it (media effects) by organizing the information in such a way (framing) that it comes to us fully conflated with directives (cues) about who is responsible for the social problem in the first place and who gets to fix it (responsibility).

It is often the case that nonprofit organizations want communications to be easy. Ironically, they want soundbite answers to the same social problems whose complexity they understand all too well. While policy research and formulation are given their due as tough, demanding areas of an organization's workplan, communications is seen as "soft." While program development and practice are seen as requiring expertise and the thoughtful consideration of best practices, communications is an "anyone can do it if you have to" task. It is time to retire this thinking. Doing communications strategically requires the same investment of intellect and study that these other areas of nonprofit practice have been accorded.

A Simple Explanation of Frame Analysis

In his seminal book Public Opinion (1921:16), Walter Lippmann was perhaps the first to connect mass communications to public attitudes and policy preferences by recognizing that the "the way in which the world is imagined determines at any particular moment what men will do." The modern extension of Lippmann's observation is based on the concept of "frames."

People use mental shortcuts to make sense of the world. Since most people are looking to process incoming information quickly and efficiently, they rely upon cues within that new information to signal to them how to connect it with their stored images of the world. The "pictures in our heads," as Lippmann called them, might better be thought of as vividly labeled storage boxes - filled with pictures, images, and stories from our past encounters with the world and labeled youth, marriage, poverty, fairness, etc. The incoming information provides cues about which is the right container for that idea or experience. And the efficient thinker makes the connection, a process called "indexing," and moves on.

Put another way, how an issue is framed is a trigger to these shared and durable cultural models that help us make sense of our world. When a frame ignites a cultural model, or calls it into play in the interpretation, the whole model is operative. This allows people to reason about an issue, to make inferences, to fill in the blanks for missing information by referring to the robustness of the model, not the sketchy frame.

As Lippmann observed, "We define first, and then see." The cognitive cultural models that are sparked by the frame allow us to forget certain information and to invent other details, because the frame is now in effect. For example, if people believe that kids are in trouble, they will be drawn to facts in a news story that reinforce this notion, and will disregard those that deny it. If the facts don't fit the frame, it's the facts that are rejected, not the frame. Or, as one analyst of knowledge processing puts it, "understanding means finding a story you already know and saying, 'Oh yeah, that one'" (Schank, 1998, 71). The function of the frame is to drive us toward the correct identification of an old story: "Finding some familiar
element causes us to activate the story that is labeled by that familiar element, and we understand the new story as if it were an exemplar of that old element" (Schank, 1998, 59).

What's in a frame? At the FrameWorks Institute, we've developed a short list of elements typically found in news segments that often signal meaning:

- metaphors
- messengers
- visuals
- messages
- stories
- numbers
- context

Together, these elements help people connect the new information to the "structure of expectation" in their heads. If the messenger in a TV news story is a teacher, for example, the viewer is likely to assume that this is about education or about a problem that should be solved by schools. If the visuals show people sitting around doing little, the viewer may decide this is about laziness, regardless of what the narrator is saying about unemployment statistics among rural peasants in a certain country.

As we apply these findings from the cognitive, behavioral, and social sciences to the arena of social issues — children, poverty, the environment, human rights, etc. — we see the importance of the way responsibility is implicitly communicated as part of these framing elements. As Charlotte Ryan has pointed out, "Every frame defines the issue, explains who is responsible, and suggests potential solutions. All of these are conveyed by images, stereotypes, or anecdotes." (Ryan 1991:59)

Most people rely on news reports to learn about public issues. The evening news frames issues — using these same elements listed above — in order to tell a story. Shanto Iyengar has described news frames as being of two types: episodic and thematic. Episodic news frames, which comprise by far the predominant frame on television newscasts, focus on discrete events that involve individuals located at specific places and at specific times (e.g., nightly crime reports). By contrast, thematic frames place public issues in a broader context by focusing on general conditions or outcomes (e.g., reports on poverty trends in the U.S.). Researchers have shown that the type of news frame used has a profound effect on the way in which individuals attribute responsibility. Iyengar concludes that "episodic framing tends to elicit individualistic rather than societal attributions of responsibility while thematic framing has the opposite effect." (Iyengar, 1991).

But there are many traditions of journalism that affect the way we process news reports, that signal to us not only what issues we should think about, but also how we should think about them. The metaphors chosen to describe the issue drive public reaction and reasoning. For example, the "horse race" metaphor applied to political elections has been shown to reduce attention to specific issues in favor of character, strategy and poll results. The two-sides rule, in which opposite messengers are chosen to satisfy journalistic balance, has been shown to create the notion that politics are divisive and disingenuous. The choice of public officials as spokespersons on foreign policy issues signals to the public that ordinary people should leave the discussion to experts.

The work of the FrameWorks Institute is to translate the relevant literature on each element of the frame, helping stakeholder groups understand what ordinary Americans are likely to take away when a social problem is described in a certain way.

And, while our recommendations are aimed first and foremost to the medium of news, the communications research we review and explain is also pertinent to public discourse in general - presentations to civic groups, written communiques from annual reports to direct
mail, and public statements of all kinds.

In sum, we do not need to be subjected to a freeze frame of "rats" to be unduly influenced by the presentation of subliminal information. It is happening every day, all day long, as we seek to process the news that is presented to us. While those frames may not be intentional, they are no less effective in telling us how to think about the great issues of our day.

The effective advocate must incorporate this way of thinking and seeing into his or her communications with constituencies, policymakers, and media. It is to this end that we have attempted to itemize the elements of a frame, to explain the options advocates have in framing their issues for the public, and to apply these principles to a wide array of research conducted on specific social issues. In this sense, the FrameWorks research is an unusual marriage of theory and practice, translating the work of scholars and demonstrating its practical application to the questions that policy advocates must ask and answer.

**How Strategic Frame Analysis Works In Application**

Strategic frame analysis is both a perspective and a methodology.

As a perspective, it can be taught to advocates and incorporated into their everyday advocacy practices. In this sense, strategic frame analysis helps you understand how your issues are being framed by your opponents and in the media, and roots your responses in a body of research that applies the cognitive, behavioral and social sciences to the art of public discourse.

As a methodology, it requires a multidisciplinary team of researchers and practitioners to ask and answer important questions about how the public perceives a specific issue and what consequences those perceptions hold for the policies that advocates wish to promote. Working across methods and disciplines, FrameWorks researchers probe such specific issues as the environment, human rights, global infectious disease, and women and children's health and education. In all this work, a team of researchers apply the principles of strategic frame analysis to an array of methods, from focus groups to surveys and interviews in order to arrive at a situation analysis of what advocates are up against on these particular issues, and which reframes hold the best potential to galvanize public support for their positions and policies.

We encourage you to understand the unique perspective that strategic frame analysis affords on public opinion research, and to carry it with you as you approach future work on your specific areas of interest. It has revolutionized the way we do research; we humbly suggest that it may also revolutionize the way you evaluate strategies and create communications.

**References**


Issue No. 24
Topic: Communicating on Budgets and Taxes

By Meg Bostrom, Public Knowledge

On every social issue that we investigate — children's issues, poverty, child abuse, education, health care, environmental issues, foreign policy, etc. — the public's perceptions of taxes, government services and state budgets consistently emerge as barriers to supporting collective public action. The mood at most statehouses is similarly bleak. As the economy has worsened and tax revenues have declined, advocates find themselves in fierce competition for public funding. The need to communicate effectively becomes particularly important in this environment.

There are a number of common assumptions concerning the public's view of taxes. For example:

- People are selfish and want to keep as much money as they can for themselves.
- People forget, or are unaware of, the kinds of government services that benefit them.
- People believe that government wastes tax dollars, and cutting waste will solve the problem.
- People don't care about those who are suffering or in need.

While we have not yet had an opportunity to fully investigate the public's thinking on budgets and taxes, there is quite a bit we have learned from other FrameWorks projects and other sources that may prove useful to advocates. This memo will draw on recent national public opinion data, recent research in the state of Alabama concerning the state's budget and taxes, and relevant insights from across our research on a variety of social issues. Importantly, each state has its own unique character and history that influence how citizens see their state's budget situation, so advocates should consider carefully how these insights apply to their state.

Raising taxes and lowering taxes are two very different conversations — and not merely because they are opposite sides of the same coin. Recently, the public has demonstrated significant opposition to the Bush administration's tax cuts. However, this does not mean that Americans support an increase in taxes.

Nationally, the public is very skeptical about the Bush Administration's efforts to reduce taxes. Americans would clearly rather the federal government spend more on domestic programs (68%) than cut taxes (29%).¹ The tax cuts were framed as an economic stimulus, but many Americans do not believe that tax cuts help the economy.² Only 29% say that cutting taxes is the best way to increase economic growth, while 64% say there are better ways to improve the economy. Furthermore, when asked for the better approach for improving the national economy, a majority chooses reducing the deficit (59%), while only 28% choose cutting taxes.³

Even at the time the tax cuts were signed into law, the public was unenthusiastic about the cuts. The public was divided over whether or not the tax cuts were a good or a bad idea (47% good idea, 43% bad idea) and over whether or not the new tax cuts would help the economy (47% will help the economy, 47% will not). Americans are also skeptical that they benefit personally from tax cuts. At the time of the most recent tax cut, most Americans (56%) felt the tax cuts would not help their personal financial situation.⁴ Currently,
even more Americans (61%) say the 2003 tax cuts have not helped their family's finances, while only 30% say they have helped.⁵

At the same time, the public is not advocating for raising taxes. For example, to balance state budgets, voters would prefer the state government concentrate on cutting spending (84%) than on raising taxes (10%).⁶

The seeming disconnect between public opposition to tax cuts and its opposition to increasing taxes cannot be explained by Americans' perception that their own taxes are too high. Compared with past years, most members of the public do not feel unduly burdened by taxes. According to surveys by the Gallup Organization, the percentage of Americans reporting that the amount of federal tax they pay is "too high" typically rates in the mid to high 60s. Currently, however, only 50% of Americans believe the amount of federal tax they pay is "too high" while 46% think it is "about right." Furthermore, 64% say the income tax they paid in 2003 was fair.⁷

What's going on? Part of the answer is that Americans believe government wastes tax dollars. A poll by ABC News in April 2002 found that on average, people believe government wastes 47 cents of every tax dollar, a response that has been fairly consistent for several years.⁸

Part of the answer is also that Americans feel the tax burden is not equally shared. When asked what bothers them most about taxes, a plurality say they are most bothered by "the feeling that some wealthy people and corporations get away with not paying their fair share in taxes" (46%), followed by "the complexity of the tax system" (31%), while few are most bothered by "the large amount you pay in taxes" (14%).⁹ Similarly, nearly half (49%) say lower income people pay too much in taxes, compared to 40% who believe middle-income people pay too much, and 10% who believe upper-income people pay too much. Majorities believe middle-income people pay a fair share (51%) and upper-income people pay too little (63%).¹⁰

Case Study: Education

A review of public opinion concerning education funding is instructive in understanding the dynamics of public perceptions of state budgets and taxes. At the state level, most voters (58%) understand that state governments are facing serious budget deficits, and that spending cuts will be necessary. In fact, two-thirds (68%) report that education programs in their state have already been affected by budget cuts. Voters are very clear that they want policymakers to prioritize education in the current economic climate: a majority places education as a top priority for federal and state spending (55% and 58% respectively), a majority wants to see education spending protected (54%), and more worry about cuts in education and health care (64%) than worry about tax increases (31%). While they prioritize education and want to protect it from budget cuts, support for a tax increase for public education remains shallow. While a majority (59%) is willing to increase taxes to improve public education, only 18% are "very willing" to do so.¹²

Furthermore, when "increased taxes" is added to education reform measures, support frequently drops dramatically. For example, 77% favor providing "tutoring and remedial work for students who need it," but
only 38% favor increasing "taxpayer funds to provide tutoring and remedial work for students who need it." Two-thirds (66%) favor providing "more computers, newer books, and other materials for teachers and students," but only 37% favor increasing "taxpayer funds to provide more computers, newer books, and other materials for teachers and students."

So why do voters place such high priority on protecting education from cuts, while they are only lukewarm toward increased taxes for education? One reason is the public's concern over wasted government dollars and poor priorities: more would be willing to increase their taxes if they knew the funds would be earmarked to improve education (67% willing, 23% very willing). Similarly, in rating four options, people show the most enthusiasm for cutting other parts of the budget to maintain spending for education at its current level (78% favor "a great deal" or "a fair amount"), followed by increasing state taxes to avoid education cuts (58%), or a combination of increased state taxes and education cuts (53%). Few would support reducing state spending for education (26%).

Therefore, part of the answer is that people think there is a lot of waste in state budgets and poor priorities for state spending. They would rather increase taxes than cut education, but they believe education funding can come from other places in the state budget. However, our research also clearly indicates that voters do not necessarily see money as the problem facing the education system. Instead, the problem is poor parenting, inadequate teaching, discipline, etc. Broad calls for education funding, then, are frequently greeted by a skeptical public that is wondering why the money is needed in the first place.

