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Organizing in the Obama Era: A Progressive Moment or a New Progressive Era?, 42 J. Marshall L. Rev. 685 (2009)

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ORGANIZING IN THE OBAMA ERA: A PROGRESSIVE MOMENT OR A NEW PROGRESSIVE ERA?

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Was the 2008 election a brief liberal interlude in an otherwise conservative era, or was it a turning point in American politics that ushered in a new wave of progressive politics, a realignment that could last for at least a generation?

We will not know the answer for years, just as it was impossible to know in 1932 whether Franklin Roosevelt's election was simply a short-term repudiation of Herbert Hoover or the start of something new and important—what later became known as the New Deal coalition, which lasted for more than three decades.

What we know already is that if Barack Obama has any chance to be a transformational president, it will require a powerful progressive movement that aligns itself with, but isn't controlled by, the young president and progressive forces in Congress. There is plenty of evidence that Americans want a more activist government to address the problems of economic insecurity, health care, the environment, and U.S. military intervention in Iraq and elsewhere. President Obama will confront fierce resistance from powerful forces in his fight to implement universal health care, labor law reform, and global warming reduction legislation, as well as to stimulate the troubled economy to promote shared prosperity and green jobs.

For example, talking during the campaign about the need to forge a new energy policy, Obama explained, "I know how hard it will be to bring about change. Exxon Mobil made $11 billion this past quarter. They don't want to give up their profits easily."[1]

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1. Peter Dreier, *Will Obama Inspire a New Generation of Organizers?*, DISSENT, June 25, 2008, *available at* http://www.dissentmagazine.org/online.php?id=109.

As President, Obama explained the political forces opposed to his budget proposal in his February 28 radio address:

> I realize that passing this budget won't be easy. Because it represents real and dramatic change, it also represents a threat to the status quo in Washington. I know that the insurance industry won't like the idea that they'll have to bid competitively to continue offering Medicare coverage, but that's how we'll help preserve and protect Medicare and lower health care costs for American families. I know that banks and big student lenders won't like the idea that we're ending their huge taxpayer subsidies, but that's how we'll save taxpayers nearly $50 billion and make college more affordable. I know that oil and gas companies won't like us ending nearly $30 billion in tax breaks, but that's how we'll help fund a renewable energy economy that will create new jobs and new industries. I know these steps won't sit well with the special interests and lobbyists who are invested in the old way of doing business, and I know they're gearing up for a fight as we speak. My message to them is this: So am I.[2]

What does it mean when a President says that he is "gearing up to fight" big business? The character of the next era is yet to be defined. Obama's election has restored hope in America's potential, but presidents cannot change the course of the country on their own. That is what movements do.

For the first time in history, Americans elected a former community organizer as their president. Obama will need all those organizing skills to be an effective leader. Big business will try to undermine any change that threatens its profits and power. To achieve a progressive agenda, Obama will have to win over some reluctant Democrats and a few moderate Republicans. Like FDR, Obama must use his bully pulpit to inspire and educate Americans to help move the country in a new direction. And also like FDR, Obama will need to get the ground troops mobilized in key states and Congressional districts to put pressure on members who might otherwise sit on the fence.

From the outset, the Obama campaign recognized that winning the election on November 4, 2008, was only the first stage of a broader crusade to help change America. They understood the importance of transforming the electoral campaign into a grassroots movement. The campaign trained thousands of people to be organizers, who in turn helped mobilize millions of people, many of whom had never been politically involved before. In addition, many unions, community groups, environmental organizations, and women's groups, among others, helped Obama and other Democrats win their races.

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2. Barack Obama, President, Weekly Address (Feb. 28, 2009) (transcript available at http://www.whitehouse.gov/blog/09/02/28/Keeping-Promises).

Political campaigns frequently promise to sustain the momentum after election day but rarely do. The lists of volunteers, email addresses, donors, and other key ingredients get lost or put on the shelf until the next election, when the campaign almost starts from scratch. For several months after the campaign, key Obama staffers and volunteers discussed how to keep that group of people engaged. They held forums, house meetings, and internet discussions, debating whether to form an independent nonprofit group or to bring the campaign apparatus inside the Democratic Party.[3]

They discussed a number of key questions involved in shifting gears from an electoral campaign to governing coalition. Can they turn campaign leaders into ongoing community leaders? Can they keep many of those organizers employed to sustain and expand the political base that catapulted Obama and Congressional Democrats into office? Can they keep the fragmented mosaic of issue-oriented activists and the Obama campaign volunteers from breaking off into their separate silos, each pursuing their own agendas? Can they agree on a small number of top policy priorities—for the first year, the first term, and the second term—and wage effective campaigns to achieve legislative victories?

On January 17, 2009, three days before his inauguration, Obama announced the formation of a new group, Organizing for America, to transform the political machinery of his campaign into a national network of activists, housed within the Democratic Party.[4] How that group develops, how Obama campaign supporters respond to its partisan identity, how it aligns with the unions, community groups, and other existing progressive organizations, and whether it can serve as an effective lobbying force to win progressive legislation will partly determine the success of Obama's presidency. Both Obama and progressive activists have to learn how to live together. As Katrina Vanden Heuvel wrote a few weeks after the election:

> We need to be able to play inside and outside politics at the same time. This will be challenging for those of us schooled in the habits of pure opposition and protest. We need to make an effort to engage the new administration and Congress constructively, even as we push without apology for solutions on a scale necessary to deliver.[5]

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3. Tom Hamburger & Peter Wallsten, *Obama's Grass-Roots Army May Get Drafted*, L.A. TIMES, Nov. 14, 2008, at A1.

4. *See* Peter Wallsten, *Obama Sets Agenda For His Grass-Roots Network; the Group Organizing for America Will Be a Tool to Press for Policy*, L.A. TIMES, Jan. 18, 2009, at A22 (dicsusing the newly created Organizing for America).

5. Katrina Vanden Heuvel, *Moving Obama,* THE NATION, Nov. 25, 2008, *available at* http://www.thenation.com/doc/20081215/kvh.

The Obama victory, along with the large Democratic majority in Congress, presents an enormous opportunity for progressive change. What lessons should progressives learn to help figure out how to take advantage of this political opening?

I. INSIDERS AND OUTSIDERS: AMERICA'S ORGANIZING TRADITION

Social injustice does not guarantee that people will mobilize for change. People need to believe not only that things *should* be different but also that they *can* be different. That is what organizers do. But that is also what political leaders do—or can do if they are so inclined. Having a president who encourages and inspires people to act collectively on their own behalf can make a big difference. It gives people hope and courage to defy obstacles. Two recent union victories suggest that President Obama understands this dynamic.

In December 2008, 240 members of the United Electrical, Radio and Machine Workers of America ("UE"), eighty percent of them Hispanic and most of the others African-American, illegally occupied the manufacturing plant of Republic Windows and Doors in Chicago for six days after their employer abruptly told them that it was shutting down the factory.[6] Two days later, at a news conference to announce his Secretary of Veterans Affairs, Obama (then still the President-elect) was asked by a reporter about the sit-in in his hometown of Chicago. "When it comes to the situation here in Chicago with the workers who are asking for their benefits and payments they have earned, I think they are absolutely right,"[7] Obama responded. He added, "I think that these workers, if they have earned their benefits and their pay, then [sic] these companies need to follow through on those commitments."[8]

With that statement, Obama used his bully pulpit to endorse the workers' protest and to put pressure on the Bank of America (which had refused to make a loan to the company) and Republic to meet with union leaders and forge a solution. The employees' bold action worked:[9] they won their immediate demands (sixty days of severance pay, earned vacation pay, and two months of

6. Peter Dreier, *The Chicago Sit-in: Has Obama's Election Spurred a New Mood of Union Activism?*, DISSENT, Dec. 17, 2008, *available at* http://www.dissentmagazine.org/online.php?id=187 [hereinafter Dreier, *Sit-in*].

7. Abdon Pallasch, *Obama Defends Republic Windows and Doors Workers*, CHI. SUN-TIMES, Dec. 7, 2008, *available at* http://www.suntimes.com/news/politics/obama/1318766,barack-obama-republic-window-doors-120708.article.

8. *Id.*

9. Peter Drier, *Chicago Factory Sit-in: A Symbol of What's Wrong and What's Needed*, HUFFINGTON POST, Dec. 9, 2008, *available at* http://www.huffingtonpost.com/peter-dreier/chicago-factory-sit-in-a_b_149510.html.

health insurance coverage).[10] This story has a happy ending. The company, the bank, the union, and the city government arranged for the factory to be purchased by another firm that agreed to keep the factory open, including all the jobs, and respect the union contract. Obama's stimulus program helped create a growing demand for energy-saving building products, which guaranteed the company more consumers.

That same month, after a brutal fifteen year organizing battle, workers at the world's largest hog killing plant in Tar Heel, N.C., voted to unionize. The 5,000 workers at the Smithfield Packing slaughterhouse, sixty percent of them African-American, had rejected union membership in 1994 and 1997 after being subjected to the company's illegal harassment and intimidation in a state known for its anti-union climate.[11] The workers' vote in favor of the United Food and Commercial Workers ("UFCW") was one of the largest private-sector union victories in many years and the biggest in the UFCW's history.[12] Obama's victory a few weeks earlier offered inspiration to the Smithfield workers. "It feels great," Wanda Blue, a hog cutter, told the *New York Times*.[13] Blue, who is African American and has worked at Smithfield for five years, said, "It's like how Obama felt when he won. We made history."[14]

Ever since the Boston Tea Party, grassroots organizing has been part of the American tradition. After visiting the United States in the 1830s, Alexis de Tocqueville observed in *Democracy in America* how impressed he was by the outpouring of local volunteer organizations that brought Americans together to solve problems, provide a sense of community and public purpose, and tame the hyper-individualism that Tocqueville considered a threat to democracy.[15]

Every crusade for reform since then has drawn on that particular organizing tradition—the abolitionists who helped end slavery; the populist farmers who sought to tame the growing influence of the banks, railroads and other big corporations; the

10. Andrew Stern, *Workers Get Paid and End Sit-in at Chicago Factory*, Dec. 11, 2008, *available at* http://www.reuters.com/article/topNews/idUSTRE4B961020081211; *see also* Associated Press, *Chicago Workers Who Held Sit in to Be Rehired*, Feb. 26, 2009, *available at* http://www.msnbc.msn.com/id/29410711 (explaining that after workers received their immediate demands, the sale of the Republic Windows and Doors plant to a California-based company was approved by a bankruptcy judge).

11. Dreier, *Sit-in, supra* note 6.

12. *Id.*

13. Steven Greenhouse, *Workers at Pork Plant in North Carolina Vote to Unionize After a 15-Year Fight*, N.Y. TIMES, Dec. 13, 2008, at A10.

14. *Id.*

15. ALEXIS DE TOCQUEVILLE, DEMOCRACY IN AMERICA (Henry Reeve trans., D. Appleton and Co. 1904).

progressive housing and health reformers who fought slums, sweatshops, and epidemic diseases in the early 1900s; the suffragists who battled to give women the vote; the labor unionists who fought for the eight-hour workday, better working conditions, and living wages; the civil rights pioneers who helped dismantle Jim Crow; and the activists who since the 1960s have won hard-fought victories for environmental protection, women's equality, decent conditions for farm workers, and gay rights.

