

October, 1993

TO: Interested Parties  
FR: Ralph Nader & Joel Rogers  
RE: Building a Working Democracy

---

This memo outlines a strategy for the democratic reconstruction of the United States. We invite comments, criticism, and improvement.

The strategy we propose is a "Democracy Campaign." Initially targeted to states, eventually providing the basis for federal reform, the aim of the campaign would be to equip all citizens<sup>1</sup> with the "tools" (rights, remedies, organizational resources) they need to practice democracy under 20th century circumstances. An immediate goal is reform of our corrupt system of campaign finance and voter and party rights. Despite the fundamental nature of the reforms proposed, this part of the campaign would appeal to individuals in their more or less conventionally recognized social role as *citizen/voters*. But the campaign would also include, and from the outset be framed as including, reform aimed at enhancing opportunities for democratic action in other core social roles — viz. as *workers, consumers, taxpayers, and shareholders* of private and public wealth — that are less commonly invoked in discussions of democratic reform. Our democratic toolkit is offered, explicitly, as a way of rebuilding the whole of the civic infrastructure on which a vibrant democracy depends. Democracy itself, not just some part of it, is the issue we want to put on the table.

In outlining our idea here, we proceed in three steps. First ("Defining the Problem"), we argue that virtually all our major social ills require fundamental democratic reform for their solution. Second ("Defining the Solution"), we indicate just what "fundamental democratic reform" means under present conditions. Third ("Getting from Here to There"), we indicate why an effort at such reform is timely.

## **DEFINING THE PROBLEM**

Name your malady.

On almost any of the basic standards by which social welfare is commonly judged — education, health, housing, safety, wages and family income, equality of opportunity and reward, general satisfaction — the United States is not doing very well. On most such standards, in fact, it is doing substantially worse than it has in the recent past.<sup>2</sup>

---

<sup>1</sup> Despite its more restrictive common meaning, in this memo we will use the term "citizen" simply to mean "adult member of the political order."

<sup>2</sup> On income: wages are at their lowest level in 30 years; family incomes (even after registering the increased work effort of dual-earner households) at their lowest level in 15; the real poverty gap (expenditures needed to bring all up to the poverty line) and "normal" level of unemployment are both twice as high as 20 years ago. On housing: home ownership rates have dropped for the first time since the Great Depression; rent and mortgage costs as a share of income are at their highest level since then; homelessness is hardly obscure. On inequality: we now have the highest level on record (on records going back to 1947); the after-tax income of the top 20 percent of American families now exceeds that of the bottom 80 percent combined; wealth is infinitely more concentrated; throughout, racial inequality is

On most of the basic standards by which the strength of mass democracies is commonly judged — voting participation, civic association, political socialization, fairness of the electoral system, strength of parties, intensity of party competition, citizen confidence in existing process, government and corporate accountability, the quality and extent of information among citizens, civil rights — much the same may be said of American democracy.<sup>3</sup>

These two familiar sets of facts — one bearing on the *substance* of government policy and popular result, the other on the *process* by which social decisions are made — are as intimately related as effect and cause. The substantive ills of American society are largely explained by the failings of American democracy.

To clarify: we do not have a failing education system, unsafe workplaces and declining wages, poisonous inequalities of class and race, families strained to the breaking point, cities turning into charnel houses, and one of the worst public health records in the developed world because of uniquely

---

extreme (excluding the white population, U.S. per capita income equals that in Trinidad). On education: primary and secondary educational achievement has stagnated over the past two decades, while inequalities in post-secondary educational access have dramatically increased. On health: (as spending continues to lead the world) comparative performance on all standard indicators (infant and perinatal mortality, male and female life expectancy) continues to decline. On safety (despite the highest incarceration rate in the world): a majority of urban American school children report feeling "unsafe" at public schools, and a majority of American adults now say they are "afraid to leave their home at night"; a new handgun is sold every 13 seconds. On expectations and general feelings of well-being: a majority of those aged 16 to 24 believe they will live "worse lives than their parents"; a majority of parents agree; American employees now register the highest level of job dissatisfaction on record.