Case Study: Alabama

As noted earlier, each state has its own unique character and history which influence public perceptions. Using our recent research in Alabama as an example, there are several findings that were clearly unique to Alabama's character and history:

- State citizens see Alabama as a poor state, and believe it is likely to trail the rest of the country for a long time.
- Citizens believe that businesses are attracted to the state's low taxes and limited regulations, which means that economic opportunity lies in keeping corporate taxes low, and in keeping rules, regulations and unions to a minimum.
- According to both Democrats and Republicans, corruption, mismanagement and the "good ol' boy network" are the cause of the state's budget woes, not low revenues.
- Due to their intense mistrust of government officials, Alabamians will not vote for a tax increase unless there is increased accountability, but demonstrating accountability is a daunting, if not impossible, task in the short-term. Fundamentally Republicans see low taxes and smaller government as assets, not liabilities. Democrats have no faith in the current administration and are convinced that the Governor's proposal will advantage the "good ol' boy network" rather than ordinary people.

The Alabama tax initiative was somewhat unusual in the sense that it was about both a tax increase and tax reform. Early on, the debate was set as being "about" a tax increase. That meant that the public conversation had to overcome all of the barriers mentioned above, and convince people that more revenue was needed and that the revenue would be put to good use by officials who would manage their money wisely. Our research indicated that a tax reform frame would have been far more effective, in part because the barriers listed above would no longer be part of the dialogue. Instead, people just needed to be convinced that this referendum would be a step in the right direction toward making the state's tax system more equitable.
Lessons for Communicators

There is not one set of guidelines that will fit every social issue or every state situation. However, there are some lessons that we believe apply across most issues and states.

Abstract calls for increased funding will not gain public support. Our research consistently demonstrates that people are generally more supportive of increased funds when the request is tied to a specific need, but they oppose broad requests for government funding. The public assumes that government wastes or mismanages tax dollars, so people find it hard to support a general call for funding.

If the only option is a broad request for increased taxes, advocates need to investigate the kind of drastic proof that will be compelling. Furthermore, do not assume that people understand how state government works or what services taxes fund. Some of the language that experts typically use may have a very different meaning to the general public. For example, people may not interpret a "budget shortfall" in the same way that they would interpret a "budget cut." Most believe that taxes increase every year. Therefore, state government has more money to spend every year. A graphic representing a drop in state revenue, or long-term trends demanding flat revenue, might help citizens understand such a fundamental point. Advocates should reconsider their language, and use terminology citizens can immediately grasp such as "funding cuts" or "declining income" instead of "shortfall." It is not enough to talk about programs that might be cut, since people may still assume that revenue is constant or increasing.

The image of ineffectual or untrustworthy government erodes support for public programs. Advocates cannot allow citizens to become so thoroughly disenchanted with state government that support for all services is undermined. In part, this means immediately addressing corruption in government as soon as it appears and becoming a vocal and consistent critic of such corruption, in order to achieve public credibility. This also means that advocates need to change their communications. Years of emphasizing crises has convinced the public that government cannot do anything right. Advocates need to talk about what works and what needs to be done, rather than just highlight what is broken. Citizens need to feel that government programs and services can work, or they will not support continued funding for those programs. This is a long-term communications need that will benefit all children's issues.

A lack of understanding about how state budgets work undermines support for taxes and government services. Since "government waste" is a frequent news story, but "government efficiency" is not, citizens of most states are likely to have a better sense of what is wrong with state budgets than what is right. One long-term objective for advocates' communications should be to help citizens re-connect to government by appreciating what they can do better together than separately. The goal is not to make citizens love taxes; rather it is to help them understand their role as citizens and to break the persistent news frame of inefficiency in government.

Sometimes the issue is not really "about" increased taxes; rather it is "about" something else. The recent tax proposal in Alabama represented an increase in taxes but the proposal also incorporated significant tax reform to make the tax system more equitable. The dominant news frame defined this measure as a tax increase, not reform, and citizens overwhelmingly voted against it. Education funding reform efforts are frequently in a similar situation: many advocates are working to shift their state's education financing system away from property taxes and toward a more equitable system. In these instances, the issue is about tax fairness, not tax increases.

Political voices are of limited value; non-partisan voices need to be brought into the dialogue. Our research consistently demonstrates that even people with strong party affiliations filter the messages of...
their own party. People want to hear from those without a vested interest, who have relevant experience and credibility. Even better, they want to know that "unlikely allies" can rally around a common sense solution; endorsements that show unity across a wide spectrum of the state's leadership are positively received.

These lessons are intended to inform advocates' communications over the long-term, and not to provide a quick fix to an immediate need. A long-term effort to re-connect people to government, educate people about how government works, and help people see the ways in which government can be effective in addressing problems, will go a long way toward helping advocates in future budget battles.

October 2003

1. Conducted by ABC News/Washington Post, April 27-April 30, 2003 and based on telephone interviews with a national adult including an oversample of blacks sample of 1,105. There was an oversample of Blacks for a total sample of 169 blacks. Results are weighted to be representative of a national adult population. Interviews were conducted by TNS Intersearch. Data provided by The Roper Center for Public Opinion Research, University of Connecticut.


4. CNN/USA Today/Gallup Poll. May 30-June 1, 2003. N=1,019 adults nationwide. The questions concerning assistance to family finances and the US economy were asked of half samples.


6. Survey by Cable News Network, USA Today. Methodology: Conducted by Gallup Organization, April 22-April 23, 2003 and based on telephone interviews with a national adult sample of 1,001. Data provided by The Roper Center for Public Opinion Research, University of Connecticut.

7. Conducted by Gallup Organization, April 7-April 9, 2003 and based on telephone interviews with a national adult sample of 1,018. Data provided by The Roper Center for Public Opinion Research, University of Connecticut.

8. Conducted by ABC News, April 10-April 14, 2002 and based on telephone interviews with a national adult sample of 1,043. Sampling, data collection and tabulation by TNS Intersearch. Data provided by The Roper Center for Public Opinion Research, University of Connecticut.

9. Survey by Public Interests Project. Methodology: Conducted by Greenberg Quinlan Rosner Research, June 17-June 22, 2003 and based on telephone interviews with a national likely voters (see note) sample of 1,000. Likely voters are registered voters who voted or were ineligible/too young to vote in the 2000 election, and are almost certain/probable to vote in the 2004 election. Data provided by The Roper Center for Public Opinion Research, University of Connecticut.

10. Conducted by Gallup Organization, April 7-April 9, 2003 and based on telephone interviews with a national adult sample of 1,018. Data provided by The Roper Center for Public Opinion Research, University of Connecticut.


14. "Demanding Quality Education In Tough Economic Times," sponsored by Public Education Network and Education Week, conducted


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Civic engagement – Steering the debate

A vibrant democracy depends critically on the participation of voters and the ability for voters to hold their elected officials accountable. In addition, nonprofit organizations, by representing a broad segment of the population, can have direct influence with policymakers as well.

There is a need for people and organizations to speak out on all topics of importance to the community, including tax and budget issues.

This, obviously, is nothing new, especially to participants in the retreat. However, there is also a need to create tax and budget advocates – both people and organizations – all across the country as well as in DC.

The following readings articulate the need to get engaged.

- D. Stewart, “Be an Advocate for Government”, in NCNA’s SparcChange newsletter
- Center for Lobbying in the Public Interest, “Examples of How Nonprofit Lobbying Has Changed Organizations and Changed Lives”
- G. LaMarche, “Suppose we had a Real Democracy in the United States? A Time of Imaginations”
It is an honor and an opportunity and a challenge to be with you today, and share with you my thoughts on the work we do and the future we seek together to build. I want to thank INDEPENDENT SECTOR Chair John Seffrin for his support and his leadership and also the members of the Board and Peter Shiras for their outstanding stewardship of INDEPENDENT SECTOR during the transition. And I want especially to thank my colleagues with whom I work day in and day out, for their wisdom and their patience in educating me about our organization, about its mission and its method.

Good ideas, good works, and, finally, good results don’t come out of thin air. They don’t spring, mature and fully formed, as Athena did from the brow of Zeus. All our work—our unending work on behalf of justice, on behalf of the realization of human potential, the creation of opportunity, the advancement of knowledge, the encouragement of creative expression, true harmony with nature, full participation in our society, on behalf of all the things we believe in and strive to achieve—all come first from ordinary men and women and some extraordinary. They don’t just happen; rarely are they accidents. Instead they derive from people of commitment and concern, people of devotion to the public weal. We depend on those people, and it is no small thing that so many such people are gathered here today.

It has been a characteristic of American democracy for more than two centuries that people working with others to create good ideas have produced good results. This is not to say that America has a patent on democratic values or a monopoly on civic participation. But since its birth as a nation, America has been an extraordinarily abundant and reliable wellspring of liberating ideas, ideas that have empowered both individuals and communities.

These days when the public mood is not at its most positive, when in so many ways we threaten to become a culture of complaint and indifference, it may be especially important to pause for a moment to search out the roots of those ideas of that remarkable empowerment.
I call your attention to the last of the rights enumerated in the First Amendment to the Constitution: “the right of the people peaceably to assemble, and to petition the government for a redress of grievances.” This is a tool of the people no less powerful than the more frequently cited rights of free speech, press, and the practice of religion. It enables us as individuals to act on our own or to come together in groups to oppose government policy, government behavior, or government excess. It also allows us to engage in a range of other behaviors that might include study, informing policymakers of community needs, and encouraging government to take positive action in response to what we shared with them. It was in its day and remains to this day—in many parts of the world—a revolutionary idea. Perhaps it is because I grew up in a country and a time when people were tortured and died to acquire that right, that I list it first.

Second, we have the familiar and insightful observation, most famously associated with a French aristocrat who came to America in 1831 to study prisons. Alexis de Tocqueville got distracted and studied democracy instead. If Americans, he wrote, “…want to proclaim a truth or propagate some feeling by the encouragement of a great example, they form an association. In every case, at the head of any new undertaking, where in France you would find the government or in England some territorial magnate, in the United States, you are sure to find an association.” 1

The heart of his observation was that these associations, which he regarded as America’s most distinctive feature, were wholly voluntary. They required neither permission nor license from government. So the right to peaceable assembly was not only constitutionally enshrined, it was culturally and behaviorally integrated into the life of communities.

It is worth noting that America has been especially hospitable to practical idealists. Think of the 19th century abolitionists, think of the women leading the fight for the right to vote. All of these began as implausible conceptions and were viewed by people in high office and the general public as fringe notions—counter to political stability and even against the laws of nature. Yet all these activists were not content to dream their dreams alone; they took their dreams to the public square, they organized at high noon, and, for some slowly, for some swiftly, their dreams became the way of the land. Call them, if you will, wakeful dreamers, those who in every generation have refreshed and renewed the American dream.

The list is endless—the abolition of slavery, women’s suffrage, public education, the settlement movement, community hospitals, and in more recent times the civil rights movement, the women’s movement, the environmental movement, the gay rights movement, the organizing of migrant workers. There is also the reemergence of religious fundamentalists as a powerful political force. All these grew out of voluntary actions by private citizens working together. In some cases, we can name great leaders—like Martin Luther King, Jr., or Betty Friedan or Cesar Chavez or John Gardner. In other cases, the leaders are less well known. But we are enriched by the results nonetheless.

In every generation, and in every case, people came together voluntarily to right a wrong, to change a direction, to pursue justice, and again and again found that they could prevail. For them to prevail, for their dreams to become our realities, two conditions were present:

- First, they had a sense of purpose. They knew what they wanted, they believed that what they wanted was for the common good, they were intent on “righting a wrong,” and they were willing to fight and in some cases, as we know, to die to achieve their goals.

- And second, they found like-minded people of goodwill, who were convinced to ally themselves in the battle. Groups formed alliances and multiplied their strength. Brian O’Connell, our founding President and CEO, recognized the great value of collective voluntary action by a broad spectrum of organizations, and created a meeting ground for such action. This meeting ground he named INDEPENDENT SECTOR.

All these ideas and movements and activities that I have mentioned—and countless
others—don’t mean that America has reached a moment of perfection. Far, very far, from it. And it is the unfinished business of freedom and of justice, of men and women in voluntary association, determined to raise the quality of life here and abroad, that brings us here today, that energizes us, that we find so compelling. For what is our purpose, if not to use the strength of democracy and the engagement of ordinary people and extraordinary leaders to build a society that makes possible the fulfillment of human potential?

If we are to be true to that purpose, if we are to be a meeting ground of practical idealists, of wakeful dreamers, then we must refresh—constantly refresh and renew—our sense of purpose. We must find ways to keep our focus sharp, to define—or rather refine—the values in which we believe and the strategies in which we engage so that our actions together enable individuals to reach their potential, protect those who are vulnerable, and see to it that all Americans can, and want to, participate in the affairs of their families, neighborhoods, states, country, and, for that matter, the world.

The words are simple; the challenge is daunting.

I don’t think we need to be gloomy about what our sector can do—in fact what we must do—to honor our various missions. To that end I want to talk to you about purpose—but purpose backed by optimism and confidence and a record of accomplishment on which we must build.

Which brings me to the heart of what I want to share with you today. Together our sector has a great deal of still unrealized strength and power. I think and I hope we all know that. What we sometimes do not know is how to translate the potential into the actual. And how to use the actual power to serve our collective missions.