Throughout American history, progressive change has come about when both "inside" and "outside" strategies are at work. To gain any significant reforms, activists and politicians need each other. Boycotts, strikes, civil disobedience, and mass marches—traditional outsider strategies—help put new issues on the agenda, dramatize long-ignored grievances, and generate media attention. This type of agitation gets people thinking about things they had not thought about before and can change public opinion. Movements transform political parties and shape their rhetoric and public policy agendas.

Savvy liberal and progressive elected officials understand that they really need "radical" protestors to change the political climate and make reform possible. When "disruption" is taking place in the streets and grassroots groups are engaged in lobbying and rallying, policymakers can appear statesmanlike and moderate when they forge compromises to win legislative victories.

This dynamic has been replayed many times throughout American history. Women gained the right to vote in 1920 only after suffragists combined decades of dramatic protest (including hunger strikes and mass marches) with inside lobbying and appeals to the consciences of male legislators—some of them the husbands and fathers of the protestors.

In the 1930s, workers engaged in massive and illegal sit-down strikes in factories throughout the country. In Michigan, where workers had taken over a number of auto plants, a sympathetic governor, Democrat Frank Murphy, refused to allow the National Guard to eject the protestors even after they had defied an injunction to evacuate the factories.[16] His mediating role helped end the strike on terms that provided a victory for the workers and their union.[17]

President Roosevelt recognized that his ability to push New Deal legislation through Congress depended on the pressure generated by protestors — workers, veterans of World War I, the

16. Kelly Candaele & Peter Dreier, *To Bring Change, Insiders and Outsiders Need Each Other*, HUFFINGTON POST, Jan. 17, 2008, *available at* http://www.huffingtonpost.com/peter-dreier/to-bring-change-politica_b_82186.html.

17. *Id.*

jobless, the homeless, and farmers.[18] He once told a group of activists who sought his support for legislation, "You've convinced me. Now go out and make me do it."[19]

As the protests escalated throughout the country, Roosevelt became more vocal, using his bully pulpit to lash out at big business and to promote workers' rights. Labor organizers felt confident in proclaiming, "FDR wants you to join the union."[20] With Roosevelt setting the tone, and with allies like Senator Robert Wagner maneuvering in Congress, protests helped win legislation guaranteeing workers' right to organize, the minimum wage, the 40-hour week, laws regulating banks, publics works jobs, and farm subsidies.

Likewise, the civil rights movement and liberal politicians formed an awkward but effective alliance. Today, Reverend Martin Luther King is revered as close to a saint as can be, with his birthday now a national holiday. But even in the early 1960s, many Americans, including President Lyndon Johnson, viewed him as a dangerous radical. He was harassed by the FBI and vilified in the media as an agitator. But the willingness of activists to put their bodies on the line against fists and fire hoses tilted public opinion. The movement's civil disobedience, rallies, and voter registration drives pricked the public's conscience. These efforts were indispensable for changing how Americans viewed the plight of blacks and for putting the issue at the top of the nation's agenda. LBJ recognized that the nation's mood was changing. The civil rights activism transformed Johnson from a reluctant advocate to a powerful ally. At the same time, King and other civil rights leaders recognized that the movement needed elected officials to take up their cause, attract more attention, and "close the deal" through legislation.

Similarly, the victories of the environmental movement starting in the 1970s—such as creation of the Environmental Protection Agency, the Clean Air Act, the Clean Water Act, and the dismantling of nuclear power plants—required activists who knew that a combination of outside protest and inside lobbying, orchestrated by friendly elected officials, was needed to secure reform.

Savvy "outsiders" have understood that legislation is typically a compromise. They have also recognized that compromises can co-opt a movement's ideas and energies with token changes, but they can also be stepping-stones towards more dramatic reform. The impact of legislative reforms depends on the leadership,

18. ADAM COHEN, NOTHING TO FEAR: FDR'S INNER CIRCLE AND THE HUNDRED DAYS THAT CREATED MODERN AMERICA (Penguin Press 2009).

19. Candaele & Dreier, *supra* note 16.

20. *Id.*

depth, and persistence of the social movements.

Activists need advocates in the White House and Congress to voice their concerns and pass legislation. But even with such allies, activists have to keep the heat on, be visible, and make enough noise so that policy makers and the media cannot ignore them. To advance a progressive agenda, a widespread grassroots movement—which provides ordinary Americans with opportunities to engage in a variety of activities, from emailing their legislators, to participating in protest—is essential.

II. ORGANIZING AND THE OBAMA CAMPAIGN

The influence of Obama's organizing experience was evident throughout his presidential campaign. In his speeches, he frequently used the United Farm Workers slogan "Yes, we can/Si se puede" and emphasized "hope" and "change."[21]

His stump speeches typically included references to America's organizing tradition. "Nothing in this country worthwhile has ever happened except when somebody somewhere was willing to hope,"[22] Obama said. "That is how workers won the right to organize against violence and intimidation. That's how women won the right to vote. That's how young people traveled south to march and to sit in and to be beaten, and some went to jail and some died for freedom's cause."[23] Change comes about, Obama said, by "imagining, and then fighting for, and then working for, what did not seem possible before."[24] "Real change," he frequently noted, only comes about from the "bottom up."[25] As president, he explained, he could give voice to those organizing in their workplaces, communities, and congregations around a positive vision for change. "That's leadership," he said.[26]

The Obama campaign hired experienced political campaign operatives as well as organizers from labor unions, community and environmental organizations, and religious groups. The campaign's success, however, was due in large measure to the thousands of volunteers whom the campaign trained in the skills of community organizing, many of them at training sessions called "Camp Obama."[27] They brought the volunteers together into local leadership teams, in which the organizer became the coach. They used door-knocking, small house meetings, cell phones, and the Internet to motivate and energize supporters. They used the Internet and social networks to raise funds, in small and large

21. Dreier, *supra* note 1.
22. *Id.*
23. *Id.*
24. *Id.*
25. *Id.*
26. *Id.*
27. *Id.*

amounts from the largest-ever donor base, and to reach out to millions of supporters. They opened more local offices than any other presidential campaign, including outposts in small towns and suburbs in traditionally Republican areas.

Outside the official campaign, many organizations and constituencies had a hand in Obama's win. By educating and mobilizing voters, groups as diverse as MoveOn.Org, labor unions, community groups like ACORN, environmental and consumer organizations like the Sierra Club and US Action, civil rights and women's groups, student activists, and many others can claim a part not only in Obama's triumph but also in the dramatic increase in Democratic victories in the House and Senate. These organizing efforts account for the unprecedented increase in voter registration and voter turnout, especially among first-time voters, young people, African Americans, Hispanics, and union members. Voters under thirty years of age gave Obama 66% of their vote, while 66% of Hispanics and 95% of African-Americans supported Obama.[28]

Unions played an important role in the campaign, particularly in key swing states. Nationwide, 67% of union members and 69% in swing states supported Obama.[29] But particularly impressive was the impact of union membership when voters' loyalties were divided between their economic and other interests. For example, 57% of white men favored McCain, but 57% of white male *union members* favored Obama.[30] White gun owners cast 68% of their votes for McCain, but 54% of white gun owners who are also *union members* preferred Obama.[31] Among white weekly churchgoers, McCain scored a landslide, receiving 70% of their votes.[32] But Obama had a slight edge (49% to 48%) among white weekly churchgoers who were *union members*.[33] Similarly, 58% of white noncollege graduates voted for McCain, but 60% of white *union members* who did not graduate from college tilted to Obama. Overall, 53% of white women casted ballots for McCain, but 72% of white women *union members* favored Obama.[34]

Union members voted for Obama because of the unions' effectiveness at educating and mobilizing members. The unions

28. Steve Schifferes, *Who Voted for Obama?*, BBC NEWS, Nov. 5, 2008, *available at* http://news.bbc.co.uk/2/hi/americas/us_elections_2008/7709852.stm.

29. Kelly Candaele & Peter Dreier, *Why We Need EFCA*, THE AM. PROSPECT, Dec. 2, 2008, *available at* http://www.prospect.org/cs/articles?article=why_we_need_efca [hereinafter Candaele & Dreier, *EFCA*].

30. *Id.*

31. *Id.*

32. *Id.*

33. *Id.*

34. *Id.*

spent millions of dollars and built an army of volunteers who went door to door, reaching out to other members about key economic issues. Members in "safe" democratic states staffed phone banks and made thousands of calls to unionists in key swing states.

Unions made a special effort to talk with white members who may have been reluctant to vote for a black man for president. AFL-CIO Secretary-Treasurer Richard Trumka gave the same impassioned speech to union members in key states, appealing to their class solidarity, decency, and sense of history. He said, "There's not a single good reason for any worker—especially any union member—to vote against Barack Obama. There's only one really bad reason to vote against him: because he's not white."[35]

Labor activists carried Trumka's message to union voters. On Election Day, union members, including white males, were more likely than nonunion counterparts to vote for Obama and Democrats running for Congress and to volunteer for their campaigns.[36]

III. AMERICA DISCUSSES ORGANIZING

The role of organizing in American politics typically gets little attention in the mainstream media and is thus not well understood by the general public. Reporters know how to cover rallies, demonstrations, and riots, where protesters disrupt business-as-usual and get into the media's line of vision. But effective grassroots organizing is rarely so dramatic. It typically involves lots of one-on-one meetings, strategy discussions, phone calls, and training sessions. The news media rarely pays attention to the small miracles that happen when ordinary people join together to channel their frustrations and anger into solid organizations that win improvements in workplaces, neighborhoods and schools. The media are generally more interested in political theater and confrontation: when workers strike, when community activists protest, or when hopeless people resort to rioting. As a result, with a few exceptions, much of the best organizing work is unheralded in the mainstream media.[37]

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35. Posting of Al Cross to The Rural Blog, http://irjci.blogspot.com/2008/07/labor-leader-trumka-hits-obama-race.html (July 4, 2008, 13:54 EST).