<sup>3</sup> Compared to other advanced industrial nations, the U.S. shows the lowest level of voting participation, weakest parties, lowest trade union density, and (bearing on "socialization") highest differentials between young and older citizens on all measures of formal participation (voting, joining, etc.). Much of the political system barely aspires to competitiveness. Victory rates for incumbents are exceptionally high (88 percent in 1992, despite anti-incumbent fervor), while the number of Congressional districts in which victory was decided by less than 5 percent of the vote is at a historic low. Private financing and weak party organization together raise formidable barriers to challenger access. Despite the ubiquity of non-competitive districts, the *average* winning Senate campaign cost \$4 million, the *average* winning House campaign \$544,000; Senate incumbents outspent challengers by 9 to 1, while all but 50 elected Representatives outspent their opponents. Citizen confidence in this process is low. At present, about 80 percent of Americans believe that the country is "moving in the wrong direction"; that the government is a "large" part of this problem; and that our system of electoral politics is "corrupt," "dominated by special interests," and "run by people who don't care about people like me." About 70 percent believe that "current incumbents will never reform the political process," while a record 50 percent now favor the formation of a new political party dedicated to political reform (although present barriers of entry to parties virtually assure that they will not get one). On government and corporate accountability, see the S&L fiasco (\$500 billion), taxpayer cleanup of privately managed nuclear weapons plants (\$150 billion), systematic under-reporting and under-payment of royalties on private exploitation of public lands (annually, about \$10 billion), uncompensated taxpayer subsidy of private R&D (\$75 billion annually), the ratio of those receiving private pensions on retirement to those paying into our \$2 trillion dollar private pension system during their working lives (.2), other federal "corporate welfare" payments to profitable businesses (annually, over \$100 billion), or read either major party's platform. On the quality and flow of information among citizens, consider the continued, extreme, concentration of media ownership; the defunding of public libraries; the performance of the education system in providing students with basic common understanding of current affairs, history, and government operation; the retreat from "fair use" and other regulation of airwaves; the effective privatization of cable resources; the collapse of local newspapers, political newspapers, and the labor press. The one important exception to this general condemnation is the U.S. record in civil rights, although that too has been significantly weakened in recent years.

unfavorable material conditions (America remains blessed with abundance), external military threats (there are none), or national character. We have them because of the way this particular society is now *organized*, the way that *power* within it is now exercised, the fact that that power is not now exercised in sufficiently *democratic* ways.

In making this claim, we self-consciously stand in the long line of those inspired by the ideals of individual self-government, citizen participation in public debate, and a distribution of material and political resources that respects the moral equality of persons.<sup>4</sup> The tradition has deep American roots. It is summarized in Lincoln's "of the people, by the people, for the people" conception of democratic order.

What bears emphasis here, however, is less the fact of democratic inspiration than democrats' inspiration by the fact — the claim of empirical support for these ideals. With other democrats, we believe not only that democracy is morally attractive, but that is substantially *realizable* in ways that underwrite its moral appeal. The democratic claim, if we may call it that, is that people of ordinary means and intelligence, *if properly organized and equipped*, can in fact govern themselves, and that if they do results will be *better* than if they do not. We only apply this rule of government and connect the dots. At present the people do not rule, and that is chiefly why present conditions are so poor.

Why is democracy failing in America? As large as the question is, it need not evade an answer. Functioning democracies avoid undue concentrations of power and authority while fostering popular organization. In combination, this keeps powerful elites in check, while building sufficient steering capacity to permit authoritative decisions.<sup>5</sup> As declared by the Framers, the essential twofold constitutional task is to get power aligned squarely with its object *and* to devolve the authority to make decisions to the constituencies in whose name they are purportedly made.<sup>6</sup> When this task is discharged right, the result is both competence and accountability. Even under mass conditions, a society that functions reasonably well materially (rising living standards, limited inequalities), reasonably well disciplined by democratic convictions (high participation, meaningful public debate, and competence, when debate is over, to implement public decisions). Call this result a "*working democracy*."