What is the source of our strength, our power? First, we have strength in numbers. We are talking about hundreds of thousands, if not millions, of people whose talents and activism are there to be tapped. While it is true that we have different interests—from supporting seniors to conserving wetlands, from criminal justice reform to improved public education, among so many more interests—what binds us all is our commitment to democratic values, our abiding belief in our capacity to help individuals and communities, and our willingness to build societies that will enable people to reach their potential and live well.

Inherent in that commitment is an embrace of America’s ongoing expansion as a multi-racial, multi-ethnic, and multi-cultural nation. We embrace it and welcome it. As John Gardner, founding Chair of INDEPENDENT SECTOR and America’s cherished citizen, wrote in praise of diversity, it is “not simply ‘good’ in that it implies breadth of tolerance and sympathy. A community of diverse elements has greater capacity to adapt and renew itself in a swiftly changing world.”

It is we who must help lead our nation to an understanding that our differences and distinctions are a source of strength, and for all the problems and challenges we encounter along the way, our diversity makes us stronger and connects us to the world outside through family, community, shared culture and shared values. There are new places to be set at the American table. And when we have gathered around that table to act in concert, to raise our voices on behalf of the values and concerns we share, we may be sure that we will be heard. We will be heard because of who we are and because of how we are; we will be heard because of the moral strength that is ours. For us, philanthropy—the love of humankind—is not merely an attitude, it is both a conviction and an action. For us, altruism is a habit of both the heart and the mind. For us, regard for the public weal, is a calling. And when we heed that call, we in turn call forth the best in others.

Finally, our power derives from our history of accomplishment—from our track record, if you prefer. I have mentioned some historic achievements. But it is important to keep before our own eyes—and the eyes of the general public and especially the eyes of legislators—the more recent accomplishments of our sector. I am thinking especially, but not exclusively, of ideas that have produced good results for children, families, seniors, the environment, and, more generally, liberty and justice in America. Some of these accomplishments are modest, some are
major, and many are still unfolding. No matter. All together, they advance democratic values, they advance justice, and they advance human dignity. Consider:

- A nonprofit employment and training program called FEGS Health and Human Services System in New York City is enabling 1,200 persons with developmental disabilities to express themselves through art and earn a living by selling their art, thanks to a collaboration between FEGS and a large retailer of art posters.

- With support from the David and Lucile Packard Foundation, the Monterey Bay Aquarium Research Institute is researching a method of injecting the deep seas with liquid carbon dioxide, a process that could help prevent the buildup of this greenhouse gas in the atmosphere.

- In Cleveland, older Americans are remaining in their own homes longer, by getting connected to services and people in their communities through an innovative concept called Naturally Occurring Retirement Communities. A nonprofit, Community Options of Cleveland, is incubating this idea within different ethnic and geographic neighborhoods.

- In Boston, Jobs for the Future, working with the Bill & Melinda Gates, Ford, and Rockefeller foundations and Carnegie Corporation of New York, launched the Early College High School Initiative in 150 new high schools. Over the next five years, these schools will give low-income, immigrant, and urban youth the opportunity to earn both a high school diploma and two years of college credit or an Associate's degree while still enrolled in high school.

Each of these examples stands in the place of thousands of others and adds up to produce an extraordinary record of accomplishment that can address small pockets of need or produce large-scale change. Together, our society is slowly transformed, made more inclusive, more responsive, and more humane.

None of this should surprise us. Ours is a whole far, far greater than the sum of its parts. The good works that are the expression of our faith have a cumulative impact that keeps America fresh, that keeps America whole, that keeps the American dream alive.

If I am right in my assessment of our power, actual and potential, then we are bound to ask where that power, where our strength, should be directed. What problems, what issues, what challenges ought we be addressing today?

First, I believe we must act to preserve our capacity for service, and that means taking a hard look at our relationship to government—or I should say, governments in the plural. Government policy and priorities and funding have a profound effect on the lives of Americans and for that matter on the fortunes of other nations. Laws, regulations, and policy directions determine who is included and who is excluded, who is protected and who is prosecuted, who is assisted and who is left out. Nothing more clearly reflects our nation’s priorities and our values than our national and state and local budgets.

Right now about one dollar in three in the budgets of nonprofits comes from federal or state or local government. And among those nonprofits involved in health and human services, government’s share of the budget is more than one dollar in every two, about 52 percent. Because of recently enacted large tax cuts, a soft economy, the cost of foreign and domestic wars on terrorism, and growing entitlement programs, gigantic deficits are expected to loom over us for the next five to ten years. The government pie is shrinking—and legislators in Congress and the state houses are making choices, choices that often reflect their values and their priorities and that almost always reflect the new constricted economy.

We can spend our efforts quarreling with each other about which of our diverse interests—helping poor people, protecting the environment, fostering the arts, and so forth—which interests deserve to survive in a time of austerity. But that is the last thing we ought to be doing. We should not be clashing over crumbs. We should be fighting for substantial and sustainable support from the federal government and the states. That cannot be done simply by reallocating what is left of the pie. It is time for us to press for a larger pie—whether that includes rolling back the massive tax cuts of recent years or increasing public revenues in some other way. State legislatures and governors of both parties began down this road just a few months ago to close their state budget gaps. In the years ahead these all too
modest efforts should be augmented as a result of actions focused on public office holders, both Republican and Democrat, mounted by all of our organizations, working together, regardless of our particular interests. This is not a partisan statement or even a political one. Members of both parties in a number of cities and state houses have been working toward such goals.

Second, we need to confront the challenge of disengaged community members. Yes, it is true—and good news indeed—that many people are volunteering. When a woman comes to us racked with hunger, we feed her. When a man comes to us shivering from the cold, we clothe him. Those who feed and those who clothe deserve our thanks and deserve our praise.

But also we must ask these questions: Why, in a society where there is more than enough food for all, are there people who are still hungry? Why are people, who are employed full time and paid minimum wage, coming to soup kitchens? Why are children and families living in shelters? Somehow we must find the way to force the question before all people of goodwill: Why is there hunger amidst abundance? And what can we do, not only to alleviate it, but also to conquer it?

One part of the answer to that compelling question is perfectly straightforward: The conquest of hunger and the other ills that plague us depend on civic engagement. Civic engagement may be expressed in many ways.

One, just one way, is through voting. Yet outside of seniors, who vote in the largest numbers, other groups are voting less and less. Thus elections are won, policy is made and funds are appropriated by a fraction of our people. The rest, whether it be because of a pervasive sense of futility, or because of a prevailing sense of cynicism, or because of plain indifference, have effectively dropped out. And having dropped out, they run the real and great risk of being left out.

Presidential elections turn out no more than half the eligible voters. Off-year and primary elections are lucky to see 30 percent of the electorate show up to vote. Such numbers are simply unacceptable. The right to vote is far too precious, the power of the vote too potent, to allow us to accept that this is the best we can do. I came from a society in South Africa where 96 percent of the people were denied the right to vote, and when in 1994, they were given the chance, they stood in line for hours, some for days, to exercise that right.

Our nation belongs to all of us. Our future belongs to all of us. We dare not accept that the future of our nation will be determined by an ever-declining fraction of our people. There is no true democracy without participation, and it is, therefore, a chief responsibility of ours to use all means at our disposal as individuals and as organizations to increase civic and electoral participation to the highest possible levels. This is not work we can leave to our colleagues who specialize and who do truly impressive work in this area. The crisis of participation is a crisis that confronts us all, and all of us must be involved in the response. This has to be a job we all take on.

A year from now, almost to the day, there will be a national election. Ought not every one of our organizations feel a direct responsibility for the elections? The stakes for our nation and, frankly, for us, could not be greater, whether at the Presidential level, in the Congress, or in the state house and cities, too. Ought we not be involved in seeing that our members, our boards, our employees, and those who volunteer with us, are engaged—irrespective of their political outlook? I am not talking about endorsement: I am talking about engagement. The more organizations that hold candidate forums, the more we talk about our particular issues of interest with those seeking public office and about their support of our voluntary sector and the people we serve, the more we press them to tell us how they plan to show their support once they have been elected to public office, and the more we follow up after the elections, the better off we will be.

I should add here that few politicians understand very much about nonprofits and foundations. Let us invite them to learn more about our organizations. Let us determine to keep them and their staff informed about the issues. Let us use the power of our knowledge to let candidates, at all levels, know what we want. And let us be sure that Americans of all ages, income levels, and ethnicities believe in the importance of their participating in the elections and are registered to vote. And let us tell office seekers that we are millions in number and we represent the diverse people of America and we are going to organize and vote around the issues we hold dear. That’s a power they will understand.
Finally, I think, we must apply our power to ourselves. We must look to our own houses and see that they are in order. If not, then we must put them straight. The decline in government funding has brought us to a crossroads where we must look not only at how we fund our activities but also at how we grow as a sector and how we function within our respective fields and with one another.

We need to examine our own individual sources of funding. Yes, we can put pressure on governments, as I have already said. Certainly foundations are encouraged to dig even deeper into their reservoirs and give more during this time of need, as well as to sustain their giving rather than moving on to new projects. And individual donors should be asked to give more as well. But even as we look to familiar sources, we must look to new sources of funding with equal intensity and seriousness.

Many of our organizations may no longer be viable financially if they continue with "business as usual." We need to make tough but honest estimates of whether our efforts and work with others are meeting the need and fulfilling our core missions. We may have to be leaner and more efficient, but if we are to put our good ideas into action and achieve the results we desire, we need the wherewithal. And we must consider ways in which we might reinvent ourselves.

It would serve us well to look at our sector as a whole. Twenty-five years ago, there were 739,000 nonprofit organizations. Today, there are 1.8 million. This is a $650-billion dollar industry that has grown at twice the rate of the business sector. But are there not costs associated with this large and rapid growth? Are too many organizations paying overhead costs on their own when they could save money—and still be true to their mission? This does not mean that the small should give way to the large. This does not mean that we should in any way narrow the amazing diversity of our sector. But we have a responsibility to spend our resources wisely.

Thus the question we must ask ourselves is this: How can we wring the greatest efficiencies and economies out of our sector without harming worthwhile organizations? We cannot afford not to ask and answer this question. We cannot afford not to get the most from our resources. Results, in a word.

These are not questions that can be answered in a day, a month, or even a year. These are questions that we need to keep before us every day, every month, every year—beginning today, this day. When and where and how can functions be shared? Can we contemplate and effect collaborative efforts and even mergers? How and how often do we assess effectiveness? Are we really adding value to the common good?

Our questions, I suggest, cannot end here. We have no choice but to ask ourselves about our operations, policies, and practices. To be sure, most nonprofits and foundations are upright and ethical. We need to be sure that all of us are. Scandals—and they are so familiar, unfortunately, that I don’t need to repeat them here—hurt more than the organization that has done something wrong. We have counted over a hundred press stories in the last few months, reporting on deeply troubling practices of some foundations and nonprofits located in all parts of the country. Even though they are a tiny fraction of the nonprofit sector, they cause donors to think less of us, and give less to us. Scandals invite government regulation that moves rapidly beyond appropriate oversight to unwarranted and ill-founded policies. Scandals discredit us all; sully the good work we all do.

Therefore, we must make it our collective business, to see that our behavior and our governance structures are transparent. We each must ensure that our expenses, conduct, and policies are consistent with our mission and the expectations of our donors and the public. If the practices of our boards are dubious, change them. If our fundraising activities are questionable, remedy them. If our staff conduct is improper, set it right. Don’t wait for the reporter’s call. Rather, take preemptive action.

And we have an embarrassment of riches in many policies and practices on good governance and good behavior that already have been developed by various foundation and nonprofit collaborations. These initiatives will help move the ball forward and allow each of us to not begin this work from scratch. And by the way, INDEPENDENT SECTOR is at work now on a model code of ethics, which we will share with everyone.
What I have been saying may sound like “housekeeping.” Well, housekeeping is not a term of criticism. The virtue of our goals and our excellent work does not excuse excessive behavior or unethical practices. Most of all, if our houses are not in order, how can we hope to use the powers we have to achieve the purposes we have in sight?

Our conference brings together some of the most creative thinkers, the most seasoned strategists, and the most innovative people in all America. They are here to prod, provoke, push, and press us forward. I invite you to use this opportunity to focus on transparency, ethics, and good governance. I encourage you to think about your part of the challenge of educating politicians about our sector, keeping in mind the importance of the election of 2004 and getting people to be more engaged in that process. I urge you to talk and plan how you might capture the necessary resources, whether by adding revenues to the public coffers, assuring a fairer distribution of existing resources, or securing new streams of revenue. And I implore you to talk with the experts on how you might achieve more efficient delivery of services without compromising missions. And I assure you that as you share your thoughts with us, as we travel this road together, the collective impact of our combined efforts will benefit us all.

We have enough challenges to occupy us for a long time. But we have power that flows from our strength in numbers, our diversity, our moral strength, and our history of good results. Let us combine this power with a sense of purpose and do it in a spirit of unity. For we are truly interdependent. Let us invite our colleagues and friends at home to share in this effort and remember John Gardner’s charge to his audience in 1980:

“The spark from one fire lights another fire, and there is a wind that blows down the path of history. The spark that we send down the wind will ignite later generations. It will not die.”

Nothing I have discussed with you today is going to be easy, and the road we are traveling may turn out to be a long one. But look… look around you… and see how many good traveling companions you will have. Know as well that INDEPENDENT SECTOR is here to help. And know, above all, how very far our nation has come, no small thanks to the work we have done over the many decades. Take courage from that and hope. We couldn’t ask for better company; and we couldn’t be serving a more noble cause.