36. Candaele & Dreier, *EFCA*, *supra* note 29.

37. *See* Nancy Cleeland & Abigail Goldman, *The Wal-Mart Effect: Grocery Unions Battle to Stop Invasion of the Giant Stores*, L.A. TIMES, Nov. 25, 2003, at A1 (discussing the fight between the union and Wal-Mart, which wants to staff its stores with nonunion employees); *see also* Steven Greenhouse, *Report Assails Wal-Mart Over Unions*, N.Y. TIMES, June 1, 2007, at C3 (discussing the criticism that Wal-Mart is facing from groups such as the Human Rights Watch for its aggressive efforts to keep out labor unions); Steven Greenhouse, *A Union President Presses for Growth Amid a New Round of Criticisms*, N.Y. TIMES, June 1, 2008, at A26, (criticizing the implementation of call centers for union members, instead of honoring the long time tradition of going to union

One of the things that made the 2008 presidential campaign so remarkable is that, for the first time in memory, America had a national conversation about grassroots organizing. That is because, at its September national convention in St. Paul, the Republican Party attacked Obama's community organizing experience and, by implication, community organizing in general. Former New York Governor George Pataki sneered, "[Obama] was a community organizer. What in God's name is a community organizer? I don't even know if that's a job."[38] Then former New York City mayor Rudy Giuliani snickered, "He worked as a 'community organizer.' What? . . . maybe this is the first problem on the résumé."[39]

A few minutes later, in her acceptance speech for the GOP vice-presidential nomination, Alaska Gov. Sarah Palin declared, "I guess a small-town mayor is sort of like a community organizer, except that you have actual responsibilities."[40] The following Sunday, on *Meet the Press*, Giuliani added to the attack by claiming that "the group that recruited [Obama] was a Saul Alinsky group that has all kinds of questions with regard to their outlook on the economy, their outlook on capitalism."[41] Giuliani then tried to link Obama to what he called "a very core Saul Alinsky kind of almost socialist notion that [government] should

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representatives); Steven Greenhouse, *Proposal on Safety at Work Riles Unions*, N.Y. TIMES, Aug. 29, 2008, *available at* http://www.nytimes.com/2008/08/30/washington/30labor.htm (discussing the Bush administration's proposed plan that the Labor Department be required to seek more public comment before adopting rules to protect workers from hazardous chemicals); Erik Eckholm, *City by City, an Antipoverty Group Plants Seeds of Change*, N.Y. TIMES, June 26, 2006, at A12 (describing the development of Acorn emerging as the largest neighborhood-based antipoverty group in the country, using old-fashioned methods of door-knocking and noisy protests to push for local and national causes); Alec MacGillis, *Obama Camp Relying Heavily on Ground Effort*, WASH. POST, Oct. 12, 2008, at A04 (describing the Obama campaign's efforts to build a grass-root movement).

38. Posting of Mark Winston Griffith to DMIBLOG, http://www.dmiblog.com/archives/2008/09/dissing_community_organizers_i.html (Sept. 05, 2008).

39. Rudy Giuliani, Speech at the Republican National Convention (Sept. 3, 2008) (transcript *available at* http://www.americanrhetoric.com/speeches/convention2008/rudygiuliani2008rnc.htm).

40. Within hours, Obama released a statement challenging the Republicans who "mocked, dismissed, and actually laughed out loud at Americans who engage in community service and organizing." John Atlas & Peter Dreier, *GOP Mocks Public Service*, THE NATION, Sept. 5, 2008, *available at* http://www.thenation.com/doc/20080922/dreier_atlas. Obama's campaign manager David Plouffe sent an e-mail saying, "Let's clarify something for them right now. Community organizing is how ordinary people respond to out-of-touch politicians and their failed policies." *Id.*

41. *Meet the Press with David Gregory* (NBC television broadcast Sept. 14, 2008) (transcript available at http://www.msnbc.msn.com/id/26702299/page/3/).

be used for redistribution of wealth."[42]

During the last month of the campaign, when it looked like Obama was going to win, the conservative network—the *Wall Street Journal*, Bill O'Reilly, Rush Limbaugh, conservative newspaper columnists, dozens of websites, the Republican Party, Sarah Palin, and John McCain—expanded their attack. Conservative political analyst Michael Barone wrote a column for the September 8 issue of *U.S. News & World Report*, "Why Should Palin and Voters Be Reverent Toward Obama's Community Organizing?"[43] The *National Review's* Bryan York devoted his September 8 column to the question *What Did Obama Do as a Community Organizer? And is it Really a Qualification to be President?*[44] The *Weekly Standard's* Dean Barnett wrote on September 5 that "the community organizer barb isn't aimed at the vast population of hard-working and dedicated community organizers who are bravely organizing communities even as we speak. The barbs are aimed at Barack Obama himself."[45] John Fund's article, *Obama's Liberal Shock Troops*,[46] in the July 12 *Wall Street Journal* attacked the candidate's ties to ACORN and other community organizing groups.

The entire conservative network ganged up on ACORN, the country's largest and most effective community organization group.[47] They accused ACORN, which registered more than one

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42. *Id.*

43. Michael Barone, *Why Should Palin and Voters Be Reverent Toward Obama's Community Organizing?*, U.S. NEWS & WORLD REP., Sept. 8, 2008, *available at* http://www.usnews.com/blogs/barone/2008/9/9/why-should-palin-and-voters-be-reverent-towardobamas-community-organizing.html.

44. Bryan York, *What Did Obama Do as a Community Organizer? And Is It Really a Qualification to Be President*, NAT'L REV., Sept. 8, 2008, *available at* http://article.nationalreview.com/?q=OWMxNGUxZWJjYzg1NjA0MTlmZDZmMjUwZGU3ZjAwNmU.

45. Posting of Dean Barnett to The Weekly Standard.com Blog, http://www.weeklystandard.com/weblogs/TWSFP/2008/09/on_community_organizing.asp (Sept. 5, 2008, 12:56 EST).

46. John Fund, *Obama's Liberal Shock Troops*, WALL ST. J., July 12, 2008, *available at* http://online.wsj.com/public/article_print/SB121581650524447373.html.

47. John Atlas & Peter Dreier, *The GOP's Blame-ACORN Game*, THE NATION, Oct. 22, 2008, *available at* http://www.thenation.com/doc/20081110/dreier_atlas; Stanley Kurtz, *Inside Obama's ACORN*, NAT'L REV., May 29, 2008, *available at* http://article.nationalreview.com/?q=NDZiMjkwMDczZWI5ODdjOWYxZTIzZGIyNzEyMjE0ODI=; Michelle Malkin, *The ACORN Obama Knows*, June 25, 2008, *available at* http://michellemalkin.com/2008/06/25/the-acorn-obama-knows; Rick Moran, *Obama's Ties to ACORN More Substantial than First Believed*, AM. THINKER, May 29, 2008, *available at* www.americanthinker.com/blog/2008/05/obamas_ties_to_acorn_more_subs.html.

million voters during the election cycle, of committing "voter fraud" and trying to steal the election for Obama. On October 15, 2008, Republican candidate Senator John McCain said in a televised presidential debate with candidate Barack Obama at Hofstra Universtiy: "We need to know the full extent of Senator Obama's relationship with ACORN, who is now on the verge of maybe perpetrating one of the greatest frauds in voter history in this country, maybe destroying the fabric of democracy."[48] The General Counsel for the Republican National Committee, Sean Cairncross, repeatedly called ACORN a "quasi-criminal" outfit.

In addition to voter fraud, they accused ACORN of almost single-handedly causing the world's financial crisis. They also accused ACORN of strong-arming Congress and big Wall Street banks into making subprime loans to poor families who could not afford them, thus causing the economic disaster.

McCain's campaign ran a one-and-a-half-minute video that claimed that Obama once worked for ACORN, repeated the accusation that ACORN was responsible for widespread voter registration fraud and accused ACORN of "bullying banks, intimidation tactics, and disruption of business."[49] The ad claimed that ACORN "forced banks to issue risky home loans—the same types of loans that caused the financial crisis we're in today." On September 27, the *Wall Street Journal* published an editorial saying that "ACORN has promoted laws like the Community Reinvestment Act, which laid the foundation for the house of cards built out of subprime loans."[50] On October 14, the *Journal's* lead editorial, called *Obama and ACORN*, described ACORN as a "shady outfit" and accused the group of being "a major contributor to the subprime meltdown by pushing lenders to make home loans on easy terms, conducting 'strikes' against banks so they'd lower credit standards."[51]

These attacks were not new. Over the previous few years, right-wing pundits and business front groups had been attacking ACORN's organizing efforts—especially its support for "living wage" campaigns—and labeling ACORN a "socialist" organization. This line of attack began with conservative publications like the *National Review* and think tanks like the Manhattan Institute.

These ideas then spilled over into the McCain campaign. McCain's video commercial attacking Obama and ACORN was taken almost word-for-word from an article by *National Review* columnist Stanley Kurtz. The Republicans and their conservative

48. John McCain, The Third McCain-Obama Presidential Debate, Commission on Presidential Debates (Oct. 15, 2008) (transcript available at http://www.debates.ord/pages/trans2008d.html).

49. Atlas & Dreier, *supra* note 47.

50. *Id.*

51. *Id.*

echo chamber warned that Obama intended to "spread the wealth" around and wanted to "Europeanize" the U.S. with "socialist" policies, including stronger labor unions.

At an airport rally in New Mexico, Palin warned against Obama's tax proposals. "Friends," she said, "now is no time to experiment with socialism." Discussing Obama's tax plans, McCain, too, agreed that they "sounded a lot like socialism."

In its thirty-five years of community organizing, ACORN never got so much media attention. And neither did socialism. Henrick Hertzberg, a columnist for *The New Yorker*, wrote that "[t]here hasn't been so much talk of socialism in an American election since 1920," when Eugene Victor Debs ran for president on the Socialist Party ticket.

IV. THE BACKLASH

The Republicans had hoped that their orchestrated attack on Obama's community organizing experience, as well their attacks on ACORN, would discredit the Democratic candidate as being outside the cultural and political mainstream. But their critical comments triggered a backlash. The attack on community organizers did not resonate with most voters' experience.

Moreover, the GOP attack provoked a blizzard of newspaper articles and editorials, radio talk show discussions, e-mails, and blogosphere commentary, most of them sympathetic to community organizing. Stories about and columns by community organizers multiplied—describing, explaining, defending, and criticizing what organizers do and the role of community organizing in American life.[52] Actress Laura Linney even injected the controversy into the

52. *See* Michael Barone, Op-Ed., *Why Should Palin and Voters Be Reverent Toward Obama's Community Organizing?*, U.S. NEWS & WORLD REP., Sept. 9, 2008, *available at* http://www.usnews.com/blogs/barone/ 2008/9/9/why-should-palin-and-voters-be-reverent-toward-obamas-community-organizing.html; Deepak Bhargava, Op-Ed., *Organizing Principles*, N.Y. TIMES. Sept. 13, 2008, *available at* http://www.nytimes.com/ 2008/09/14/opinion/14bhargava.html; Harry C. Boyte, *The Peculiar Attack on Community Organizing*, MINNEAPOLIS STAR-TRIB., Sept. 8, 2008, *available at* http://www.startribune.com /opinion/commentary/28029659.html?elr=KArksc8P:Pc:U0ckkD:aEyKUiD3aPc :_Yyc:aULPQL7PQLanchO7DiU; Dreier, *supra* note 1; Atlas & Dreier, *supra* note 47; Lewis Finfer, *Community Organizers Are a Staple of Democracy*, NEWSDAY, Sept. 10, 2008, *available at* http://www.newsday.com/news/opinion /nyoptruk5835969sep10,0,5310742.story; Darren Garnick, *Organizers Just Small-Time to GOP*, BOSTON HERALD, Sept. 10, 2008, *available at* http://news.bostonherald.com/business/general/view.bg?articleid=1118052&srv c=next_article; Thomas Geoghegan, *Hey Sarah—Organize This*, SLATE, Sept. 5, 2008, *available at* http://www.slate .com/id/2199473/; Rex W. Huppke, *Organizing a Response to the GOP*, CHI. TRIB., Sept. 7, 2008, at 1; Jerry Kellman, *Service Changes People's Character*, NEWSWEEK, Sept. 5, 2008, *available at* http://www.newsweek.com/id/157424; James Kelly & Tony Lee, *No Call to Belittle Community Work*, SEATTLE POST-INTELLIGENCER, Sept. 8,

Emmy Awards ceremony on September 21. Accepting her Best Actress award for her role in the HBO biopic *John Adams*, Linney said that the miniseries made her "so grateful and thankful for the community organizers that helped form our country."