Alas, the task of democratic alignment and devolution needed to achieve a working democracy is itself unending. In the natural course of human affairs, especially under a dynamic capitalism, the material

---

<sup>4</sup> Within contemporary political theory, these promises are respectively associated with the liberal, republican, and egalitarian democratic traditions. Distinctions between these traditions, however, are in our view commonly overdrawn. While each articulates a distinct fundamental value, these values can be reconciled and jointly realized.

<sup>5</sup> While the discussion in the rest of this paragraph centers on the U.S. case, we venture this as a generalization for all democracies.

<sup>6</sup> In endorsing this constitutional centrifuge, the risks of disorder are judged less than those of absolutism. After all, as even Hamilton observes:

Civil power, *properly organized and exerted*, is capable of diffusing its force to a very great extent; and can, in a manner, reproduce itself in every part of a great empire by a judicious arrangement of subordinate institutions....[T]he essential point which will remain to be adjusted will be to discriminate the OBJECTS, as far as it can be done, which shall appertain to the different provinces or departments of power; allowing to each the most ample authority for fulfilling the objects committed to its charge.

*The Federalist*, nos. 13 and 23. (Emphasis added.)

bases of society — demographics, patterns of living, economic arrangements, the distribution of economic and other resources of relevance to democratic deliberation — constantly change. This undermines the functionality of previous arrangements, and underscores the need for constant adjustment in governing arrangements and citizen organization. "Eternal vigilance" is indeed "the price of liberty."

But the U.S. has entertained fundamental reconsideration of its constitutional order only at moments of extreme upheaval (e.g., the Civil War, the Populist Moment, the New Deal). Throughout its history, the U.S. has only indifferently attended either of the core democracy-enhancing requirements of policy — the systematic fracturing of unduly concentrated private power and the systematic enhancement of popular organization — just enumerated.<sup>7</sup>

For a long time now, the costs of this neglect have registered in the relative lack of vitality in America's formal democratic institutions.<sup>8</sup> Until recently, however, the consequences for American welfare were obscured by several factors:

- The fantastic natural wealth of the United States. The "technology rents" it first derived from extensive exploitation of those natural advantages, and then sustained in postwar global dominance. The Keynesian "miracle" of explosive postwar growth, which permitted a more egalitarian distribution of rising economic benefits.<sup>9</sup> And, during most of the 20th century, the effective isolation of the domestic economy from serious competitive pressures from abroad.

- The effectiveness of a variety of government palliatives for economic misfortune. Certainly it was true that, even after the New Deal and Great Society: the U.S. welfare effort was, in comparative national terms, minimal; this effort was deeply bifurcated between general insurance programs and needs-tested programs for the poor; U.S. efforts at economic regulation (antitrust and limited sectoral arrangements notwithstanding) were also limited. As a consequence, the U.S. always exhibited comparatively high degrees of inequality, and gaping holes in coverage for certain populations (the "invisible" poor, "forgotten" elderly, and throughout, poor children). All this acknowledged, however, it was significant, in the context of the general rising prosperity, that even patchwork efforts (some Social Security, a little education assistance or unemployment insurance) sufficed until the early 1970s to ensure the highest incomes in the world for the majority of the adult, working, voting population.

- The resilience of at least some civic culture, rooted in relatively stable face-to-face communities, relatively stable jobs (located near the home), and an array of local public goods (schools, libraries), political organizations (local political machines, party clubs, good government associations),

---

<sup>7</sup> An important apparent exception here is the (now largely extinct) antitrust tradition in the U.S. To the extent this has had a distinct political motivation, however, we take this to be less a general interest in democracy than an interest, primarily exerted by less-developed regions of the country, to prevent their domination by more developed ones. Antitrust was a way of forestalling commercial consolidation in the core of the economy, and thus qualifying its dominance of the periphery. The latter's "over-representation" in the Senate was key to the strategy's political success.