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**Share Your Feedback**

We invite your ideas and feedback on the key areas outlined in Diana Aviv’s address, *Purpose, Power, and Participation: Ideas for the Future of Our Sector*. Please take a moment and provide your thoughts in response to our brief questionnaire. Your advice will be incorporated into IS’s work.

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leaders in nonprofit organizations today are pulled in so many directions: meet the needs of clients, be true to your constituency, be supportive of your staff, be responsive to your board, market yourself to donors. Plus, there are ever-more-obvious reasons that nonprofit organizations need to be activists for social and economic justice. Although this list of demands placed upon organizations is already daunting, there is an additional responsibility that we must also shoulder: being an advocate for effective and well-resourced government institutions.

At first blush this may seem an outlandish expectation. Nonprofits struggle every day to raise adequate revenue to survive. The clients they serve face incredible hurdles. The foundations and organizations that fund them have accelerating performance expectations. Government institutions, in contrast, seem to be relative fat cats, behemoths that often appear indifferent to the effects of their actions in the real world of communities. And, for those who already engage in policy and program advocacy with state officials, sometimes government seems to be one of the obstacles to their organization’s effectiveness and their clients’ success.

One of the biggest threats to the nonprofit sector today is the steady erosion of support for its silent partner, government. We have taken for granted the underpinning that government has provided for the nonprofit community: providing a network of services, assistance, and funding that is fairly well distributed across the country and individual states. In addition, government has often been seen as the institution with the resources necessary to develop and expand innovative solutions developed in the nonprofit sector. With the fiscal crises in the states and the tax cuts at the federal level, the erosion of government threatens to become a mudslide that will leave the nonprofit sector with even greater responsibilities and yet fewer options for addressing them.

For more than two decades the United States has witnessed an organized assault on the public perception of government effectiveness and integrity. Government, once seen as a vehicle for addressing problems in our society, has increasingly been painted as the cause of a litany of problems: welfare dependency and teenage pregnancy, distortion of the free market, removal of local control and imposition of unfunded mandates, and non-competitive, inefficient service delivery. Government spending, once used as a means of stimulating the economy, has come to be blamed for all manner of economic woes, from individual to national, with the result that tax cuts and more tax cuts, rather than public works, are the preferred antidote to recession. Government regulation, once valued for its ability to protect us and our environment from market excesses, is now cast as the culprit in rising consumer costs for utilities, insurance, and other basic public goods. Government officials, once able to see themselves as idealistic public servants devoting their lives to improving their state and their world, are perceived, if not as being outright corrupt, then, at best, as self-serving, unproductive, overpaid workers who couldn’t make it in the private sector.

Organized efforts to discredit, dismantle, and shrink the jurisdiction of government have taken their toll on public sentiment toward governance and on the infrastructure, capacity, and competence of state institutions. What is now sorely needed is a deliberate campaign, grounded in the states, to build a vision of governance for the contemporary context that can restore respect for public service, trust in government’s protective capacities, and belief in the efficacy of government intervention on behalf of the public good. This by no means should deter our responsibilities to criticize government or make it work more effectively and accountability. However, we need to place this in a context of rebuilding support for the critical role the public sector needs to play in maintaining a working infrastructure and in solving major social problems.

Dianne Stewart is the Director of the State Governance for the Future program, an activity of Demos: Network for Ideas and Action, an organization based in New York City that is working to produce a vigorous democracy and shared prosperity — www.demos-usa.org. The State Governance for the Future program is working to establish a new sense of government — particularly state government — as an essential element in solutions to the major issues facing our country. It is seeking to help the public understand government’s critical role and to promote effective and adequately resourced government capacities and services.

(Continued on page 11)
Building democratic practice brings in the voices and energy of those groups who are often ignored — the populations nonprofits work with and for — and takes us one step closer to creating a truly just society.

**IMPLICATIONS FOR THE ORGANIZATION**

The work of democracy is not always orderly. This means organizations that choose to engage it will find it may come into conflict with some of the ways nonprofits have evolved over the past thirty years. First, many nonprofit groups separated from their roots of collective voice as they professionalized. Organizations that developed to enhance outcomes often found that building democratic practice was not a priority and was hard to explain to funding sources. We thought that the problems we faced could be solved, leaving constituents free to engage in our democracy. Now we need to go back to those roots once again.

Staff members who have worked hard to receive the credentials needed for their jobs may find involving constituents means learning skills not taught in school. Often staff feel that constituency involvement is impossible or will lead to chaos, or that constituents concerned about survival have neither the time nor interest to build their democratic skills. Staff can feel burdened by adding new dimensions to their work when they already face so many challenges. The initial result may be resistance rather than energy for this new part of their job. Including staff and listening to what they believe makes up a democracy and their role in it is an essential part of addressing these concerns.

Finally, building democratic practice has taking the long view, a luxury we do not always feel we can afford given the economic and political context in which we work. The shrinking state and federal budgets, the continued trend towards tax cuts, the rising federal deficit, and the increases that will be needed for Social Security and Medicare put enormous pressure on those who work in nonprofit organizations, threatening our very survival. Most nonprofits continue to do their work, trying to figure out how they can do more for less. In the long run, however, this is not a solution. Building democratic practice brings in the voices and energy of those groups who are often ignored — the populations nonprofits work with and for — and takes us one step closer to creating a truly just society.

It is hard to see any other sector in our country with such institutions that have the scope, breadth, values, and commitment to take on this task. And our democracy may depend on it. 🌟

**Frances Kunreuther** is the director of the Building Movement in(to) the Nonprofit Sector — [www.buildingmovement.org](http://www.buildingmovement.org) — project housed at Demos in New York City. The project seeks to strengthen the role of U.S. nonprofit organizations as sites of democratic practice and to advance ways those groups can be important components of movements to build social change. Prior to moving to Demos, Kunreuther was a Practitioner Fellow at the Hauser Center for Nonprofit Organizations, a position she took after spending 25 years working in and managing nonprofit organizations.

Be an Advocate for Government —
(Continued from Page 5)

This will be a long-term process, that, to be successful, will require intense engagement with national and state leaders in service delivery, advocacy, policy, academics, philanthropy, politics, and business. It will also require a concerted communications strategy to rehabilitate public sentiment toward government institutions, activities, and processes.

By all means, nonprofit organizations need to hold government accountable to ensure services are effective, the needs of constituents are met, and that waste and inefficiency are eliminated. Who better to guarantee that government agencies and elected officials are responsive to the realities of the people they serve than those of us who are in contact with these constituencies daily? And yet, nonprofits cannot simply be another group of government critics, contributing to the general sense that government is inept and unworthy of support.

We must find a way to advocate on behalf of government, even as we know it to be imperfect. We must be the ones who help others understand the importance of government’s role in our society and who demonstrate there is room for optimism about the future of government. If we are unable to articulate a vision for government, the professional detractors may triumph, and the burden on nonprofit organizations will continue to increase, while the resources available to meet the needs of clients will continue to diminish. 🌟
LOBBING SUCCESS STORIES:
Examples of How Nonprofit Lobbying Has Changed Organizations and Changed Lives
LOVE CANAL HOMEOWNERS’ ASSOCIATION

In the spring of 1978, a 27-year-old housewife, Lois Gibbs, discovered that her 5-year-old son, Michael, was attending an elementary school built next to a 20,000 ton, toxic chemical dump in Niagara Falls, New York. Gibbs questioned the school, the school board and the town, but was dismissed as one mother with an ill child looking for someone to blame. Out of desperation, she organized her neighbors to form the Love Canal Homeowners Association and fought for more than two years to get the entire community relocated by the government to a safer town.

Gibbs and the Love Canal Homeowners Association faced opposition from a major chemical manufacturer and local, state and federal government officials. These representatives claimed that the chemicals leaking from the thirty-year-old dumping ground – like dioxin, known to be one of the most toxic – were not the cause of the neighborhood’s unusually high rates of birth defects, miscarriages and cancer. But Gibbs and her neighbors knew otherwise. Through research, Gibbs found the piece of the puzzle connecting her children’s and her neighbors’ devastating illnesses.

The Love Canal Homeowners Association battle, though long and arduous, was successful. In 1980, President Jimmy Carter delivered an Emergency Declaration, moving 900 families from the hazardous area. Love Canal was a significant victory for grassroots environmental efforts.

Love Canal became a household name and a synonym for the often horrific but hidden human costs of the improper use and disposal of the thousands of chemicals that have come into commercial use in the United States every year since the end of World War II. The attention focused on this issue in upstate New York led to a dramatic increase in public attention to similar problems elsewhere in this country and abroad. The Congress and many state legislatures created new systems to deal with the failure of both public and private sector contributors to address the consequences of toxic waste disposal practices that are a hazard to public health.

Through the Love Canal success, Gibbs gained considerable skills and experience – deciphering complicated scientific information, untangling the maze of all levels of government, and navigating the daunting reference section of the library. She also gained notoriety and received numerous calls from people across the country who were experiencing similar problems in their own communities.

Gibbs realized the problem of toxic waste went far beyond her own backyard. She put her experience to work for the health of many communities in 1981, by establishing the Center for Health, Environment and Justice (CHEJ), a clearinghouse for environmental and organizing information and support for grassroots efforts. Gibbs serves as the executive director of CHEJ and speaks with communities around the world about the dangerous potential of dioxin and hazardous waste pollution. CHEJ has assisted more than 8,000 grassroots groups working to clean up their towns.
There are thousands of instances of women and men who have led local communities to address problems through the creation of nonprofit advocacy groups in the same way that Lois Gibbs did. In most cases there is no ongoing organization once the problem is resolved. Those leaders return to their lives as they were before they were moved to act.

On some occasions leaders see the underlying causes that led to the problem in their community. They transform the narrow mission of their group from a focus on a problem in their immediate neighborhood to address similar problems throughout their city and country. While this is relatively rare, it is rarer still to make use of what has been learned about how to create and sustain local nonprofit advocacy groups available throughout the country.

This is what Lois Gibbs has done. She understands from her own experience the challenges faced by someone who is compelled to address a serious community problem. She knows how difficult such an effort is for an individual who has not started or managed a nonprofit organization; who has no special scientific, legal, political or media expertise; who is struggling with the emotional and financial impact of serious family illness of ill-defined origin; and, who is thrust into the position of leading neighbors similarly situated.

She has brought her expertise to many thousands of individuals and organizations throughout this country and has been an inspiration to people in despair, ready to give up their fight for healthy children and neighborhoods. They know she has been through the same difficulties in learning whole new scientific and political languages and devising strategies while under great personal stress.

Her work has been recognized recently by the Heinz Award in the Environment, which noted that Lois Gibbs’ “…early writings on community involvement were the blueprint for a form of participation that is now commonplace.” Her work as a citizen activist, over the last twenty years, has raised the capacity of others to improve society throughout the United States.

John W. Gardner Leadership Award
INDEPENDENT SECTOR
June 1999
It was a dilemma that just about any nonprofit organization would love to have. In 1984, the local Alzheimer's Association chapter that serves Washington, DC, and the surrounding Maryland suburbs suddenly got a windfall. The mostly volunteer-run group, which had a budget of less than $25,000, received $140,000 in gifts from local federal government employees during the first year it could participate in the federal charity drive.

The money came with few restrictions. It wasn’t for a particular program or service. And it wasn’t a one-time gift: the money would keep coming year after year.

The dilemma: how to spend this new money. The local group’s board—a mix of family members of people with Alzheimer's disease, local doctors, researchers, social workers and people involved with Alzheimer's programs—went through a long process to decide. This planning process led the group to change its initial thinking about what it should do, especially in relation to lobbying.

Initially, most board members wanted to either give away the money to other groups or give it to individual Alzheimer's patients. For a while, the Association did both. But as board members reflected on the needs of local patients and family members, they began to see more ways to meet these needs. Given the number of local people with Alzheimer's—an estimated 33,000—many board members looked for ways to reach more people. Giving families money to help pay for badly needed, short-term “respite” care was a very concrete way to help people. But devoting all of the $140,000 to this approach would buy about one hour of care per family per year.

Many board members began to focus on ways to help larger numbers of people, such as providing a “helpline” where families could get information and suggestions. They also recognized the need to educate many more people—patients, family members, doctors, the public—about this little-understood disease.

A few board members pushed to extend this education to policymakers. They thought that the people who make and implement laws that affect people with Alzheimer's needed to learn much more about this disease, the burdens it imposes on families and what could be done to lessen those burdens. They needed to hear the perspectives of Alzheimer's patients and caregivers.

Initially, the idea that a charity such as a local Alzheimer's Association chapter should actually lobby was met with much unease by most board members. Most had never even considered the idea that a charity would lobby. Lobbying activity and charitable activity seemed completely separate. Was it even legal for a charity to lobby?

They learned that it is indeed legal for charities to lobby, that Congress even encouraged it in a law passed in 1976, and that Internal Revenue Service regulations give charities wide
latitude to lobby and do other types of advocacy. Lobbying cannot be the primary activity of a charity, but it can be an important part of its work.

Which is exactly what lobbying became for the local Alzheimers Association. The group even set aside part of the new money to hire (with the Baltimore chapter) a part-time person to lobby on the state level.