Unwittingly, the Republicans' attacks helped introduce Americans to the relatively invisible work of the organizers who get paid to help people improve their families and communities through grassroots activism. Community organizers around the country felt belittled by the Republicans' attacks, but also, paradoxically, emboldened by increased media visibility their efforts have earned. The media, which routinely ignores community organizing except when groups engage in dramatic protest, suddenly recognized the organizers in their midst.

Activists with various community organizing networks, including the Center for Community Change, DART, PICO, ACORN, and U.S. Action, issued statements explaining the importance of community organizing, reminding Giuliani that he was often the target of organizing groups, and chastising Palin, a former PTA volunteer, for denigrating the millions of community volunteers in urban, rural and suburban areas of the country.

Among the many reactions was an op-ed column by Deepak Bhargava, head of the Center for Community Change, that appeared in the September 13 *New York Times* under the headline *Organizing Principles*.[53] Bhargava focused on the work of Hugh Espey, an organizer with Iowa Citizens for Community Improvement.[54] Bhargava wrote:

> On a typical day, he might help low-income residents of Des Moines organize to keep a neighborhood grocery store open or work with family farmers to persuade a state agency to deny a permit for a proposed factory farm, or meet with Mexican families in Marshalltown about ways to advance immigration reform. He brings various constituencies together to find common ground, build relationships and support each other's causes.[55]

2008, *available at* http://www.seattlepi.com/opinion/378270_community09.html; Andres Dae Keun Kwon, *Community Organizing Defines U.S.*, SYRACUSE POST-STANDARD, Sept. 15, 2008, *available at* http://blog.syracuse.com/opinion/2008/09/community_organizing_defines_u.html; Jill Lawrence, *Community Organizer Slams Attract Support for Obama*, USA TODAY, Sept. 4, 2008, *available at* http://www.usatoday.com/news/politics/election2008/2008-09-04-community_N.htm; Cathy McKitrick, *Quips Sting Utah Activists*, SALT LAKE TRIB., Sept. 6, 2008, *available at* http://www.sltrib.com/ci_10397366; Irene Sege, *Community Organizers Fault Comments at GOP Gathering*, BOSTON GLOBE, Sept. 6, 2008, at A9 ; Stan Simpson, *Community Organizers More Valuable than Palin Thinks*, HARTFORD COURANT, Sept. 6, 2008, at B6.

53. Bhargava, *supra* note 52.

54. *Id.*

55. *Id.*

Other organizers and their allies wrote hundreds of op-ed articles, columns, news stories, and blogs explaining and defending what organizers do.[56]

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56. Sally McBride, Op-Ed., *An Unashamed Community Organizer*, WILMINGTON (DEL.) NEWS-JOURNAL:

> I am a wife, mother, and a community organizer . . . . Over the past 20 years, I have co-chaired the Highlands Community Playground project, helped establish the Cab Calloway School of the Arts, co-chaired the '88 Heart Ball, served as PTA President at AI DuPont Middle School and McKean High School, served on the boards of Delaware Guidance Services, the Junior League of Wilmington, the central branch of the YMCA, and am currently on the board of the Cab Calloway School of the Arts.

Other organizers and their supporters contributed op-ed columns in papers across the country. *See* Finfer, *supra* note 52; Kelly & Lee, *supra* note 52; Kwon, *supra* note 52; Bill Kopsky, *Community Organizing's Long History*, http://www.arktimes.com/blogs/arkansasblog/2008/09/why_do_repubs_hate_working_peo.aspx (last visited Apr. 12, 2009); Boyte, *supra* note 52; Geoghegan, *supra* note 52; Kathy Olguin, *Community Organizing Preps Leaders*, SAN BERNADINO SUN, Sept. 15, 2008, *available at* http://www.piconetwork.org/admin/ coverage_archive/files/0521.pdf; Ouisa D. Davis, *Community Organizing Is No Threat to American Society*, EL PASO TIMES, Sept. 11, 2008, *available at* http://nl.newsbank.com/nl-search/we/Archives?p_action=list&p_topdoc=11; Danyrea Hassan-Hall & Rosa Gutierrez, *Yikes! A Community Organizer?*, UNION TRIB., Sept. 10, 2008, *available at* http://www.signonsandiego.com/uniontrib/20080910/news_lz1e10gutierr.html; Michael Rosenfeld, *Valley Voice: Don't Bash Community Organizers; They Epitomize our Democracy*, DESERT SUN, Sept. 15, 2008.

Regular newspaper columnists from around the nation weighed in too. *See* Lawrence, *supra* note 52; Courtland Milloy, *Fired Up About Community Service*, WASH. POST, Sept. 17, 2008, at B01; Dareen Garnick, *Organizers Just Small-Time to GOP*, BOSTON HERALD, Sept. 10, 2008, *available at* http://www.bostonherald.com/business/ general/view.bg?articleid=1118052; Huppke, *supra* note 52; Simpson, *supra* note 52; Ann Fisher, *This Work is Nothing to Sneer At*, COLUMBUS DISPATCH; McKitrick, *supra* note 52; Clive McFarlane, *Community Transformed by Organizers*, WORCESTER TELEGRAM, Sept. 10, 2008; and Bill Vogrin, *Community Organizers Deserve Praise, Not Mockery*, COLORADO SPRINGS GAZETTE, Sept. 8, 2008, *available at* http://www.dispatch.com/live/content/local_news/stories/2008/09/08/ANN08_ART_09-08-08_B1_0HB8S4J.html?type=rss&cat=& sid=101.

The Republican remarks so offended TIME magazine columnist Joe Klein, author of several books on American politics but no fan of grassroots activism, that he penned *What a Community Organizer Does* on September 4, which generated hundreds of reader comments.

To help readers understand the controversy, many publications interviewed organizers and their critics. NEWSWEEK published an interview with Jerry Kellman, who recruited Obama to his organizing job in Chicago in the early 1980s. The piece, called *Service Changes People's Character*, ran on September 5. The *Boston Globe* reporter Irene Sege interviewed local organizers for her September 6 article, *Community Organizers Fault Comments at GOP Gathering*; NEW YORK TIMES reporter David Gonazales interviewed organizers for *Bronx Organizers React to G.O.P. Punch Lines* on September 4. His TIMES colleague Tobin Harshaw wrote *Parsing 'Community Organizer'* the next day examining the Republicans' political motives for their

The storm of articles, columns, and protest forced McCain to backpedal,but only after his GOP colleagues had already launched their grenades.[57] "Of course I respect community organizers," said McCain at a forum at Columbia University on September 11, in response to a question about whether he agreed with the attacks on organizers at the convention.[58] "Of course I respect people who serve their communities. Senator Obama's service in that area is outstanding."[59]

V. THE REVIVAL OF COMMUNITY ORGANIZING

During the 1970s and 1980s, conservatives employed the most visible grassroots organizing. In an uneasy but effective alliance with the Republican Party, conservative church groups mobilized members to inject issues into the political debate and

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orchestrated put-downs of grassroots activism. NEW YORK DAILY NEWS reporter Michael Saul's September 5 article, *Community Groups Hammer Rudy Giuliani & Slam Sarah Palin*, included quotes from several organizers as well as one from Marvin Olasky, a former adviser to President Bush and provost at Christian-oriented King's College, located in the Empire State Building, who said that community organizing is "somewhat of a euphemism for leftist change."

USA TODAY'S Marilyn Elias interviewed organizers, funders, and academics for her September 10 article, *Community Organizing Can Span the Ideological Spectrum*. An AP story on September 4 quoted John Baumann, executive director of the PICO network of community groups, suggesting that "If people in office were doing their jobs, perhaps we wouldn't need community organizers." Christopher Wills, *Organizers Bristle at Republican Remarks*, SEATTLE TIMES, Sept. 5, 2008, *available at* http://seattletimes.nwsource.com /html/politics/2008159813_conorganizers05.html. The AP also interviewed Joshua Hoyt, executive director of the Illinois Coalition for Immigrant and Refugee Rights, who said, "I don't like seeing the really hard work that goes on in really poor communities being demeaned by cheap politicians." *Id.* In the L.A. TIMES, reporter Richard Faussett profiled 60-year old Bill O'Brien, a veteran community organizer in Detroit. Richard Faussett *GOP Joke, But an All-American Job*, L.A. TIMES Sept. 18, 2008, *available at* http://articles.latimes.com/2008/sep/18/nation/na-organizer18.

Several newspapers published editorials chastising the Republicans for their mocking attacks on community organizing. Among them were: *Urban Organizer, Ha Ha Ha!*, BOSTON GLOBE, Sept. 7, 2008, *available at* http://www.boston.com/bostonglobe/editorial_opinion/editorials/articles/2008/0 9/07/urban_organizer_ha_ha_ha/; *Organizing is Honorable Work*, SELMA TIMES-HERALD, Sept. 5, 2008, *available at* http://www.selmatimesjournal.com/news/2008/sep/05/organizing-honorable-work/; and *Heart of a Country*, LAS VEGAS SUN, Sept. 12, 2008, *available at* http://www.lasvegassun.com/news/ 2008/sep/12/heart-country/, which reminded readers that "community organizers give of themselves every day to improve peoples' lives."

57. Peter Dreier, *Community Organizers: Thank You, Sarah Palin*, HUFFINGTON POST, Sept. 26, 2008, *available at* http://www.huffingtonpost.com /peter-dreier/palin-attacks-on-communit_b_129568.html.

58. *Id.*

59. *Id.*

help elect conservative candidates at every level of government. The activists and their sympathizers saw themselves as part of values-based movement with a broad political agenda. But grassroots organizing around progressive issues was neither as visible nor effective. Even so, it was occurring throughout the country, often below the media radar screen, and certainly not as part of a broad social movement with a common agenda and strategy.

Eventually, these efforts bore some fruit. Indeed, part of Obama's campaign success was the result of the growing number of Americans engaged in community, union, environmental, and other kinds of organizing. These efforts created a pool of people that Obama drew upon both inside and outside his campaign. Since the 1970s, the nation has witnessed an upsurge of community organizing, around the tradition, bread-and-butter neighborhood issues as well as issues like environmental justice, immigrant rights, and living wages.