<sup>8</sup> Voting participation, for example, has trended down since the end of the 19th century.

<sup>9</sup> We recognize that the U.S., throughout this period, was still characterized by massive inequalities along lines of race and gender as well as class. Still, and especially as compared to the 20 years that followed, generalized U.S. income performance in the postwar period was strong. Median family income doubled between 1947 and 1973, never going more than two years without setting a new record, and average U.S. wages were throughout the highest in the developed world.

civic associations (churches, trade unions, PTAs, Kiwanis Clubs), sources of information (lots of local newspapers, even a little labor press), and diverse quasi-public meeting places and practices (sports leagues, taverns). Such institutions permitted people to practice, to some degree, the arts of democracy — to talk to neighbors about common concerns, advance and defend arguments, listen, learn, deliberate, and, in some measure, develop the self-confidence of democratic citizens. That local politics, rather than the deliberations of the national state, remained a key determinant of local well-being, gave instrumental purpose to this local culture as well as social meaning and effect.

But this is a world long since lost. Material well-being is by no means assured by general trends in the economy. The natural tendency of economic restructuring is instead distinctly unfavorable to the living standards of average Americans. And U.S. living standards have rather clearly fallen behind those of other developed capitalist economies. With individual welfare no longer getting a major assist from the economy, effective government that builds democracy and deters predatory activity, has in turn become more essential to achieving it. Without such, it is inconceivable that ordinary citizens will have the reach and power to shape those private decisions (made by actors far more powerful than they) that most affect their lives. But, now more than ever, citizen access and organization are negligible, decisions about individuals are commonly made (by government or private powers, or their collusive unity) very far from where individuals sit, and most individuals sit alone.<sup>10</sup> They lack the wherewithal in information, communication, and shared material resources to act collectively, to insert themselves into the process of societal decision-making in democratic ways. As a practical matter, notwithstanding our pretensions, power in American society is now seriously and ingeniously concentrated — or (with same effect) its exercise is insulated from popular scrutiny. And as a practical matter, popular organization is close to comatose.<sup>11</sup> Even as democracy has thus become so much more important to assuring popular well-being, democratic institutions have eroded.

Blame for our democracy's present enfeeblement may be apportioned differently — to general changes in the material conditions of politics unfavorable to democracy, or to a failure to respond to those changes with appropriate democratic reform. Certainly the former is important. In all richer nations, increased internationalization, technological change, the spatial dispersion of communities, workforce differentiation, less stable employment, increased social dependency amid weakened family structures, and an increasingly privatized and introverted culture have all taxed social capacities to order affairs. The same trends have greatly increased the power of an increasingly mobile capital over the state and ordinary citizens. Corporate capital's ability to make credible exit threats (from communities, regions, nations) and to punish through such exits proportionately increases when production can be sourced anywhere in the world, the volume of private currency trading dwarfs the interventionist capacity of central banks, and domestic political institutions are weakened at their social base.

The specifically *democratic* failure, however, is clearly the latter — the failure to adjust the objects and instruments of government in ways that respond to these changed circumstances. In recent years, indeed, far from seeking to assure our stated maxima of democracy-enforcing government, our government has done the reverse. It has facilitated those concentrations of power from which arbitrariness

---

<sup>10</sup> Virtually all leisure time in America is now spent watching TV or videos, or shopping.

<sup>11</sup> Of course we recognize the existence of thousands of "popular" organizations. Their fragmentation and lack of individual resources, however, grossly limit their political effect. There are very few non-business-dominated single-issue groups with much power, and almost none identified with an encompassing democratic alternative to present arrangements.

in exercise naturally flows, while obstructing popular organization and citizen involvement.