Over the years, that lobbying has paid off. The most concrete way was passage of a law that subsidizes respite care (on a sliding scale) for families of Alzheimers patients. As well as anyone else with a similar, “functional” disability. (Previously, only people with physical disabilities could get a subsidy.) This law has provided about $1 million a year in respite subsidies for families who could not otherwise afford this care. In other words, investing some of that $140,000 in lobbying has produced much more in services for Alzheimers families than putting all of that money into direct subsidies.

But choosing to lobby has helped Maryland Alzheimers families in many other, less easily documented ways. It helped make sure that new state rules determining eligibility for nursing home subsidies would include people with cognitive impairments such as Alzheimers disease. It helped make sure that state rule governing “assisted care” homes would require that people with dementia get the kind of supervision they need to insure their safety.

“There are a lot of decisions concerning care and services that are now being made at the state level,” explains Cass Naugle, long-time executive director of the Alzheimers Association Baltimore chapter. “It is so important to have a voice there.”

It’s not just as important that policymakers hear the voice of charities such as the Alzheimers Association. Not only do they communicate the needs and views of family members; they also can communicate the day-to-day reality of dealing with a problem such as dementia.

Indeed, the DC-area Alzheimers group’s ultimate use of its newfound money – a mix of direct services, education and lobbying – was ideal in many ways. Providing services – dealing directly with people’s day-to-day needs and problems – greatly strengthened the group’s lobbying. It could advocate policies that would really make a difference in people’s lives. And it could use individuals’ stories to effectively communicate the needs to policymakers.

Tim Saasta
Center for Community Change
August 1999
NEW HAMPSHIRE NONPROFITS SAVE THE DAY

The incredible work of New Hampshire community serving nonprofits from all over the state led to the state House’s unprecedented steps in June of 1999:

- Defeat of its own Finance Committee’s recommended Budget, and, in turn,
- Immediate passage of a responsible Senate Budget over the House Leadership’s strong opposition.

This was a tremendous victory for New Hampshire communities. The Finance Committee’s budget made substantial and destructive cuts in every area -- from health and human services to the arts and the environment -- which would have hurt thousands of New Hampshire’s most vulnerable citizens. In reality, it is virtually impossible to build strong communities and a vital civil society when the State budget providing basic community support is inadequate. If the House leadership had succeeded (and they almost did!) in their strategy of using the shortfall in Claremont School Funding to cut basic community services, it would have taken years for New Hampshire communities to recover from the damage caused by these budget-busting measures. If New Hampshire nonprofits had not strongly advocated for the people and communities they serve, the House Leadership would have succeeded.

While this historic victory resulted from a very focused team effort between nonprofit organizations and key supporters in the House, Senate, the Governor’s office and the government departments, it would not be achieved without considerable and effective lobbying. Speaker Donna Sytek’s simple explanation of why so many of her own Republicans voted against her says it all: “They responded to the phone calls they got.” In fact, it was estimated that in the four days before the vote, key Republican received over 15,000 calls.

The Importance of Lobbying in Achieving Missions

This budget victory is a dramatic example of how important grassroots lobbying (making your case in your communities) and direct lobbying (making your case directly to your elected officials) are in achieving missions. For example, if New Hampshire nonprofits had not succeeded on the budget, over $100 million per year of public investments in the people and communities would have been lost. This would have been at a terrible cost not only to nonprofits’ social, environmental, and cultural infrastructure but, most significantly, to their missions. Imagine if many New Hampshire nonprofits had not made the difficult effort to make space in their already crammed schedules to lobby, and had lost the $100 million. This would have been difficult to replace (that is a lot of bake sales and fund raising letters). Looking back, it’s hard to think of a more important task nonprofits could have engaged in for achieving their missions than the collective lobbying they did to pass a responsible budget. Further, if nonprofits had not stepped up on the budget, no one else would have, and New Hampshire would be a much different place today. This demonstrates not only how central lobbying is to nonprofits’ missions, but also how vital nonprofits are to the fundamental well being of the state.

Gordon Allen
July 1999
The Tobacco Use Reduction Plan (TURP) is the Oregon health plan that was funded from ten percent of the revenue from Measure 44 – a November 1996 ballot initiative. The passage of Measure 44 increased tobacco taxes, ninety percent of which went to support the Oregon Health Plan, a state health insurance plan for low-income individuals. Ten percent of the tax revenue went towards TURP’s creation. The initiative passed by fifty six percent of the vote.

When the legislature convened to create and fund TURP, the challenge for ACS and all of Measure 44’s supporters began due to the tobacco industry’s efforts to make the plan as ineffective as possible. TURP’s supporters’ lobbying effort was a combined effort of the Oregon Health Groups on Smoking or Health (OHGOSH), Tobacco Free Coalition of Oregon (TOFCO), American Cancer Society (ACS), American Heart Association (AHA), American Lung Association (ALA) and the Oregon Health Division.

TOFCO worked on the public media issues for this issue and was not involved in any type of direct lobbying. OHGOSH, of which ACS, AHA and ALA are the members, hired a contract lobbying firm to follow the daily progress and pitfalls of enacting this legislation. The lobbyist alerted ACS to the correct timing for the grassroots effort.

ACS has a grassroots network of volunteers who have been recruited specifically for impacting legislation in support of ACS’s priorities. When the volunteers were contacted by ‘Legislative Alerts’ or phone calls, they responded by contacting their state legislators asking them to support the TURP. The National American Cancer Society provided a grant for a paid phone caller who contacted our alert network members, donors, as well as AHA’s and ALA’s volunteers in designated critical legislative districts.

In addition, Rick North, ACS executive vice president, testified to appropriate subcommittee and full committee for passage of the TURP. Throughout the session, Rick and key staff and volunteers made personal visits to legislators asking for their support for the plan.

In summary, the plan was passed unchanged and completely funded through the subcommittee, the full Joint Ways and Means Committee, the Senate and the House and signed by the governor. The American Cancer Society was involved in Measure 44 from the signature gathering, through the campaign ensure passage on the November ballot, to the creation of the TURP, the lobbying of the legislature, testifying before the key committees to its final passage.

The American Cancer Society
August 1997
EXPANDING HEALTH CARE FOR CHILDREN IN MASSACHUSETTS

For a long time, charities that provide health care services in Massachusetts knew that there was a growing crisis of uninsured children. Rising costs and increasing population meant that hospitals, community health centers, schools and recreation centers were barely able to meet the demand by families whose children were not covered by Medicaid or the State’s own children’s health care program. In 1995, when the Children’s Defense Fund released a report stating that more than 87,000 children in Massachusetts lacked health insurance from 1989 to 1991 and only 70 percent of all the 2 year olds in the state were fully immunized, the charitable community and the families they represent organized themselves to lobby for needed public policy changes.

Many, if not most, charities that provide health care and serve Massachusetts families and children worked in a coalition under the leadership of Health Care for All, a health consumer advocacy organization. The coalition engaged in grassroots organizing and lobbying for legislation that would expand eligibility for Medicaid for children under 18. Charities that never lobbied before urged their elected representatives in the State legislature to support children’s health expansion. Their lobbying effort included letter writing, phone calling, personal visits with legislators, working through the media to advertise their cause and, importantly, leveraging the power of the people they serve by encouraging parents and kids to act as spokespersons.

The coalition’s efforts paid off. Even though the popular Governor Weid opposed the Medicaid expansion legislation, the legislature overrode his veto. This triumph would not have been possible without the direct and grassroots lobbying effort by community and state-based charities such as the United Way of Massachusetts Bay, YMCA, Family Services of Greater Boston and Parents United for Child Care. Today, many of the children who could not play sports in school and had to live day to day worrying whether they might become ill or injured because they were without health insurance no longer have that fear because of organized and spirited charity lobbying.

David Arons
Charity Lobbying in the Public Interest
June 1998
THE ISTOOK FIGHT

In early 1995, Congressman Istook (R-OK), McIntosh (R-IN), and Ehrlich (R-MD), talked about “Washington’s dirty little secret” that nonprofit organizations were using federal grants to lobby the government. Although the charges were made and McIntosh held several congressional hearings, there was never any evidence of nonprofit organizations using federal funds to lobby. Despite this, Istook, McIntosh, and Ehrlich developed legislation that would have had a sweeping impact on the nonprofit sector.

The principal focus of the legislation was on placing unreasonable limitations on advocacy free speech as a condition of receiving federal grants. Nonprofit organizations would lose federal grants if they used too much of their private funds for advocacy activities. This would have forced many community based groups to face a difficult decision: continue advocating on behalf of people they serve or take federal grants to provide services – both activities consistent with their missions. Furthermore, the Istook amendment only applied to federal grants, not to federal contracts, which account for more federal funds and go to powerful special interests.

The Istook amendment, under the guise of fixing a problem that didn’t exist, would have cut off the ability of nonprofits to provide commentary to local, state, and federal governments, and would have had a chilling impact on the entire nonprofit sector. And although House Republican leadership has spoken of strengthening public charities and the voice of the grassroots, the message of the amendment was clear: you should be seen (and do the work), but not heard. Such efforts only work to undermine the strength of the nonprofit sector.

As might be expected the Istook amendment created a firestorm of protest in the nonprofit sector, galvanizing the sector as never before. A coalition, led by the Alliance for Justice, Independent Sector, and OMB Watch, was created to thwart the Istook amendment. The coalition, called Let America Speak, includes more than 500 national organizations and thousands of community groups from across the country. The coalition has released several reports, distributes information via e-mail, and has a World Wide Web page (the URL is http://rtk.net/has).

How the Campaign Was Fought

The objective of the campaign was to defeat the Istook amendment, which seemed formidable. The amendment was strongly supported by a powerful grassroots lobby called the Christian Coalition, along with many other conservative organizations. It was also supported by some businesses, such as the National Beer Wholesalers Association, that saw itself under attack from nonprofit organizations such as Mothers Against Drunk Driving. With Republicans controlling both the House and Senate, House Republican leadership meeting regularly with conservative organizations about a strategy to “defund the left,” and with momentum in the direction of the new Republicans that were determined to change the way government operated, it seemed that the Istook amendment would likely pass Congress and become law.
The primary focus of the campaign to stop the Istook amendment was to alert nonprofits as to what the amendment would do and to encourage a coordinated grassroots response to Congress. Although paid media was used, it was not the primary mechanism for reaching the nonprofit community, Congress, or the public. Our belief was that our strength was in the diversity of the nonprofit sector and its ability to tell compelling local stories about the importance of advocating on behalf of the people and issues they serve.

We relied on existing institutions and dissemination structures and, where gaps existed created new approaches. The campaign worked with national organizations, providing information and analyses to them to distribute to their membership and affiliates. Many of these national organizations were involved in periodic strategy sessions convened by the coalition co-chairs – so they felt they had control over and an understanding of decisions that were made. The tree co-chairing organizations each brought credibility to the campaign and had different strengths, including bringing players to be part of the coalition that traditionally had not worked together before.

Very early in the campaign we decided to conduct a series of community briefings around the country. Local nonprofit organizations organized these sessions and controlled their agendas. The coalition supplied written materials, including analyses of the amendment and suggested strategies for action. A representative from the national coalition attended each of the local sessions, which also had local speakers discussing the local impact of the amendment.

OMB Watch has used the model for community briefing since the early 1980s. The fact that we had done such briefings before – at times on an annual basis – helped the coalition in that OMB Watch could share the strengths and weaknesses of this approach. The major weakness of the community briefings was that there often was a lack of follow-up, so that we did not maximize our opportunities.

Because OMB Watch had done community briefings, we had a base of local contacts that had set up previous community briefings. To find other local conveners, alerts were sent daily (via fax and e-mail) to national organizations to help us find nonprofit groups to sponsor the event locally when we did not have a contact. Another nonprofit infrastructure organization, the National Council of Nonprofit Associations with state affiliates, was very helpful in identifying local conveners for the briefings.

During these community briefings we tried something new. In addition to the briefing on what the Istook amendment was, we did a training session on the use of e-mail. Prior to visiting a city, we would identify free or low cost Internet Service Providers (ISP) in that particular location and ask the ISP representatives to attend the briefing. The ISP representatives were asked to have subscription information available so organizations could get an e-mail account immediately if they did not have one. Thus, the trainings moved directly to how nonprofit organizations could register for an Internet listserv, which was set up to distribute information through the Internet on anti-advocacy
Within a six-week period, we conducted more than 50 briefings in more than 25 states and reached more than 1,000 nonprofit organizations. These locations for the briefings were selected on the basis of a combination of factors. First, the national coalition had identified members of Congress that we felt could be convinced to oppose the Istook amendment, as well as members who might serve as our leaders. Visiting these locations was our first priority. Second, we went to locations where there was a willing local convener to organize a briefing and where the nonprofit community was already well-organized. Finally, we picked locations that were not economically prohibitive to go to and where we could create a sequence of briefings that made logistical sense.

People who attended these briefings were added to either a fax list or an e-mail list so that they could receive alerts. But we also recognized that many groups would need more information than fax and e-mail updates could provide. Accordingly, the coalition hired six young staff members to regularly stay in touch with state and local nonprofit organizations. These employees became known as the “boiler room” staff and were charged with also expanding our base of community groups to receive alerts on the Istook amendment.