The number of groups engaged in community organizing has mushroomed. Almost every U.S. city (and a few suburbs) now has at least one—and in many cases dozens of—community organizing groups.[60] Many, perhaps most, of the community organizing groups that have emerged in the past four decades eventually fell apart or remained small and marginal, unable to sustain themselves financially, economically, and politically. A few grew and gained in strength, in part by becoming part of broader networks at the city, regional, or national levels. Most local community groups are not linked to any regional or national organizing or training networks. Local groups that are tied to such networks have been helped to improve their capacity to develop leaders, mobilize campaigns, and win local victories as well as participate in citywide, state, and national campaigns beyond their local bases.

No one really knows how many community organizations exist, the total size of their budgets, the number of staff people who work for them, how long they have been in business, how many are linked to larger networks, or how effective they are. What seems clear, however, is that most community organizations engage in relatively modest efforts. These include, for example, pressuring the police to close down a local crack house, getting city hall to fix potholes, or getting the parks department to clean up a local playground. Some groups are more ambitious. Their community organizing has included enacting living wage laws, forming tenant unions, building community development corporations, combating redlining, challenging police abuses,

60. Peter Dreier, *ACORN and Progressive Politics in America*, Dec. 6, 2005, *available at* http://comm-org.wisc.edu/papers2005/dreier.htm.

fighting against environmental and health problems, mobilizing against plant closings and layoffs, reforming public education, setting up housing trust funds, encouraging inclusionary zoning laws, expanding funding for health services and public schools, and even setting up charter schools.

In *Diminished Democracy: From Membership to Management in American Civil Life*, Theda Skocpol laments that since the early 1900s mass membership grassroots and mixed-income organizations have declined and been replaced by advocacy/lobbying groups run by professional staff with little capacity to mobilize large numbers of people.[61]

Most community organizing groups are rooted in local neighborhoods, often drawing on religious congregations and block clubs. But changes in the nation's economic, social and political conditions make neighborhood-based organizing less effective than was the case in the 1940s, when Saul Alinsky first formulated his ideas about community organizing, or even in the 1970s, when corporate consolidation accelerated. Moreover, local governments have less money and influence today than in the past, making it more difficult for city politicians to respond to community demands.

A major dilemma for contemporary community organizing groups is the reality that the sources of urban problems—poverty, unemployment, homelessness, violent crime, racial segregation, high infant mortality rates—have their roots in large-scale economic forces and federal government policy outside the boundaries of local neighborhoods. What influence, then, can neighborhood organizing groups be expected to have on policies made in city halls, state capitals, Washington, and corporate board rooms?

Some community organizing groups have responded to these trends. There are now several national organizing networks with local affiliates, enabling groups to address problems at the local, state, and national levels, sometimes even simultaneously. These groups include ACORN, the Industrial Areas Foundation ("IAF"), People in Communities Organized ("PICO"), the Center for Community Change, National People's Action, Direct Action Research and Training ("DART"), the Partnership for Working Families, and the Gamaliel Foundation (the network affiliated with the Developing Communities Project that hired Obama in Chicago in 1983). These networks, as well as a growing number of training centers for community organizers—such as the Midwest Academy in Chicago, the Highlander Center in Tennessee, and a few dozen universities that offer courses in community and labor

61. THEDA SCOCPOL, DIMINISHED DEMOCRACY: FROM MEMBERSHIP TO MANAGEMENT IN AMERICAN CIVIL LIFE (U. Okla. Press 2003).

organizing—have helped recruit and train thousands of people in the organizing world and strengthened the community-organizing movement's political power.

Within the community organizing world, ACORN is the largest and most effective group, in part, because it is a *federated* organization with local bases but with a national infrastructure and the capacity to wage campaigns simultaneously at the local, state, and national levels. Its staff works to build strong local organizations and leaders that can influence municipal and county governments as well as major corporations (such as banks) to address the needs of the poor and their neighborhoods. Local organizing defines ACORN's core issues; but when national leaders and staff recognize problems that are energizing members in several cities, they can consider whether changes in state or federal policy would more effectively address the issue. ACORN employs a staff of researchers and lobbyists in its national offices in Brooklyn, New York, and Washington, D.C. to serve the needs of local chapters. Issues such as welfare reform, redlining, predatory lending, school reform, and low wages provide ACORN with organizing "handles" at the local, state, and national levels. Recent work in mobilizing the residents of New Orleans forced to evacuate by Hurricane Katrina benefitted from ACORN's capacity to work simultaneously to put pressure on politicians and policymakers in several cities, in at least two states, and at the national level.[62]

ACORN's federated structure is perhaps its most important difference from other community organizing networks, whose local chapters are more independent from the national offices. For example, the IAF now has fifty-four affiliated chapters in twenty-one states, organized into regional clusters, having evolved significantly since Alinsky died in 1972. The national office, however, has a limited role. It is primarily responsible for training staff members and leaders, but it does not seek to coordinate organizing campaigns, raise money, or conduct research for its affiliates, nor does it encourage chapter leaders to strongly identify with the IAF as a national organization.

The IAF has built strong local multi-issue organizations among the poor and the nearly poor in many cities, but it has not sought to build the kind of federated organization that can wage policy campaigns at the national level. Instead, the IAF is a network of local and regional organizations that have little contact with each other except at occasional meetings among the lead organizers in each region. Each local or regional group is

62. Peter Dreier & John Atlas, *The Missing Katrina Story*, TIKKUN, Jan. 4, 2007, *available at* http://www.commongroundcommonsense.org/forums/lofiversion/index.php/t68945.html.

essentially on its own in terms of designing campaigns, hiring staff, and raising money. As a result, it lacks the capacity to coordinate the organizing work of its chapters in different cities to build a national campaign. That is why, ironically, the IAF—whose Baltimore affiliate ("BUILD") mobilized the first successful "living wage" campaign in 1994—was not able to translate that pioneering local victory into a broader movement. ACORN, meanwhile, has used its federated structure to help sustain a national "living wage" movement, with victories in dozens of cities. ACORN operates more like a national labor union as its local affiliates work together with state and national offices to coordinate grassroots organizing, political, and lobby campaigns.

The fragmentation within the community organizing world undermines its total impact. The whole of the community organizing movement is smaller than the sum of its parts. Karen Paget described this reality almost two decades ago, and it remains true today.[63] With some important exceptions, community groups that do win important local victories are not always capable of building on their success and moving on to other issues and larger problems. For the most part, community organizing has been unable to affect the national agenda or, in most cases, even state agendas. As a result, they often only marginally improve conditions in urban neighborhoods.[64]

This fragmentation is due, in part, to "turf" competition between groups for funding, membership, and media attention. With some notable exceptions, the various community organizing networks and groups rarely work together, they don't forge a sense of common purpose, and they don't engage in collaborative campaigns. For example, ACORN and IAF have chapters in some of the same cities and often work on similar issues (schools, housing, and public services), but they never work together. Foundations contribute to this turf competition in the way they evaluate organizing groups, requiring each group to distinguish its accomplishments from those of other groups within a broader movement. To please funders, community organizing groups have to be able to claim credit for specific accomplishments, effectively thwarting cooperation among groups.

Observers and practitioners of community organizing sometimes examine the differences between various "schools" of organizing. There are certainly differences between various organizing networks and training centers in terms of the class and racial/ethnic base of their constituencies, how or whether they deal

63. Karen Paget, *Citizen Organizing: Many Movements, No Majority*, 1 AM. PROSPECT 115, Jun. 23, 1990, *available at* http://www.prospect.org/cs/articles?article=citizen_organizing_many_movements_no_majority.

64. *Id.*

with religious congregations, how they train leaders, how they raise money, and other matters. But those engaged in the organizing itself typically exaggerate the distinctions—what Freud called "the narcissism of small differences."

VI. LABOR-COMMUNITY TIES

Historians trace modern community organizing to Jane Addams, who founded Hull House in Chicago in the late 1800s and inspired the settlement house movement.[65] These activists—upper-class philanthropists, middle-class reformers, and working-class radicals—organized immigrants to clean up sweatshops and tenement slums, improve sanitation and public health, and battle against child labor and crime. In the 1930s, Alinsky, another Chicagoan, took community organizing to the next level. He sought to create community-based "people's organizations" to organize residents the way unions organized workers.[66] He drew on existing groups—particularly churches, block clubs, sports leagues, and unions—to form the Back of the Yards Neighborhood Council in an effort to get the city to improve services to a working-class neighborhood adjacent to meatpacking factories.[67]

Addams and Alinsky both forged close ties with labor unions. Unions held meetings at Hull House, and Addams voiced her support for labor organizing efforts. Based on his ties to John L. Lewis, president of the United Mine Workers union and founder of the Congress of Industrial Organizations ("CIO"), Alinsky originally viewed community organizing as a partnership with labor unions. In the 1930s, the people who worked in Chicago's slaughterhouses lived in the Back of the Yards neighborhood. They went to the same churches, participated in the same sports leagues, and were members of the same unions. The people who lived in that neighborhood were "citizens" and "community residents" as well as "workers." The problems they faced—such as slum housing, poverty, low wages, unemployment, dangerous jobs, and crime—were interconnected.[68] As a result, Alinsky viewed labor and community organizing as dual and interconnected strategies for addressing the problems facing working class people in urban industrial areas. Unions helped community groups win victories concerning municipal services and jobs; community groups helped unions win victories against the meatpacking

65. ROBERT FISHER, LET THE PEOPLE DECIDE: NEIGHBORHOOD ORGANIZING IN AMERICA (updated ed., Twayne Publisher 1994).

66. *Id.*

67. *Id.*

68. *See* SANFORD D. HORWITT, LET THEM CALL ME REBEL: SAUL ALINSKY—HIS LIFE AND LEGACY (Vintage 1992); FISHER, *supra* note 65; ROBERT A. SLAYTON, BACK OF THE YARDS: THE MAKING OF LOCAL DEMOCRACY (U. Chi. Press 1986).

companies and other employers.

One of Alinsky's key strategic impulses—the connection between community and labor organizing—was noticeably absent from the upsurge of community organizing in the 1960s, 1970s, and 1980s. There were exceptions: including the work of the United Farm Workers union, the involvement of some unions in the civil rights movement, and several unions' sponsorship of community development corporations and affordable housing—but for most of this period, community organizing groups had little day-to-day contact with the labor movement. Although most community organizations and unions considered themselves part of a broad progressive moment, they typically operated as though they lived in different worlds.

This disconnect between union and community organizing has been a serious weakness in progressive politics. The labor movement is clearly the backbone of any effective progressive movement. Despite steady declines in the proportion of the labor force in unions, the labor force remains the nation's most potent force for progressive change and the most effective vehicle for electing Democrats. Once in office, pro-labor politicians are typically the strongest advocates of tough environmental laws, public schools and higher education funding, civil rights, women's rights, gay rights, universal health insurance, affordable housing, and protection of Social Security.

Any serious effort to strengthen progressive politics depends on the revitalization of organized labor. In recent years, the labor movement has been most successful where it has focused organizing efforts among workers in low-wage industries, primarily among women, immigrants, and people of color. Unions that have made the most headway in recent years have forged alliances with community and church groups and emphasized mobilization and leadership among rank-and-file workers. Recently, community organizing groups have forged links with labor unions, environmental organizations, immigrant rights groups, women's groups, and others to build a stronger multi-issue progressive movement. In the past decade, community-organizing groups, often working with churches and labor unions, have pressured more than 150 cities and counties, and one state (Maryland) to adopt laws requiring companies that have government contracts and subsidies to pay employees a "living wage," typically a few dollars above the federal minimum wage.