Recent developments of note here include: the abandonment of antitrust enforcement, helping spur the greatest merger wave in American history; the purposive deregulation of capital markets, helping spur massive financial consolidation and denials of credit to less "worthy" (usually small, and less mobile) firms and other enterprises; the encouragement, through subsidy and deregulation, of business restructuring and flight from local communities; the increase in Executive control over Congress in virtually all major areas of decision-making; the consolidation of power within the Executive through OMB oversight of all administrative proceedings; the elimination of many citizen and group rights to standing (and thus even the possibility of challenge or oversight) in judicial and administrative proceedings; the deregulation and privatization of many public assets, from public lands and airwaves to government-collected information and government-sponsored R&D; the deliberate delegation of much agency decision-making to unaccountable private actors; the surrender of formerly national decision-making powers to private international bodies; the deregulation of company use of pension assets, without accompanying deregulation of use by their worker owners; the entering of any number of administrative and judicial order unfavorable to independent citizen organizing (in labor, consumer, or other movements); the "defunding" of countless community and service organizations; the elimination of constraints on "commercial speech" accompanied by tightened constraints on the "time, manner, and place" of citizen speech; the abject failure, despite repeated citizen protest and evident disgust, to reform the financing of elections; a profound shift in tax incidence onto labor and away from capital (certainly not substantially corrected by the recent Clinton initiatives); an efflorescence of new corporate giveaways, subsidies, excess compensations, and bailouts, the last looting of taxpayers "necessitated" by deregulation itself. This long list could easily be extended.

The net "process" effect of *all* of the above — secular trends, government inaction, or affirmatively hostile government action — has been to powerfully accelerate trends toward the concentration of (primarily corporate) power in America, and the erosion of popular sovereignty. The net result of concentrating and unchecking power has been self-seeking arbitrariness in its use. And the substantive results of its arbitrary exercise are the rubble we see around us.

## **DEFINING THE SOLUTION**

Name your cure.

If the problem in America today has been properly described as a problem of democracy — too much power and wealth in too few hands, too little checked by a disorganized (and thus powerless) people — the antidote is clear. Get power back to the people, in organized ways. Force its devolution to those in whose name it is purportedly exercised, while enabling them to exercise it in reasonable and effective fashion. Do this in full cognizance of late 20th century circumstances, and recognition that those differ from an 18th century agrarian society. Do it in a way (appropriate to its goal) that does not impose any perfectionist doctrine, and that frankly recognizes that empowering "the people" means empowering them all, not just those in substantive agreement with oneself. Do it in a way that is politically realistic, that appeals to the most basic convictions of those to be mobilized, and that most effectively disarms the opposition as what it is — reactionary and undemocratic.

We propose, more specifically, a "democratic toolkit" — a series of changes in existing law and practice that, under current conditions, would achieve the devolution and organization of power that defines democracy itself. Think of the toolkit as providing a reservoir for democracy, a new civic infrastructure for America — a means and basis for democratic mobilization, a structure that manifestly

gives ordinary people voice, remedy, and organizing capability in expressing their will in social arenas.

To be effective, this new civic infrastructure must be built not just in those arenas in which members of the society appear formally as "citizens," but in all their principal secular social roles — as *citizens, workers, consumers, taxpayers, and shareholders* in social and private wealth. To speak to the American understanding of democracy (and defeat rightist objections), it must promote liberty as well as equality, and address in its own structure skepticism about the excessive "costs" of sovereign self-government. Thus, it should be structured in a way that chiefly facilitates *voluntary* association and democratic will-formation, and should in general be *self-financing*. Finally, while for all the reasons just given we hope that it would be favored by "progressives," it should be explicitly *open to everyone* and *not directive* (beyond insistence on allegiance to the democratic conviction that justifies it) regarding the exercise of the power it devolves. It should self-consciously avoid the substantive policy commitments that divide people (vouchers vs. non-vouchers, loggers vs. spotted owls, single payer vs. managed care), and focus instead on a more plausible potential basis for popular unity — *democratic process* itself.