At the height of the activity, a second “boiler room,” comprised of volunteers, was activated through the National Committee for Responsive Philanthropy. The primary mission of the volunteers was to encourage community groups to call their member of Congress regarding opposition to the Istook amendment. Overall, the coalition was in regular direct communication with roughly 2,000 state and local nonprofit organizations, along with roughly 700 national organizations. These organizations, in turn, were redistributing information to large numbers of organizations so that the coalition’s ability to disseminate information was very broad and very quick.

The coalition’s “boiler room” staff not only helped to disseminate information and discuss issues with state and local nonprofit organizations, but they also collected information from these groups. For example, the boiler room staff surveyed nonprofit organizations in every state on what impact the Istook amendment would have them. The data was presented in research report called “Handcuffing America’s Charities: Case Examples of Organizations Affected by the Istook Amendment.” The 63-page report had technical appendices describing the chronology of the Istook amendment and summaries of the proposed legislation. But the bulk of the report – and its strength – was in providing for every state a description of the impact of the amendment on at least one nonprofit organization, along with the name of the local organization and a person to contact for further information. This report was distributed to Congress, the media, and members of the coalition.

Other research reports were also prepared for the coalition. For example, on report, “Lobbying and Political Activity Restrictions for Federal Grantees and
Contractors,” provided a comparison of federal rules applied to grantees versus contractors. This report was prepared in response to common confusion in Congress that contractors have more restrictions imposed upon them than do grantees; that grantees have virtually no restrictions and can use federal funds to lobby. This report was also distributed to Congress, the media, and members of the coalition.

At one point in the campaign, we instituted a toll-free telephone number that had a brief announcement about the Istook amendment and then would connect the caller to their member of Congress. This helped many nonprofits that either did not have the money for long distance calls to Washington D.C. or did not know who their members of Congress were. This service was announced through the various communications mechanisms we established (e.g., fax, e-mail, through national organizations and directly to state and local groups).

Our national spokespeople for the coalition were selected on the basis of national recognition. In varying respects, the YMCA and Mothers Against Drunk Driving became two organizations that helped to give voice to the coalition through press conferences and other means. To complement these organizations, national organizations joined hands in several Lobby Days. During each lobby day, we compiled letters of opposition from national organizations related to a variety of issue areas and distributed them to every congressional office.

Probably most significant was the use of the Internet. Never before did we have the ability to distribute information as cheaply and as quickly. We would post information about the latest efforts to move the Istook amendment through Congress, alerting community groups as to key congressional targets to call. State and local nonprofit organizations would make these calls and report on the results. The coalition would combine this information with what was obtained through the Lobby Days and other interactions national organizations were having with members of Congress. When information was inconsistent about the position of a member of Congress, another e-mail alert was put out in order to verify the information.

The e-mail alerts were very powerful. For the first time, people not in the nation’s capital felt they were more a part of the strategy and action to defeat the Istook amendment than for other federal campaigns. This sense of involvement was critical to the success of the campaign.

The e-mail also was an efficient advocacy tool. One night around 7:00 p.m. it was confirmed that a version of the Istook amendment would be attached to a bill that was going to the floor of the House of Representatives by the next day. That evening was put the alert out as to what was in this version of the Istook amendment and followed it with legislative targets. One target was the chair of appropriations subcommittee. According to that office, by 11:00 am the next morning they were so deluged with faxes and telephone calls regarding opposition to the Istook amendment that they turned off the fax machine and put the answering machine on to handle telephone calls. Never before could we have organized as quickly.
Use of the Internet also insured rapid widespread dissemination of the information we posted. We received the following response to another emergency alert that we posted:

“Email proves itself once again. Nice job. Small vignette: I was at my desk on Wednesday eve. When your message popped up on my screen, [Rep. Jim] McDermott’s [D-WA] office was already closed, and I was headed for Olympia [the capital of the state of Washington] early Thursday a.m., but I took the basic information, and headed off. Early Thursday, just after arriving in Olympia, I ran into people who’d worked with us on the original Istook stuff, barely told them what was up, and they went off to pay phones – as did I [to make calls to Washington, D.C.]. McD’s staff here hadn’t heard of it yet but said they’d check right away and talk with D.C. In the back of a hearing room, a lobbyist pulled me aside to ask whether I’d done anything yet about the latest Istook alert from you all. More chatter. A few others also received your alert. More people went to pay phones. Back here last evening, I saw the message from Sandy Gill [who runs a regional association for nonprofit organizations that is based in Spokane, Washington] that had spread the word around the state, and I also had a few other messages from people about it. Awesome.”

Thus, we concluded that redundancy, especially during moments of crises in a campaign, is actually helpful to reinforce messages and insure that there is widespread reach. Some have raised that there should be a more “efficient” dissemination to local organizations. However, the advantage of the Internet is that there is no need for such hierarchy. Understandably, this may mean that certain organizations receive multiple alerts on the same subject. But I believe this is a small price to pay for such a powerful tool.

In the end, the Istook amendment was stopped by a coordinated action. Technically, we relied on the Senate and the Clinton Administration to insure that the amendment, in any form, would not be attached to any legislation. However, even on the last vote in the House of Representatives, it was increasingly clear that if there had been another vote on the issue, despite the Republican majority, we could have defeated the amendment in the House.

Gary D. Bass, Ph.D.
Excerpted from the Cape Town International Workshop –
“Making a Difference: The Challenge for South African NGO Advocates”
November 1996
MADD Fixes The Flaw in The Law
A Study on Effective Use of Media Advocacy

The Hawaii Mothers Against Drunk Driving (MADD) chapter saw the prospect of all their hard work to pass a new drunk-driving law going down the drain. To make sure the law was enacted as they had intended they would have to challenge the political establishment. The state legislature would have to convene a special session to fix the “flaw in the law,” and this had never happened before. Indeed, the outward facts suggested that the prospects were virtually hopeless.

The Story

The central problem was that the legislature, influenced by a system that gave committee chairpersons (in this case, the Senate Transportation Committee chair) extraordinary powers, had deleted the “implied consent” provision from Hawaii’s new drunk-driving law.

This provision, which had been Hawaii law since 1967, allowed for virtually automatic license revocation for refusal to take a Breathalyzer test when stopped by the police. The deletion would have made Hawaii the only state with such weak sanctions against drunk driving. The legislature had adjourned on April 28, and the new law was to take effect on July 1.

Most observers, including the governor, agreed that something should be done. But doing something would have meant convening a special session just to restore the implied consent provision. It would have also meant challenging the authority of a committee chairperson. No party – the governor, the speaker of the House, the Senate president – seemed ready to get involved, despite the considerable publicity given the situation in the media.

MADD probably would not have taken its plunge without the political intelligence it developed from friends within the legislature and the executive branch agencies – information that told them the situation was not quite as hopeless as it appeared. According to Carol McNamee, MADD’s legislative chairperson, “The Governor had said enough publicly that we were not worried about him. He knew something should happen but did not want to get involved until the House and Senate had taken action.”

The key person was Senate President Richard S. H. Wong because he was the one who could reconvene the session. However, to do this he would have to overturn the decision of the Transportation Committee chair, which would involve some political risk. Wong was somewhat harder to pin down on the issue, but McNamee’s sources convinced her that the senator “perhaps needed something to help him take some action.” In other words, Wong needed a face-saving reason for overriding the position of one of his committee chairpersons.

“Positioning ourselves required a lot of deliberation,” McNamee said. “We did not want to look like MADD against the world.” This, plus the belief that Wong was not so much an enemy as a politician needing cover, led MADD to adopt a less strident tone in its public statements than it might have.
Although MADD identified Wong and the governor as the primary targets of its campaign, it depicted Wong as a person waiting to hear from citizens that they cared. MADD’s approach thus concentrated almost exclusively on generating a grassroots movement to show Hawaii’s political establishment the extent of citizen concern about the flawed law. At no point in the campaign did MADD criticize Wong’s position. “We wanted him to look good,” said McNamee.

MADD originally believed the publicity given to the need for a special session would quickly convince the governor and the legislature to reconvene for a quick fix. It took 2 weeks after the legislature adjourned for them to realize that the governor and the legislature would not act without being prodded. By this time it was late May, and the law was due to take effect on July 1.

MADD decided to use the observed Memorial Day, May 27, to launch its campaign. This choice had obvious symbolic value. In addition, MADD’s planners realized that the holiday is a slow day for news, so both TV and print media would be likely to give the opening salvo prominent coverage.

In a scene that must have made assignment editors’ jobs a little easier that day, MADD staged its action in front of Hawaii’s Eternal Flame war memorial. McNamee pointed out that Hawaiians should remember those killed not only in war but also on the highways. A 2-foot-high sign attached to the speakers’ podium carried the governor’s and Wong’s telephone numbers.

On the actual Memorial Day, MADD started collecting signatures for a petition that it would present to Wong. Again, the press and TV cameras were invited to show up at the shopping malls and parking lots where the MADD volunteers were working. Again, the 2-foot-high sign showed up to drive the point home that this was a grassroots campaign and there was something individuals could do to help.

This tactic, asking all Hawaiians who cared to call or write Wong and the governor, became MADD’s primary and almost exclusive message. The rationale given for the campaign – “After July 1st, most drunk drivers will not lose their license to drive. They will be legally sharing the roads with us and our families” – was equally simple.

The first Memorial Day ceremony generated more than 3,000 telephone calls to Wong’s office -- a record number -- and a record number of letters as well. But these calls and letters came within the first week, and it was clear to MADD strategists that the furor would quickly die down unless something were done to sustain the effort and interest in calling for the special session.

**Sustaining the Coverage**

Much of MADD’s planning after Memorial Day centered on generating events that would catch the interest of the media and thus keep up the pressure on the governor and Wong. MADD started a letter-writing campaign to local newspapers. MADD’s president also appeared...
on several talk shows. In each of the governor’s and Wong’s television appearances, the sign appeared on the front podiums, beside interview chairs, and on top of petition desks.

In a ceremony at Wong’s office on June 4, a delegation of MADD state and chapter leaders presented petitions. Each member of the delegation wore a bright yellow T-shirt with “Fix the Flaw in the Law” on the front and “Ring Wong” (with the telephone number) on the back. This parade of visual effects paid off, as the event was covered in full by the media.

In one event that evoked a Hawaiian political tradition, MADD organizers took to the road. Hawaii law prohibits billboards; so political advertising is often done from commuter roadside, with candidates and volunteers holding signs bearing the candidates’ names. With TV cameras nearby, MADD volunteers took to heavily traveled commuter routes during several rush hours and flashed signs with the governor’s and Wong’s telephone numbers.

MADD’s chief ally, the Hawaiian Medical Association, also paid careful attention to visual effects during its opening news conference. Hawaiian Medical Association President John McDonnell described the setting:

We had an ambulance in front of the building. We invited the Hawaii Nurses Association and the Emergency Physicians Association. We also happened to have the coincidence of a victim: a former world-class swimmer, still in the hospital, who had been hit by a drunk driver while jogging. We were unashamed. We all wore white coats and stethoscopes, although we never wear them at work.

**Broad Community Support**

The allies that MADD recruited became an important, even vital, force in giving legitimacy to the grassroots movement calling for a special session. The Hawaiian Medical Association, for example, purchased a full-page ad in the local newspaper. According to McDonnell, it also “called in a couple of mearkers” with Honolulu’s main morning newspaper so that the paper would print letters supporting the campaign. It coordinated news events with MADD so that interest in the issue would be sustained throughout June.

MADD also targeted as coalition partners law enforcement agencies, insurance groups, the Hawaii Convention and Visitors Bureau, and the chamber of commerce – any group, according to McNamee, that could conceivably have an interest in the legislation.

MADD’s approach to the chamber of commerce typified the recruitment effort. MADD knew the chamber’s executive director and staff, having worked with them previously. McNamee telephoned the chamber asking to be invited to a board meeting to preset MADD’s case. The pitch to the chamber centered on Hawaii’s unique stigma as a state with weak drunk-driving laws, and framed this in terms of the harm this could do to the image of the state as a sage place for tourists. Once the chamber agreed to back the legislation, McNamee asked the board to issue its letter of support as a news release.
The final countdown started when a delegation from MADD presented the petitions to Wong. At the time, the senator spoke with the media and indicated publicly his concern about flaws in the new law. Throughout the following 2 weeks, Wong showed that he was intent at least on exploring all possibilities: He visited the Transportation Committee chair, he convened a caucus of the Democratic leadership, and on June 20 he convened a caucus of Senate Democrats.

This was encouraging news to MADD leadership, which by this time had made personal contact with each senator. While not all of them had committed themselves, MADD had a nose count indication that a majority of Senate Democrats favored convening a special session.

Nevertheless, MADD was not leaving things to chance. It decided that the caucus, which was certain to be covered by the media, gave the organization a good opportunity to garner attention through good visuals. The particular medium chosen also reflected MADD’s deliberate positioning a positive attitude and no casting of stones.