For example, the Los Angeles Alliance for a New Economy ("LAANE") has created a powerful coalition of unions, environmental groups, community groups, churches, and immigrant rights groups to change business practices in the

nation's second-largest city.[69] As a result, developers now sign "community development agreements" that include affordable housing, job training, and other benefits to local residents as a condition of getting city subsidies and approvals. LAANE has spearheaded a successful coalition of unions (including the Teamsters) and community groups to clean up the pollution at the Los Angeles and Long Beach ports, the nation's largest and dirtiest, by forcing the trucking companies to switch to clean trucks.[70] At the national level, the Apollo Alliance—a coalition of unions, community groups, and environmental groups like the Sierra Club—is pushing for a major federal investment in "green" jobs and energy-efficient technologies.[71] Moreover, the Sierra Club has taken bold steps to transform itself from a staff-dominated lobbying group to an organizing group with local chapters and leaders that mobilize members.[72]

The relative weakness of the American labor movement accounts for many of the most troublesome aspects of our society. For example, between 2000 and 2007—before the mortgage meltdown and recession—the median income of working-age households fell by more than $2000, even though workers' productivity increased.[73] Why didn't American workers reap the benefits? Income inequality is greater today than at any other time since the 1920s. Families' declining purchasing power—for example, their inability to keep up with mortgage, car, and other payments—accounts for a major share of the nation's economic problems.[74]

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69. Peter Dreier, *Community Organizers: Thank You Sarah Palin*, HUFFINGTON POST, Sept. 26, 2008, *available at* http://www.huffingtonpost.com/peter-dreier/palin-attacks-on-communit_b_129568.html.

70. *Id.*

71. *Id.*

72. *Id.*

73. Peter Dreier, *Why Liberals Need Labor: The Upcoming Battle over Labor Law Reform*, HUFFINGTON POST, Dec. 2, 2008, *available at* http://www.huffingtonpost.com/peter-dreier/why-liberals-need-labor-t_b_147821.html.

74. JACOB S. HACKER, THE GREAT RISK SHIFT (Oxford University Press 2006). In fact, the U.S. has the most inequality and poverty of any industrialized country. Despite America's vast wealth, no other major industrial nation has allowed the level of sheer destitution that exists in the United States. Americans accept as "normal" levels of poverty, hunger, crime, and homelessness that would cause national alarm in Canada, Western Europe, or Australia. And it is no coincidence that the U.S. has, by far, the fewest workers covered by a union contract among all major affluent nations. Although the U.S. ranks third behind Norway and Japan in per capita income, American workers do not derive the benefits of prosperity compared with their counterparts elsewhere. Workers in other countries have used their political clout to take their productivity gains in the form of reduced hours—shorter work weeks, longer vacations, and earlier retirements. Unlike every other

Contrary to business propaganda, unions are good for the economy. A recent study by the nonprofit Economic Roundtable found that union workers in Los Angeles County earn 27% more than nonunion workers in the same job.[75] The increased wages for the 800,000 union workers, 17% of the labor force, adds $7.2 billion a year in pay.[76] As these workers spend their wages on food, clothing, child care, car and home repairs, and other items, their additional buying power creates 64,800 jobs and $11 billion in economic output.[77]

If unions are good for workers and good for the economy, why are so few employees union members? Business leaders argue that employees' anti-union attitudes account for the decline in membership, which peaked at 35% in the 1950s.[78] In fact, a recent poll found that 58% of nonmanagerial workers would join a union if they could.[79] But they will not vote for a union, much less

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affluent country, the U.S. has no statutory minimum vacation policy. But they also do better in terms of their paychecks and benefits, including office and service workers as well as blue-collar factory employees. In 2004, the year of the latest data, Americans worked an average of 1824 hours annually, compared with 1751 hours in Canada, 1443 in Germany, and 1363 in Norway. Peter Dreier & Kelly Candaele, *Why we Need EFCA*, AM. PROSPECT, Dec. 2, 2008, *available at* http://www.prospect.org/cs/articles?article=why_we_need_efca.

The U.S. is the only democratic society without universal health insurance; almost 50 million Americans lack insurance. Ricardo Alonso-Zaldivar, *An Estimateed 50 Million People in US Lack Coverage, Yet They Haven't Marched on Washington*, STAR TRIB., Apr. 12, 2009, *available at* http://www.startribune.com/politics/42846552.html. The U.S. spends less on job training, child care, and affordable housing, and more on prisons, than do other nations. Our environmental and workplace safety laws are weak and poorly enforced. The pay gap between men and women is wider in the U.S. than in other affluent countries.

Canada has many of the same big employers and a similar economy as the U.S., but in many ways, including crime rates, poverty, homelessness, infant mortality, and others, Canada is much more livable. *See* DAN ZUBERI, DIFFERENCES THAT MATTER: SOCIAL POLICY AND THE WORKING POOR IN THE UNITED STATES AND CANADA (ILR Press 2006) (comparing the lives of hotel workers in Vancouver, Canada, and Seattle, Washington, 140 miles apart, who worked for the same hotel chains). Canada's much stronger labor, health, social-welfare, and public-investment policies protected Canadian workers from the hardships that burden America's low-wage workers. *Id.* Workers in Vancouver had better access to health care, public transit, housing, and educational opportunities for their children than did their counterparts in Seattle. *Id.*

75. Candaele & Dreier, *EFCA*, *supra* note 29.

76. *Id.*

77. Daniel Flaming, *Economic Footprint of Unions in Los Angeles*, L. A.: ECON. ROUNDTABLE, Dec. 2007, *available at* http://www.hollywoodtothedocks.org/EconomicFootprintofUnionsinLA.pdf.

78. Candaele & Dreier, *EFCA*, *supra* note 29.

79. *See* Richard B. Freeman, *Do Workers Still Want Unions? More Than Ever*, ECON. POL'Y INST., 2007, *available at*

participate openly in a union-organizing drive, if they fear losing their jobs for doing so.[80]

And there is the rub. Americans have far fewer rights at work than employees in other democratic societies.[81] Current federal laws are an impediment to union-organizing rather than a protector of workers' rights.[82] The rules are stacked against workers, making it extremely difficult for even the most talented organizers to win union elections.[83] Under current National Labor Relations Board ("NLRB") regulations, any employer with a clever attorney can stall union elections, giving management time to scare the living daylights out of potential recruits.[84]

According to Kate Bronfenbrenner, one-quarter of all employers illegally fire at least one employee during union-organizing campaigns.[85] In 2007, over 29,000 workers were illegally disciplined or terminated for union activity.[86] The lucky workers get reinstated years later after exhaustive court battles.[87] Penalties for these violations are so minimal that most employers treat them as a minor cost of doing business.[88] Employees who initially signed union cards are often long gone or too afraid to vote by the time the NLRB conducts an election.[89]

Big business spends hundreds of millions a year to hire anti-union consultants to intimidate workers from participating in or showing support for union campaigns.[90] Employers can require workers to attend meetings on work time during which company managers give anti-union speeches, show anti-union films, and distribute anti-union literature.[91] Unions have no equivalent rights of access to employees. To reach them, organizers must visit their homes or hold secret meetings.[92] This is hardly workplace democracy.

But despite enormous obstacles, some unions are organizing and winning, typically by circumventing the NLRB process and mobilizing workers and community allies to put consumer,

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htpt://www.sharedprosperity.org/bp182/bp182.pdf.

80. *Id.*

81. Candaele & Dreier, *EFCA*, *supra* note 29.

82. *Id.*

83. *Id.*

84. *Id.*

85. Kate Bronfenbrenner, *Uneasy Terrain: The Impact of Capital Mobility on Workers, Wages and Union Organizing*, ILR COLLECTION Sept. 6, 2000, *available at* http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1002&context=reports.

86. *Id.*

87. *Id.*

88. *Id.*

89. *Id.*

90. *Id.*

91. *Id.*

92. *Id.*

religious, and political pressure on employers.[93] 2007 was the first in decades in which union density actually increased by 0.1% or 311,000 members, although most of the increase was among public sector employees.[94] In 2008, unions added another 428,000 members, increasing the union members rate from 12.1% to 12.4%.[95]

But unions are fighting an uphill battle because of one-sided labor laws. That is why the Employee Free Choice Act ("EFCA") is the most crucial battle for workers' rights since the original National Labor Relations Act was passed in 1935.[96] It would allow workers to skip the lengthy corporate-dominated NLRB process.[97] If a majority of employees in a workplace sign a union card (a system called "card check"), the company would be obligated to bargain with employees through the union. It would also increase penalties for companies who violate workers' rights and provide for mediation and arbitration for first contract disputes—a key provision because employers often drag out negotiations to wear down a new union.[98]

The EFCA would make union-organizing campaigns easier and reverse labor's four-decade membership decline.[99] The U.S. would match other democracies in the protection of workers' rights.[100]

This is likely to be the biggest battle over workers' rights since the Depression. A Democratic majority in Congress and a progressive Democrat in the White House does not guarantee the EFCA's victory. The U.S. Chamber of Commerce and its business allies have pledged to spend whatever it takes in advertising, campaign contributions, and other means to get enough moderate Democrats in Congress to oppose the bill and ensure its defeat.[101] Businesses may differ on issues like global warming and health-care reform, but opposition to the EFCA "is one the business community is united on," Dan Yager, spokesman for HR Policy

93. Mark Robbins, *NLRB Modifies "Recognition Bar" Doctrine to Permit Employees and Rival Unions to File Election Petitions*, MONDAQ BUS. BRIEFING, Oct. 9, 2007, 2007 WLNR 19788082.

94. Press Release, American Federation of Teachers, Unions Add 311,000 New Members in 2007, Reversing Downward Trend (Jan. 25, 2008) (http://www.aft.org/news/2008/union-membership.htm).

95. Union Members in 2007, Washington, D.C.: Bureau of Labor Statistics, Jan. 26, 2008; Union Members in 2008, Washington, D.C.: Bureau of Labor Statistics, Jan. 28, 2009, *available at:* http://www.bls.gov/news.release/pdf/union2.pdf.

96. National Labor Relations Act, 29 U.S.C. §§ 151-69 (2006).

97. Candaele & Dreier, *EFCA*, *supra* note 29.

98. *Id.*

99. *Id.*

100. *See id.* (explaining that Canada has "card check" systems in half of its provinces and union membership is more than double that in the U.S.).