The general goal of the toolkit is to bring the institutions of American democracy in line with the realities of 20th century life. Democratic rights here are understood throughout as facilitative. The aim is simply to give citizens the rights to information, access, communication/deliberation, and association now denied them, thus facilitating their innate capacity to govern their own affairs. Tools of feasibility, after which people can devise their own solutions to problems.

What this looks like in substance may be most easily presented as a new "bill of rights and facilities" for each of the social roles just indicated. In each case, we provide an abstract statement of the principles, and then some gloss on the specific proposals they are meant to underwrite. In all cases, affirmative state action to promote the exercise of these rights is assumed as part of their establishment.

***Citizen/Voter Bill of Rights:*** *It shall be the right of citizen to participate freely in an electoral system in which candidate access is not determined by money, party competition is open and fair, and rights to referendum, recall, initiative, and the authoritative rejection of electoral alternatives are all secure.*

Establishing these rights would require, *inter alia*, universal or same day voter registration, a system of effectively full public financing of public elections,<sup>12</sup> abolition of the range of restrictions that presently make third party formation uniquely onerous (i.e., that do not apply to major parties, or that systematically disadvantage minor parties), and universal establishment of the referendum, recall, and initiative rights enumerated, as well as a binding election provision for "none of the above."

***Worker Bill of Rights:*** *It shall be the right of each employee to form associations at the workplace free of the interference of employers, and to be assured of enforcement of statutory regulation of the workplace and the employment relation.*

---

<sup>12</sup> This can be done in different ways, from voluntary checkoffs, to tax credits coupled with stringent contribution limits, to the "100 Percent Solution." Which way is best is something that should continue to be argued over among those who share the basic common goal. The important tactical disagreements, also subject to navigation, concern: (a) whether incremental reform consistent with that goal is worth pursuing at all; and, relatedly, (b) how soon it is possible to make any substantive demands in initiative or legislation. Both of these are classically "political" judgments. They require on-balance assessments of opportunities presented in particular cases, and are not settled by appeal to the common principle. They can, and should, be worked out in the context of case by case assessments.

Establishing these rights would require amendment of current LMRA or state law tolerating employer interference with free employee association and limiting the permitted variety of forms of such association. It would also require shifting the burden of proof on regulatory enforcement onto government and, inevitably (to meet this burden), the deputization of "worker inspectors" in a variety of areas of current regulation. To give rights to enforcement bite, workers and other citizens should have standing in relevant judicial venues to challenge non-enforcement of such statutory protections as those provided by FLSA, OSHA, WARN legislation, and state workers compensation.

***Shareholder Bill of Rights:*** *Individual and collective shareholders shall enjoy rights of effective control over their assets.*

Many complications in solution admitted, the problem is obvious enough. The "owners" of corporations have very little control over them, and this separation of ownership and control has a good deal to do with the lack of corporate accountability. The most pointed and immediate case is that of private pensions — \$2 trillion in assets beyond the control of its worker-owners. We favor modification of ERISA and state pension law to permit worker-owners to directly control pension asset disposition. Also obvious is the diminished right of conventional shareholders to gain fair hearing in corporate governance. Finally, there are a variety of unpropertied "shareholders" in the corporation — for example, its employees, members of the community in which it operates — who are in no way recognized in corporate governance. Beyond ERISA reform, a more democratic interpretation of the rights of "shareholders" — more or less conventionally defined — would imply wholesale revisions in present state laws on corporate governance.<sup>13</sup>

***Consumer Bill of Rights:*** *All consumers of goods and services shall have the right to form associations to monitor, bargain over, and lobby for the regulation of the integrity and sale of such.*