MADD volunteers were at the state capitol at 7:00 on the morning of the Democratic caucus to present “balloon-a-grams” to each senator. Each helium-filled balloon was tied to a gold key with the inscription “You are the key.” A note of appreciation (“We thank you for coming back to the caucus.”) was also attached. MADD made a statement to the media along the same lines shortly before the caucus convened. MADD members held a highly visible vigil outside the caucus room during the session. There were still many obstacles to overcome, inasmuch as the entire administrative license revocation bill, which had taken 7 years of intense lobbying to enact, was again place before the legislature. MADD followed through by being active in the necessary, conventional legislative work such as drafting committee testimony, preparing witnesses, and so on. By the end of the special session, an amended bill with the implied consent provision had passed both houses with only one dissenting vote.

The Lessons

The day after the Democratic caucus, Wong told a reporter “MADD is a giant killer…MADD started something that was totally different in the history of Hawaiian politics” (“MADD Gets Mad,” 1991). The senator’s administrative assistant, Yen Lew, distinguished MADD’s campaign from the kind he often sees in the Senate. “We get a lot of computer generated letters on various issues,” said Lew (“MADD Gets Mad,” 1991). What Lew saw in the MADD campaign, on the other hand, was a large volume of calls and letters in which voters “had some strong feelings and had paid some attention” to getting these thoughts through to Wong.

MADD had a specific, clear goal and used the media surgically to advance their desired policy outcome. Their excellent visuals got the media’s attention and, at the same time, promoted the phone numbers citizens could call. They used a holiday to peg their story and garnered wide community support.
Though the issue was politically delicate, MADD effectively navigated the sensitive territory to achieve their goal and not alienate politicians with whom they might need to work in the future. MADD used narrowcasting to focus wide media exposure on two men, thereby bringing those men’s actions into public view. Whatever Wong’s decision, the public would know, and he knew they would know. MADD used the media to apply pressure to a specific target, and he responded.

Mother’s Against Drunk Driving
August 1999
Suppose We Had a Real Democracy in the United States?
A Time for Imagination

Remarks of Gara LaMarche
Vice-President and Director of U.S. Programs
Open Society Institute
University of California at Irvine
January 28, 2004

Being a Distinguished Visitor takes some getting used to, I must admit. It seems to be a sign of age, like needing to have the menu read to you when you misplace your glasses, or having the grocery clerk call you “sir,” and looking around to see if perhaps your grandfather is standing behind you. But this invitation to share some thoughts with you—distinguished or not—is a fine antidote to the AARP membership card that will arrive for me in late August, so please accept my thanks at the outset.

When I was asked to give a topic for this talk a few months ago, my hosts assumed I would want to focus on civil liberties and human rights in the United States and around the world, particularly their state in the aftermath of the attacks of September 11, 2001, since those have been my professional pre-occupations at the American Civil Liberties Union, PEN American Center and Human Rights Watch, and a leading concern of my current institutional home, the Open Society Institute. But as I thought it over, I wanted to both broaden and narrow the topic. I’d like to raise some questions about the state of democracy here in the United States, where we like to think of ourselves as the world’s model. It hadn’t occurred to me months ago that I would be talking to you on the day after the New Hampshire Presidential Primary, and the week after the Iowa Caucuses, where the occasional messiness and unpredictability of a certain aspect of democracy would be on display, but I want to say a few words about that, too.

I intended to provoke, and even possibly annoy potential listeners with the title I chose, so let me deconstruct it a little for you before I proceed. “Suppose we had a real democracy in the United States?” is the question I’ve asked. I’m not suggesting we have sham elections in the U.S, as in Cuba or in Saddam Hussein’s Iraq, where the fearless leader is returned to office with 99 percent of the vote. I am suggesting we are reaching a state where, increasingly, we have the form but not the reality of democracy—not just in the usual measures of campaigns and voting, but in the even more fundamental measures of true citizenship and participation.

We have federal agencies and institutes devoted to promoting the spread of democracy in other countries, and since we are having trouble finding weapons of mass destruction in Iraq, it now seems that the principal reason we went to war last year, at a continuing daily cost in death and injury to our soldiers and to Iraqis, was to establish democracy there and elsewhere in the Middle East. And yet democracy at home, like our schools, our health care system and so much else, is in deep disrepair, especially for the poorest among us.
The subtitle of this talk, “A Time for Imagination,” is even more deliberately chosen. People like me, who consider themselves progressive—what liberals became, I think, around 1988—have been in the posture of criticism for so long, have had to spend so much time fending off attacks on hard-won gains, and on values and institutions we hold dear, that we have virtually lost the capacity for political imagination. We can’t see the forest we would like to dwell in because we are trying to protect tree after tree from the buzzsaw. With few exceptions, it has been that way for at least thirty years. But as George Lakoff, professor of linguistics and cognitive science at the University of California at Berkeley has said, “You don’t win by using the other guy’s terms and putting a ‘not’ in front of it or a ‘stop’ in front of it.” We need, as he might put it, a positive frame.

When most people think of democracy, they think of voting and elections. But when Alexis de Tocqueville assessed the state of the young American democracy in the 1830’s, his eye, ear and pen took in a range of things: social conditions, the role of local government, judicial power, constitutional rights and relationships, political parties, freedom of the press, nongovernmental associations, and race relations, among other things. Those are the right measures for determining the health of a democracy, then and now, and I want to touch on all at least briefly. But let’s start with elections.

The primaries and caucuses are on everyone’s mind. We cover them like sporting events, and congratulate ourselves, at times like this, on how the actual voters can confound the expectations of political pundits and insiders. But no one sitting down to design from scratch a system for choosing a Democratic—or, in other years, a Republican—presidential nominee would decide to give such power to two small states, Iowa and New Hampshire, where, among other things, virtually no people of color live and vote. We used to have party nominees chosen by party bosses in proverbial smoke-filled rooms. Now we have them chosen by a handful of voters in quirky, unrepresentative states. Sure, they see the candidates more often than many of us see our parents or our children, but our early and critical presidential primaries have taken on the feel of one of the ubiquitous “reality” shows, lacking only Paris Hilton and the Osbourne family. Everyone—including the candidates, like Howard Dean both years before and days after his setback in Iowa—knows the system is no way to choose a leader, but on this political “Fear Factor,” no one has the courage to change it.

Political conventions, of course, decide nothing anymore. For years now they have been multi-day, prime-time infomercials for the two major parties. All too rarely, as with Pat Buchanan’s nativist, homophobic rant at the 1992 Republican convention, some form of truth upsets the script and gives potential voters something to think about.

As we head toward November, we will be reminded frequently that the debacle of the 2000 presidential election in the state of Florida was a giant wake-up call for many of the failings of our voting system. Most of those failings were not quirks of a backwards—or, more to the point, tightly controlled state, but systemic: they could happen virtually anywhere. And most are far from rectified as we head toward another national vote that could very well be close. The despised punch-card system, with its famous hanging chads, is going the way of the eight-track cassette. But the electronic voting machines that are being substituted in many jurisdictions raise extremely troubling questions. For one thing, they are not sufficiently safe from hackers, endangering the confidentiality of the ballot. Needless to say, they are also tempting targets for those...
contemporary versions of LBJ—and Coke Stevenson, his opponent in the disputed 1948 Texas Senate race chronicled by Robert Caro—whose 2004 version of stuffing the ballot box is the manipulation of a computer program. And since electronic machines leave no paper trail unless required by states to do so, a recount is impossible. Add to that the fact that the president of Diebold, Inc., the leading manufacturer of electronic machines, is a Republican fundraiser “committed to helping Ohio deliver its electoral votes to the president,” and you have a calamity waiting to happen, with no chads, hanging or otherwise, available to examine.

What was revealed when the rock was lifted in Florida was not a pretty sight, showing us things about the way we conduct our elections that we prefer to look away from. The Advancement Project, a new civil rights organization, looked at the 2000 election in Florida and seven other states and concluded that we have a system of what they called “structural disenfranchisement”—the modern equivalent of the poll taxes, grandfather clauses and literacy tests employed to keep people of color from exercising their hard-won right to vote in the 19th and 20th centuries. Less blatant, the Project reported, but just as insidious, are the cumulative effects of failures to comply with the Motor Voter law, legislative gridlock over funding for broken election systems, poorly-trained poll workers, failure to process registration cards, inaccurate voter rolls, overzealous purging of the rolls, dauntingly long lines, inaccurate ballot translations, a desperate shortage of translators for non-English speaking voters—the list goes on and on.

When Congressman John Lewis, the civil rights hero, got to his Atlanta polling place on Election Day 2000, he found it closed. When it opened a half-hour late, more than half of the 13 voting machines did not work. In famous Cook County, Illinois, in some inner-city precincts, almost four out of ten votes cast for President were discarded. In six polling places in New York City, where I live, the Chinese translations for “Democrat” and “Republican” were reversed.

It will come as no surprise to anyone familiar with the story of systematic discrimination and exclusion in America that all these examples are drawn from communities where poor voters of color predominate. It is shameful enough that we are inured to a situation where the quality of teaching and schooling, housing and police protection, sanitation and public amenities, is highly correlated with the wealth and skin color of a neighborhood’s residents. If it is also the case, as it seems to be, that the quality of democracy is linked to those factors as well, it is no wonder that we live in a country where the rich get richer and the poor stay poor.

Nowhere are these structural barriers to voting more stark than in the case of what has been called “felon disenfranchisement:” the laws in most states that strike from the voting rolls those with prison convictions. In a number of places, those who go to prison lose the right to vote while behind bars. Getting it back in states where that is possible is almost always an arduous task. In 12 states—including Alabama, Mississippi, Florida, and Virginia—the ban is permanent. In all, 4.65 million Americans have lost the right to enter the polling booth because of a felony conviction. Six hundred thousand alone are in Florida—more than a thousand times the margin of George W. Bush’s official victory in the state. Nearly a third of black men in that state, and similar numbers in Alabama and Mississippi, are banned from voting for life on these grounds. Perhaps that is what Carter Glass, a delegate to the Virginia Convention of 1906, had in mind when he urged
felon disenfranchisement as a means to “eliminate the darkey as a political factor in this state in less than five years, so that in no single county … will there be the least concern felt for the complete supremacy of the white race in the affairs of government.”

When our foundation gave a grant to Human Rights Watch and the Sentencing Project several years ago to document the numbers of former prisoners shut out of elections because of their criminal history, we did it to make a point about the impact of mass incarceration in America—about the way the prison system, now at two million inmates larger than any in the world and half-filled with black men, serves as the successor to Jim Crow as a means of marginalizing and controlling the descendants of slaves. But their research and that of Christopher Uggen and Jeff Manza has told a larger story, one of political impact with historic consequences. Given what we know about voting patterns, does anyone seriously believe that had even a fraction of the hundreds of thousands of black men forced to sit out the 2000 election in Florida had gone to the polls, George W. Bush would be President today? Something to think about as you contemplate deep cuts in education and social services, and the daily death toll in Iraq. Exclusion has consequences.

In fact, when you look at it closely, the story of voting in America becomes large part a story of efforts to exclude, starting with the limited franchise for white male property owners enshrined in the original Constitution, and courageous struggles by those excluded to claim their place in the political fabric. At the Sundance Film Festival in Utah last week, I saw the premiere of Iron Jawed Angels, a new HBO film that tells the story of the women who fought for suffrage in the second decade of the 20th century, centering on Alice Paul, one of the founders of the National Women’s Party (NWP), which broke with the National American Women’s Suffrage Association over how to go about getting the vote for women—NAWSA favoring a state-by-state approach, the NWP camp taking the more audacious and sweeping route of a constitutional amendment. They got it in 1920.

The story the movie tells very much needs telling. Many women fought courageously and suffered for the right to vote, and few people alive today have any sense of what it took. (The most difficult scenes to watch show Paul being force-fed when, jailed for protesting in front of the White House in wartime, she goes on a hunger strike.) Many of the tactics of organizing, peaceful protest and civil disobedience that we associate with Gandhi or the civil rights and antiwar movements were used earlier by Paul and her allies, and the suspension of civil liberties in wartime (which led to the founding of the ACLU in 1920) has an uncomfortable resonance today. It’s astounding to hear the bigoted contemporary objections to voting by women, and even more so to hear their echoes today in the arguments of those who oppose marriage equality for gay people.

Fast-forward almost a century. As The White House Project, an organization whose non-partisan goal is to elect more women to high office in the United States has noted, “most people are shocked to hear that women are only 13 percent of the Senate and 14 percent of the House of Representatives, or that women represent only 11 percent of all guests on the Sunday morning political talk shows.”

And in a country that is 12 percent black, there is not a single African-American governor or senator in office—not even in states where the minority population approaches one-third. Do women earn 38 cents to every dollar earned by men, and are
more black men in prison than in college because so few people holding political power look like them? Or is access to political power in the first place sharply constricted by economic circumstances and the continuing legacy and practice of discrimination?

Whatever the answer, there’s no denying that money talks in our democracy, first determining who can even think about running for office and then determining who has the ear of those who make it there. As Gore Vidal has written, “Organized money has long since replaced organized people as the author of our politics.” Most of the money spent in our vastly expensive elections comes in chunks of $1,000 or more, yet less than one-tenth of one percent of the American population can afford to contribute at that level.

Those who can get a good return on their investment. In their 1999 book *Money and Politics: Financing Our Elections Democratically*, Janice Fine, David Donnelly and Ellen Miller point out that the 213 members of Congress who voted to spend an additional $493 million on Northrop Grumman’s B-2 stealth bombers received an average of $2,100 in campaign contributions from the contractor, while the 210 voting against got an average of $100. Perhaps, they suggested, “welfare mothers should start a political action committee or bundle a portion of their dwindling benefits checks to contribute to the re-election efforts of the chairs of the human resources committees in our state capitols. But how many corporate executives” they ask, “need to choose between making a political contribution and buying food for their children?”