101. *Id.*

Association, a corporate lobbying group, told the *Wall Street Journal*.[102] He further stated that "[n]ow that it looks like it has a serious possibility of being enacted we think it will galvanize the community even more."[103] Business groups will wage the most expensive corporate propaganda campaign in American history.[104] They formed a front group, the Coalition for a Democratic Workplace, and pledged to spend at least $200 million for TV and radio ads and direct-mail and lobbying efforts, particularly in states with fence-sitting senators, to defeat the proposal.[105]

Obama has already signaled his pro-labor sympathies in several ways. His appointment of progressive Congresswomen Hilda Solis to be his Secretary of Labor was a positive pro-union signal.[106] Also, within two weeks after taking office, Obama held a meeting at the White House with union leaders.[107] During that meeting, the president expressed that "we have to reverse many of the policies towards organized labor that we've seen these last eight years, policies with which I've sharply disagreed. I do not view the labor movement as part of the problem. To me, it's part of the solution."[108] Also, at that meeting, Vice-President Joe Biden told the assembled union leaders: "[w]elcome back to the White House."[109]

But the real test of Obama's support for union organizing will be around EFCA. Obama pledged to support EFCA during his campaign.[110] But he is understandably reluctant to push EFCA to near the top of his legislative agenda and trigger the unified opposition of the country's business lobby. He will not proceed with this until he has gotten Congress to adopt an economic recovery plan and until key indicators—unemployment, foreclosures, credit, consumer confidence, and other factors—

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102. *Id.*
103. *Id.*
104. *Id.*
105. *Id.*
106. Ian Williams, *Ending America's Labour Pains: Hilda Solis's Confirmation as U.S. Labour Secretary Brings Three Decades of Unfair Union-Bashing to a Close*, GUARDIAN, Feb. 26, 2009, http://www.guardian.co.uk/commentisfree/cifamerica/2009/feb/26/barack-obama-obama-administration.
107. Posting of Mike Hall, *Union Leaders Join in White House Meeting on Health Care, Social Security*, AFL-CIO NOW BLOG, http://blog.aflcio.org/2009/02/24/union-leaders-join-in-white-house-meeting-on-health-care-social-security/ (Feb. 24, 2009).
108. David Stout, *Obama Moves to Reverse Bush's Labor Policies*, N.Y. TIMES, Jan. 30, 2009, http://www.nytimes.com/2009/01/31/business/economy/31obamacnd.html.
109. *Id.*
110. Steve Early, *Is Obama Backing Off a Crucial Pledge to Labor? Bait and Switch on the Employee Free Choice Act*, MONTHLY REV., Aug. 12, 2008, http://monthlyreview.org/mrzine/early081208.html.

suggest that the economy is steadily improving.

The battle over EFCA is not just a test for Obama but is a test for the progressive movement. Unions cannot, and should not, fight this battle alone.[111] For the bill to pass, environmental groups, civil rights groups, women's groups, community organizing groups, educational reform groups, gay rights groups, and many others will need to use all their political muscle to energize their supporters on behalf of labor-law reform.[112] America is now closer than it has been in decades to having labor laws that truly protect workers' freedom to make their own choices about union representation, without management interference.[113] If Congress passes the EFCA, it would not only increase union membership but also lead to a rebirth of progressive politics.[114] Americans who care about building a healthier, more livable society—one in which prosperity is widely shared—should view the battle over the EFCA as a fight for their own future as well.[115]

VII. THE LEFT'S FRAGMENTED MOSAIC

Is the American progressive movement up to the task? All movements for social justice face enormous challenges to success. Disparities in financial resources give big business and its allies' disproportionate influence in getting their voices heard and gaining access to political decision-makers. This influence does not guarantee that they will get everything they seek, but it does mean that they have an advantage. To be effective, progressive forces must be well organized, strategic, clever, and willing to do battle for the long haul.

Too often, however, the Left has suffered from self-inflicted wounds of fragmentation. Since the 1960s, the Left has been a mosaic of organizations that focus on separate issues and separate constituencies, which has undermined its effectiveness. The thousands of local community organizing groups and the major community organizing networks comprise a small part of the progressive Left. The largest component of the Left is the labor movement (the AFL-CIO, the new Change to Win union coalition, and the national unions) in terms of the number of members, staff, and the size of the budget. It also includes environmental groups like the Sierra Club, the National Wildlife Federation, and Greenpeace; national women's groups like NOW and NARAL; civil rights and immigrants rights organizations; gay rights groups; the network of "public interest" groups like Common Cause, Public

111. Candaele & Dreier, *EFCA*, *supra* note 29.
112. *Id.*
113. *Id.*
114. *Id.*
115. *Id.*

Campaign, the Center for Responsive Politics, OMB Watch, and Congress Watch; and civil liberties groups like People for the American Way and the American Civil Liberties Union ("ACLU").

The progressive movement also includes national policy groups and think tanks like the Economic Policy Institute, the Center for American Progress, the Center on Budget and Policy Priorities, Citizens for Tax Justice, the Campaign for America's Future, the Institute for Women's Policy Research, Policy Link, Demos, Good Jobs First, Families USA, the Fiscal Policy Institute, Fairness and Accuracy in Reporting ("FAIR"), and many others. Additionally it includes some local counterparts like the Center on Wisconsin Strategy and the Los Angeles Alliance for a New Economy.

Further, throw into the mix the various progressive media outlets—*Mother Jones*, the *Nation*, the *Progressive*, *American Prospect*, *Sojourners*, *Ms.*, *Dollars and Sense*, the handful of liberal radio talk shows, websites such as AlterNet, TomPaine.Com, Common Dreams, and many others. Include the various progressive nonprofit public interest legal groups like the Mexican American Legal Defense and Education Fund ("MALDEF"), the National Association for the Advancement of Colored People ("NAACP"), Legal Defense Fund, Natural Resources Defense Fund, Lambda Legal Defense Fund, Southern Poverty Law Center, the National Women's Law Center, and others. Add the various national and regional organizer-training programs. Consider also the various political action committees ("PACs") (the union PACs, Emily's List, and others), the liberal churches and Jewish groups, the AARP, MoveOn.org, as well as the many peace, human rights, and international "solidarity" groups.

All of these organizations do good work, but there is little coordination or strategizing among them and no ongoing mechanism for discussing how to best utilize their substantial resources in the most effective way. If they were to pool their resources and sit around a large table, they might discuss the following issues: how many organizers, researchers, lawyers, public relations, and communications staffers should there be? What kind of organizations, single issue and multi-issue, online groups, and training centers for organizers, volunteers, and candidates? How much should be allocated to unions, community organizing, environmental groups, women's rights groups, civil rights organizations, and gay rights groups? In what parts of the country, including cities, states, congressional districts, should they focus organizing work? How many staff members would be based in Washington, D.C.? How many in "the field"? What issues should they focus on? What policy agenda?

But, of course, the Left has no coordinating committee to assemble all these resources and make a rational allocation of

money based on agreed criteria. It is not really a coherent "movement," but rather a mosaic of organizations and interests that share a broad notion of social justice and a general belief in the positive potential of activist government, which occasionally collaborate on election and issue campaigns.

Although these groups share a broad consensus about policy issues (for example, progressive taxation, supporting reproductive rights, stronger environmental laws, and expanded anti-poverty programs), they rarely join forces to mount sustained organizing campaigns to get policies adopted at the local, state, or federal levels. The one time these groups break out of their separate "issue silos" and work together is at election time, typically by supporting liberal Democrats through endorsements, voter drives, campaign contributions, policy work, publicity, and other means.[116]

These fragile electoral coalitions are typically forged by the candidates, the Democratic Party, or some loose and temporary alliance, and are soon dismantled after each election is over. One such coalition is the Americans Coming Together collaboration formed in 2004.[117]

VIII. REBUILDING A PROGRESSIVE MOVEMENT

The purpose of progressive politics and movements is to reduce the level of class, racial, and gender inequality in the nation, shrink the number of people living in poverty, promote sustainable growth, and promote peace and human rights at home and overseas. Over the past century, the key turning points for improving American society involved large-scale mobilizations around a broad egalitarian and morally uplifting vision of America, a progressive patriotism animated by "liberty and justice for all."[118] These movements drew on traditions of justice and morality. They redefined the rights and responsibilities of citizens, government, and business. In the Gilded Age, during the late 1800s and early 1900s, it was agrarian Populism and urban Progressivism. Populist farmers sought to tame the power of the "robber barons"—the railroads, banks and other big corporations that dominated the economy and squeezed their livelihoods. Progressive reformers, including immigrants, union activists,

116. Occasionally, they get their own leaders to run for office, but more typically they work for candidates who have no preexisting organic connection to their organizations.

117. *See* Matt Bai, *Who Lost Ohio?*, N.Y. TIMES MAG., Nov. 21, 2004, *available at* http://www.nytimes.com/2004/11/21/magazine/ 21OHIO.html; *see generally* MATT BAI, THE ARGUMENT: BILLIONAIRES, BLOGGERS, AND THE BATTLE TO REMAKE DEMOCRATIC POLITICS (2007) (explaining such a coalition that was dismantled).

118. Francis Bellamy, *The Pledge of Allegiance* (1892).

middle-class reformers such as journalists, clergy, and social workers, and upper-class philanthropists ushered in the first wave of consumer, worker, and environmental protections.

During the Great Depression, it was the upsurge of industrial unionism linked to Roosevelt's New Deal. From the 1930s through the early 1970s, the American social contract was based on the premises of the New Deal, a coalition led by the labor movement. The labor movement's strength was focused in cities. Its core constituents were immigrants and their children; African Americans and, to a lesser extent, white southern small farmers. These groups had allies among middle-class reformers, such as planners, intellectuals, journalists, social workers, and some liberals within the business community. During this post-war era, the United States experienced a dramatic increase in per-capita income[119] and a decline in the gap between the rich and the poor.[120] The incomes of the bottom half of the class structure rose faster than those at the top.

In the 1960s, progressives hoped to build on this foundation. Representing the left wing of the Democratic Party, United Automobile Workers ("UAW") president Walter Reuther had been making proposals since World War II to renew and expand the New Deal and to engage in national economic planning.[121] He advised Presidents Kennedy and Johnson to champion a bold federal program for full employment that would include government-funded public works and the conversion of the nation's defense industry to production for civilian needs.[122] This program, he argued, would dramatically address the nation's poverty population, create job opportunities for African Americans, and rebuild the nation's troubled cities without being as politically divisive as a federal program identified primarily as serving poor blacks.[123]

Both presidents rejected Reuther's advice.[124] Johnson's announcement of an "unconditional war on poverty"[125] in his 1964

119. *See Post-War Prosperity, 1946-1973 (overview) in* GALE ENCYC. OF U.S. ECON. HIST., (Thomas Carlson & Mary Bonk ed., 2005) (1999) (discussing increases in economic prosperity).

120. JAMES P. SMITH ET AL., RACE AND ETHNICITY IN THE LABOR MARKET: TRENDS OVER THE SHORT AND LONG TERM, IN AMERICA BECOMING: RACIAL TRENDS AND THEIR CONSEQUENCES VOLUME II 56 (Neil Smelser, William Julius Wilson, Faith Mitchell eds., National Academies Press 2001).

121. Kevin Boyle, *Little More than Ashes: The UAW and American Reform in the 1960s, in* ORGANIZED LABOR AND AMERICAN POLITICS, 1894–1994: THE LABOR-LIBERAL ALLIANCE (State Univ. of N.Y. Press 1998).

122. *Id.*

123. *Id.*

124. They were worried about alienating Southern Democrats and/or sectors of business that opposed Keynesian-style economic planning.

125. Lyndon Baines Johnson, President, The United States of America, State

State of the Union address pleased Reuther,[126] but the details of the plan revealed its limitations. The War on Poverty was a patchwork of small initiatives that did not address the nation's basic inequalities. Testifying before Congress in 1964, Reuther said that "while [the proposals] are good, [they] are not adequate, nor will they be successful in achieving their purposes, except as we begin to look at the broader problems [of the American economy]."[127] He added that "poverty is a reflection of our failure to achieve a more rational, more responsible, more equitable distribution of the abundance that is within our grasp."[128] Although Reuther threw the UAW's political weight behind Johnson's programs, his critique was correct. Since the 1960s, federal efforts to address poverty have consistently suffered from a failure to address the fundamental underlying issues. Most progressives have understood that the civil rights victories, such as the Civil Rights Act (1964), Voting Rights Act (1965), and Fair Housing Act (1968), were necessary but not sufficient alone to reduce poverty and inequality.

In the 1970s, the New Deal and Great Society gains were supplemented by other victories that emerged out of civil rights, women's rights, environmental and consumer activism; these victories were fueled by the growth of the Naderite network, feminism, environmental and consumer groups, and community organizing. Some victories of 1970s include affirmative action, the Clean Air Act and other environmental laws, strong regulations on business regarding consumer products and workplace safety, such as Occupational Safety and Health Act, and significant improvements in the legal and social rights of women, including reproductive freedoms. The major victories that emerged from community organizing, which are linked to civil rights, were the Home Mortgage Disclosure Act (1975) and the Community Reinvestment Act (1977) that resulted from the ability of groups to link local and national campaigns against bank redlining.

From the late 1940s through the mid-1970s, the U.S. experienced a narrowing gap between rich and poor.[129] The civil rights, women's rights, and environmental movements promoted a vision of how the nation's prosperity should be shared by all but not squandered for future generations. Since the 1970s, however, the notion that the nation's post–World War II prosperity—fueled

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of the Union Address at Congress: First State of the Union (Jan. 8, 1964), *available at* http://www.americanrhetoric.com/speeches/lbj1964stateofthe union.htm.

126. Boyle, *supra* note 121.

127. *Id.*

128. *Id.*

129. SMITH, *supra* note 120, at 56.

by the rise of the United States as a global superpower and steady economic growth—should be widely shared has been under assault. Progressives have mostly been on the defensive, seeking to challenge the ideological and policy influences of the increasingly influential conservative political movement. Major U.S. corporations began an assault on the labor movement and the living standards of the poor and working classes. *Business Week* best expressed this view in its October 12, 1974, issue:

> It will be a hard pill for many Americans to swallow—the idea of doing with less so that big business can have more. . . . Nothing that this nation, or any other nation, has done in modern economic history compares with the selling job that must be done to make people accept this reality.[130]

After 1964, when President Lyndon Johnson defeated Goldwater in a huge landslide and the Democrats won huge majorities in Congress, almost every pundit in the country wrote the conservative movement's obituary. Goldwater's right-wing supporters were viewed as fanatics, out of touch with mainstream America. With the help of conservative millionaires, corporations, and foundations, they created new organizations, think tanks, and endowed professorships at universities to help shape the intellectual climate and policy agenda.[131] They created a network of right-wing publications and talk radio stations. They recruited new generations of college students, funded their campus organizations, and got them internships and jobs within conservative organizations and with conservative government officials and agencies. They identified, cultivated, and trained potential political candidates. They brought together the two major wings of the conservative movement—the business conservatives and the social/religious conservatives—in an uneasy but relatively stable coalition to elect conservative Republicans. Then they took over the GOP's atrophied apparatus. They helped change the political agenda. In 1980, they elected Ronald Reagan. In 2000, they helped Bush steal the election. In 2004, they helped Bush win a second term, almost fair and square. They helped conservative Republicans gain control of Congress and changed the ideological completion of the Supreme Court and the federal judiciary.

The movement built itself up from scratch, utilizing the network of conservative pastors and churches, providing sermons, voter guides, get-out-the-vote training, and other resources to

130. DAN CLAWSON, ALAN NEUSTADTL, & MARK WELLER, DOLLARS AND VOTES: HOW BUSINESS CAMPAIGN CONTRIBUTIONS SUBVERT DEMOCRACY 149 (Temple Univ. Press 1998).

131. RICK PERLSTEIN, BEFORE THE STORM: BARRY GOLDWATER AND THE UNMAKING OF THE AMERICAN CONSENSUS (Hill & Wang 2001).

create a powerful organizational infrastructure. Separate, but overlapping with the Religious Right, the National Rifle Association and the gun lobby also used its huge war chest and organizational resources to mobilize its members and their families. Moreover, the Religious Right and the gun lobby are not just part of an election-day operation, but they are part of an ongoing movement that provides people with social, psychological, and political sustenance on a regular basis. The rise of suburban megachurches is one example of this phenomenon.[132]

The late 1970s saw the beginning of several trends: the rise of neo-conservatism as a political and intellectual force, the dismantling of the social safety net, a dramatic decline in union membership, the chronic fiscal crisis of major cities, and the increase in the political power of big business and its political and intellectual allies. Liberals, progressives, and democrats found themselves on the defensive, seeking to protect the key components of the New Deal, the Great Society, and subsequent victories from being dismantled by the increasingly powerful right wing—led by the uneasy alliance between big business, the Religious Right, and the mainstream of the Republican Party.

During the past decade, progressives slowly began to regroup and fight back. A number of separate, and sometimes overlapping, issues have catalyzed local and national organizing groups. These include campaigns for environmental justice, living wages and community benefit agreements, immigrant rights, fair trade and opposition to sweatshops, and opposition to the U.S. invasion and occupation of Iraq. All of these campaigns have sought to redistribute wealth and power and to restrain the influence of big business and force corporations to be more socially responsible. They challenge the conservative ideas about the role of government.

Other campaigns, those for gay rights, reproductive freedom, gun control, and civil liberties (for example, opposition to the Patriot Act), have an uneasy alliance with movements that focus more directly on economic justice. Conservatives were able to use these "wedge" issues to win electoral victories, but the political trajectory has not entirely been toward the Right, as the results of the November 2006 and the November 2008 elections suggest. Growing economic insecurity—what Jacob Hacker calls a major "risk shift"—created the potential for building political bridges between the poor and the middle class, between residents of cities and suburbs, and between people who may otherwise disagree

132. Alan Greenblatt & Tracie Powell, *Rise of Megachurches*, CQ RESEARCHER, Sept. 21, 2007, http://www.cqpress.com/product/Researcher-Rise-of-Megachurches-v17.html.

about "wedge" issues.[133]

As the results of the 2006 and 2008 elections suggest, the alleged shift to the Right does not adequately reflect public opinion. The proportion of Americans who define themselves as liberals has been declining for several decades. But this does not mean that Americans do not share most liberal values. For example, fewer women call themselves feminists now than they did twenty years ago, but more women agree with once-controversial feminist ideas like equal pay for equal work or women's right to choose abortion. Likewise, more Americans today than twenty years ago believe that government should protect the environment, consumers, and workers from unhealthy workplaces and other dangers. Most Americans believe the federal government should help guarantee health insurance for everyone. A majority of workers support unions, and most Americans are pro-choice, want stronger environmental and gun control laws, and believe that the minimum wage should be raised and that the nation should do more to combat poverty.

What is needed is a contemporary version of the Progressive and New Deal tradition. This involves regulating capitalism to prevent excessive greed by pushing for housing and banking reforms, workplace safety laws, raising the minimum wage, strengthening the safety net, expanding protections for consumers and the environment, protecting Social Security, and expanding the right of workers to organize and bargain collectively for better wages and working conditions.

There were clear indicators in 2006, confirmed by the 2008 election, that the nation's political mood was shifting. Voters showed that they were frustrated by the war in Iraq, by widening inequality and declining economy security, and by the Bush administration's crony capitalism. But it was still unclear whether progressives could find a coherent twenty-first century agenda to replace the New Deal and the Great Society, to counter the right-wing's "anti-government" message, and to find a way to protect and expand social democracy at home in the midst of globalization.[134]

Political victories are about more than election-day turnout. Successes on election day are a byproduct of, not a substitute for, effective grassroots organizing in between elections. People make progress when they join together to struggle for change, make stepping-stone reforms, and persist so that each victory builds on the next. This kind of work is slow and gradual because it

133. JACOB HACKER & PAUL PIERSON, OFF CENTER: THE REPUBLICAN REVOLUTION AND THE EROSION OF AMERICAN DEMOCRACY (Yale Univ. Press 2005).

134. BAI, *supra* note 117.

involves organizing people to learn the patient skills of leadership and organization building. It requires forging coalitions that can win elections and then promote politics that keep the coalition alive.

IX. SEIZING THE OPPORTUNITY

Can the progressive Left figure out how to frame issues and mobilize constituencies in the early twenty-first century that can achieve sustained political and economic power? Each time there has been a political realignment, it has occurred in ways that even its strongest proponents could not have anticipated. America today is holding its breath, trying to decide what kind of society it wants to be. Liberal and progressive forces are gaining momentum, but they still lack the organizational infrastructure needed to effectively challenge the conservative message and movement. They have begun to invest in building that infrastructure—think tanks, grassroots coalitions, technology, recruitment of staff, and identification and training of candidates.[135] Some of that investment bore fruit in November 2004 (including the work of the Americans Coming Together project) and in November 2006, when unions, community organizing groups, and other progressives helped elect a Democratic majority in Congress. The Obama victory and the increasing democratic majority in Congress could help consolidate a new direction for society.

An election is only a moment in history, but it can portend major changes if elected officials and movement leaders work as allies. Americans are ready for change, but the direction and magnitude of that change depends on political mobilization. Obama takes office at a time of enormous economic and social turmoil. In such circumstances, politicians can be either cautious or bold—both involve taking risks.

Soon after the election, some conservative and mainstream pundits claimed that despite Obama's victory, America is basically a "center-right" nation. In fact, public opinion polls reveal that a significant majority of Americans want a more activist government around economic, environmental, and consumer issues.

But public opinion does not inevitably translate into public policy. Even with a Democratic majority in Congress, it will not be easy to enact an economic stimulus package that includes infrastructure projects and green jobs, reform health care, pull U.S. troops from Iraq, strengthen labour laws, tackle global warming, help homeowners avoid foreclosure, strengthen bank regulations, and adopt a progressive tax plan. The energy industry, the pharmaceutical and insurance lobbies, the big

135. *Id.*

defense contractors, and others will work overtime to thwart a progressive policy agenda.

Obama has clearly touched a nerve in America's body politic. Americans are hungry for hope and ready for reform. But it will require Obama to use all his rhetorical, organizing, and political skills to shape public opinion, encourage Americans to mobilize, sustain, and re-invent the spirit and momentum of his campaign into a grassroots movement to move the country in a new direction.