I don’t have the time, expertise or inclination here to wade deeply into the arcana of campaign finance reform. The recent McCain-Feingold law, the first significant federal campaign regulation since the 1974 post-Watergate reforms, is an important step in the right direction, since it tightened up the soft-money loophole that has been so abused in recent election cycles. But any reform can be gamed by those who want their money to buy influence, and even modest and rare campaign finance reform demands continuing scrutiny and tinkering.

In the end, something more fundamental has to be done. The most promising model so far is the full public financing of elections adopted so far in Maine, Arizona and Massachusetts. Candidates who choose to go the “Clean Money” route after raising a minimum number of $5 contributions to demonstrate a base of support, eschew private contributions once they accept public funds. There is a ceiling on overall campaign costs and a shorter campaign season. These laws have only been in effect a few years, but there is already evidence that different kinds of people may now think about running for office, and some have been elected.

Of course, another reason that minority and female voices don’t count for more in our political system is the indefensible way we stack political districts to assure the perpetuation of those in power. According to the Center for Voting and Democracy, in 2002 only four incumbent members of the House of Representatives lost to non-incumbent challengers—fewer than at any time in U.S. history. Eighty percent of those seats were won in a landslide, with an average victory margin of almost 40 percent.

The *New York Times* has pointed out that four states evenly divided between Democrats and Republicans—Florida, Ohio, Pennsylvania, and Michigan—Republicans in control of the state legislature drew district lines in such a way that 51 of 77 seats are Republican, a two-to-one edge way out of whack with the true division of the electorate.

Why did Texas Democrats flee the state a few months ago when Tom DeLay, the Texas Republican who is House Majority Leader, mobilized his troops in the Texas State
Legislature to take the extraordinary step of redistricting for a second time in a decade? Because they saw, as he did, that new Republican majorities in the Texas House and Senate could be deployed to manipulate Congressional district lines to assure the election of several more Republican members of Congress—to lock in the party’s domination for years to come. I don’t have to translate that into real-world impact on taxes and budgets and social programs. So the Texas Democrats, outnumbered but determined, fled to New Mexico. But they couldn’t stay there forever, and the DeLay plan in time went through.

Redistricting, like campaign finance reform, is an eye-glazing topics for many. Yet it too has profound consequences. As historian David Garrow has written, “The House has become uncompetitive, sclerotic and immune to change. The culprit is the gerrymandering of Congressional districts. If reform is not enacted soon, democratic choice will be sapped out of the House altogether.”

Perhaps the Supreme Court, which is considering a challenge to partisan redistricting, will save us—though let us not forget that it is the same Supreme Court that intervened in the Florida election in 2000 and gave us Bush v. Gore. Perhaps we will find the political will, as the Washington Post has urged, to follow the example of Iowa, which assigns redistricting not to the legislature, but to a non-political bureau that uses apolitical demographic criteria, resulting in districts that are far more competitive than the national norm.

Incumbents have always tried to distort the decennial redistricting required by the Constitution to protect themselves. Elbridge Gerry lived two hundred years ago, and that is, after all, where we got the term “gerrymander” from. But today they are more brazen than ever before, and have increasingly sophisticated technological tools at their disposal. In recent years, as the Voting Rights Act has forced attention to representation of racial and ethnic minorities, some districts have been drawn to make it more likely that a black or Latino representative will be chosen. But these “safe” minority districts have been achieved through a whitening of the remaining electorate that is at its worst a kind of institutionalized electoral separatism, with a controlled number of virtually all-black districts and white officeholders freed of any accountability to minorities.

For that reason, civil rights advocates like Lani Guinier have been advocating a fresh look at the very way we organize elections, and urging abandonment of our current winner-take-all system in favor of the kind of proportional representation that the new South Africa and many other democracies use. Voters choose a party, and seats are allocated in proportion to the percentage of overall votes that a party receives. Alternatively, there is citywide or countywide cumulative voting, where the voter registers a choice not just for one seat, but as many as are available for election.

As Guinier wrote in 1999 of the current system, “The winner need not recognize or take into account legitimate, dissenting views of those in the minority … whoever wins the most votes gets all the power.” A year later we had a sharp lesson in that political calculus. Many hoped that the razor-thin margin that put President Bush in office would cause him to govern from the center, forcing him to pass over, for example, judicial candidates from the far right of his party. No such luck. In American democracy, particularly when, for inexplicable reasons, the opposition party decides to give you a wide berth, 50.1 percent can be as good as a landslide.

This catalogue of barriers to voting, from registration to what kind of choice you have or don’t have when you enter the polling booth, has a parallel list of remedies, some
of which I have touched on, some of which I will return to at the end of this talk. With the will that has been sorely lacking, even in the wake of the Florida scandal, we could fix much of what is broken with the process of democracy. But true democracy, in any country, is about far more than what happens at the polls and in legislative chambers. As Hannah Arendt once wrote, the voting booth cannot be the ultimate democratic symbol, since it has room enough for only one. It is about whether citizens are well-informed enough to govern themselves, and free enough to try. Let me turn briefly to those topics now.

De Tocqueville wrote of the American press in the 1830’s that “three quarters of the enormous sheet are filled with advertisements, and the remainder is frequently occupied by political intelligence or trivial anecdotes; it is only from time to time that one finds a corner devoted to passionate discussions like those which the journalists of France every day give to their readers.” That sounds familiar.

But he goes on: “The Americans have nowhere established any central direction of opinion…the number of periodical and semi-periodical publications is almost incredibly large … there is scarcely a hamlet that has not its newspaper.”

Let’s look at the picture today. As Jerrold Starr and many other analysts of media concentration have chronicled, about a dozen corporations—Time Warner, CBS/Viacom, News Corporation, Bertelsmann—control more than half of all communications enterprises. Six companies account for more than 90 percent of domestic music sales. Four major studios account for half of the movie business. There are 2,500 book publishers, but five produce most of the revenue. Barnes & Noble and Borders control nearly half of U.S. retail book sales, with independents accounting for less than 20 percent, falling every day. Wal-Mart’s share, as in everything else, is steadily climbing. And by the way, 50 percent of Americans have purchased no more than two books since high school.

At the close of the Second World War, 80 percent of daily newspapers were independently owned, usually locally. Now the figures are reversed. More than 7,000 cities and towns have no local paper.

What are the consequences of newspapers, television stations, radio stations all owned by a handful of large national and multinational corporations? It’s a homogenization of the news, with less and less content that is not interchangeable from one place to the other. Eager to cut costs, absentee owners have steadily shrunk the space and resources devoted to news that most affects communities. It is easier to track the ups and downs of J-Lo and Ben, Demi and Ashton, than to learn what happened at the City Council hearing on affordable housing. You’re more likely to read or hear about the most sensationalistic crime—even if the crime rate is, as in many American cities, lower than in many years—than about the cuts in youth programs that will drive that rate back up in time. Years of assault on the role of the federal government have increased the power and significance of state legislatures, but from Sacramento to Austin to Albany, capitol bureaus are smaller, and newly-empowered state legislators go uncovered. When citizens don’t know what is going on about issues that most affect their lives, there can be no meaningful self-government.

At the other end of the spectrum, only a handful of news organizations maintain a significant international presence, and foreign news in recent years has been increasingly rare, and even then focused on only a handful of places like the Middle East, Russia and
Great Britain, and more likely to focus on earthquakes and floods than political developments. The millions who asked after September 11, “Why do they hate us?”, might have had a better idea of the answer if we were better served by a robust and wide-ranging press. When I was visiting Haiti for the first time a few years ago, I couldn’t help but note how ardently many Haitians listened to the radio. Mentioning this to the U.S. ambassador at a reception one night, he said that Haitians were remarkably well-informed about world events, particularly U.S. policy. As a small country with little influence on the big powers, they would almost have to be. The average Haitian street vendor, he suggested, knows more about the world, and about the U.S. role in it, than the average American college graduate. Knowing more U.S. college graduates than Haitian street vendors, I have no doubt that is true.

If we want a truly functioning democracy, we have to make sure that all points of view are heard. We have to work to encourage dissent, particularly in challenging times like the post 9-11 period where there is such a powerful impulse to security and conformity. Yet that has not been our history. And it has been repeated with a vengeance in the last two years. Attorney General Ashcroft even suggested, in the wake of mild congressional criticism about the so-called USA PATRIOT Act, that dissent is unpatriotic: “To those who scare peace-loving people with phantoms of lost liberty,” Ashcroft warned, “my message is this: Your tactics only aid terrorists.”

So the chill is on. According to the ACLU, which has risen forcefully in these challenging times to claim its historic role as the leading champion of American freedom, there are dozens of examples of police censorship at presidential appearances around the country, initiated at the behest of the Secret Service. Some protesters were herded into “designated free speech zones” behind six-foot chain link fences, and others into “protest zones” a half-mile away from media and public officials.

Section 215 of the PATRIOT Act, under which the government can search your home without notification, get a list of the books you have obtained from your library and your local bookstore and require your local librarian and bookseller to keep this hidden from you, keep a file on how often you go to church, which churches you attend and the medications you use—even if these activities have nothing to do with the fight against terrorism, has stifled legitimate political activity in Muslim and immigrant communities. Community centers are losing funds because members are afraid to write checks; service organizations are afraid to keep records. Humanitarian groups working with Kurdish refugees in Turkey and Tamil residents of Sri Lanka sued the government, arguing that the antiterrorism act was so ill-defined that they had stopped writing political material and organizing peace conferences for fear of prosecution. And just Monday a federal judge here in Los Angeles, Audrey Collins, struck down parts of the law on First Amendment grounds.

A whole talk, whole conferences indeed, could be devoted to the civil liberties consequences of the government’s response to the September 11 attacks—to how the national security and police agencies exploited terror and fear to drive through a package of restrictions and practices that do little to make us safer but send a chilling message to immigrant communities. For too long after September 11, with few exceptions, few voices were raised in protest. Only one U.S. senator voted against the PATRIOT Act. But the tide may be turning. Over 200 U.S. communities have passed resolutions calling for repeal of the act, and some federal judges, acting with the protection of the life tenure
that the founders wisely conferred on the judicial branch to assure its insulation from political winds, have drawn the line against hysteria-driven incursions on liberty.

I want to end with some thoughts about reviving democracy. I don’t make the mistake of thinking that this is just about tinkering. There’s a reason we have made it difficult to vote in this country, why we are narcotized by infotainment media, why minorities and dissenters have seen more of the nightstick and the prison cell—those who have held power find it useful, whatever they may say. This changes only incrementally, and only with vigilance and struggle.

Having said that, there are a number of measures, large and small, that need to inform and advance our vision.

We could encourage voting and turnout by adopting in every state a full panoply of pro-democracy measures such same-day registration, weekend and mail voting, and making election day a holiday.

We could have strong federal uniform election policies requiring ballot access, and affirmative programs to educate and assist voters.

We could restore voting rights to those convicted of crimes—not just after, but even during their time in prison, as Maine and Vermont do.

We could provide full public financing for elections at every level of government.

We could turn redistricting over to independent nonpartisan commissions.

We could explore alternatives like proportional representation and cumulative voting, finally allowing voters in the political or racial minority to claim their fair share of representation.

We could consider the airwaves a public resource and work to assure that the radio dial and the cable box bring us a rich diversity of cultural and political perspectives by limiting media cross-ownership, making public broadcasting truly public and independent, and restoring public interest and access obligations to other broadcasters.

We could repeal the Patriot Act.

I have tried to stress that the health of democracy depends on more than voting, and also requires open media and staunch protection of civil liberties. Those are prerequisites. But where imagination comes in is that we need to infuse all key institutions of our society with the democratic habit—dormant or long-dead in many—in order for democracy to really take root again.

We need much more citizen involvement in between elections. But we have few models for it. As Harvard professor Archon Fung has noted, “Robust democratic government depends not just upon the machinery of formal politics but also upon aspects of social organization such as networks that connect people to one another.” One encouraging approach, he has reported, is the electronic town hall meeting used by the Lower Manhattan Redevelopment Corporation with 4,300 participants convened to review the six plans submitted by contractors for the World Trade Center site. Through careful and inclusive deliberation, aided by the latest technology, these engaged citizens caused planners to rethink their ideas for the site, including the design of an appropriate memorial.

Think what a different country we would have if we opened more processes of government and other institutions to greater participation and deliberation. We could give parents and children a greater role in the governance of their schools—the units of society with which students have the earliest, and their parents, very often the deepest
engagement. We wonder why we raise poor citizens, unengaged in the world around
them, when we send them to schools which are increasingly authoritarian, where the Bill
of Rights is virtually suspended and where they have no say about their own education.

Just imagine what would happen if nonprofit organizations—including activist
groups and foundations that promote democracy—tried a bit of it themselves. Or if more
churches opened up to the voices of congregants, labor unions to rank and file members,
and service organizations to the communities they serve and the people on the front lines
of serving them. Universities I leave to you.

If we can imagine that and work to translate it into practice, perhaps one day we
will have a real democracy in the United States.