Consumers of most goods and services, even those supplied by monopolies (e.g., public utilities), suffer from nearly classic problems of collective action — they are spatially dispersed, not in communication with one another, and individually lacking the stake in outcomes needed to assume the costs of affecting those outcomes on their own. It is clear enough, however, that this problem has a solution, viz. to use the distribution networks of products and services to inform consumers of the possibility of joint action. From the experience of Citizen Utility Boards, established in a few states in the 1980s, we know that this can be very effective in public utility service provision, and there is no reason why the CUB model might not be extended to the likes of the U.S. Post Office, Social Security and Veterans administrations, public housing authorities, insurance companies and banks, and other government agencies and private producers. The model is voluntary, self-financing, and effective as

---

<sup>13</sup> Consider a Corporate Democracy Act, applying to large corporations, giving all *stakeholders* in corporate decisionmaking a real voice in corporate governance. Rights and obligations between shareholders, boards of directors, and executives would, under this Act, be more or less fully redesigned (with great gains, we believe, in corporate efficiency as well as law-abidingness). The Act would, *inter alia*, mandate installation of a fulltime outside board of directors selected by "cumulative voting" of beneficial owners in elections entirely funded by the company. To short-circuit states wastefully competing among themselves to woo corporate investment — by sanctioning unfair labor practices, pollution, wasteful subsidies, and so forth — federal chartering of corporations with minimum national standards would also be required. Finally, the victims of corporate malfeasance — workers, consumers, local communities, shareholders, and small businesspeople — would be accorded greater access to the court system to redress their complaints.



consumer protectors.<sup>14</sup>

***Citizen/Taxpayer Bill of Rights:*** *Citizen/taxpayers shall have convenient facilities for banding together in order to shape the priorities of the public purse and the management of public assets, including the public lands, airwaves, public works, government data, and other common assets of our heritage and creation; the information necessary to exercise their sovereignty; and the access to government decisionmaking necessary to implement it.*

Establishing these rights would entail such things as the Audience Network;<sup>15</sup> fee set-asides of public revenues from private use of public lands to fund citizen watchdogs on such use; the requirement that all data collected by the government be made available, for free and in accessible form, to citizens; and vastly increased taxpayer standing rights in administrative and judicial proceedings bearing on the disposition of public assets or monies.

***A Final Set of Supports:*** In addition to the articulation and enforcement of these new bills of right, the toolkit would include, finally, investment in the very basic infrastructure of information and education needed to enable people to use the tools themselves. In this category of activity, "establishment" would be seen to require substantial support for, among other things, an extensive modernization of public libraries and other sources of basic information or places of public meeting, and a new civics curriculum — required of all public school students and all private school students in schools receiving any public funds — informing them of the full extent of these rights, examples of their historic and contemporary application, and supervised civic experience using them for students themselves.

---

<sup>14</sup> The way it works is this. By authority of state legislatures, the CUB has the right to enclose notices inside certain mailings (by the state, or service provider) to invite the public to become voluntary members of the CUB for a modest annual fee of \$5 to \$10. CUB pays for this enclosure, and uses the resulting revenue to hire staff for monitoring the relevant agency or provider. This "piggybacking" of state mailings is a convenient, effective way for the CUB to organize a membership and to communicate with it. It also provides a basis for self-sufficiency (it costs the taxpayer nothing) and financial accountability (CUB leadership is elected by members), without additional state bureaucracy, and in a way that enhances civic participation (what the CUB does, and how effective it is, depends finally on the vision and energy of its members). CUBs now exist in Wisconsin, Illinois, San Diego, and soon New York State. They have attracted thousands of members, and saved consumers literally billions of dollars in gratuitous rate hikes from public utilities. Notwithstanding the modest consumer reciprocity for the monopoly and often subsidized status of utilities they represent, CUBs have been fiercely resisted by business.

<sup>15</sup> An application of the CUB model, the Audience Network (AN) would be a national, nonprofit, nonpartisan, membership-financed organization granted some significant (e.g., one hour of prime-time TV and one hour of drive-time radio on every commercial channel each day) amount of media access. AN would function as a separate licensee, airing diverse programming shaped by the membership. It would be open to all citizens over age 16 for a nominal fee, such as \$10 annually, and democratically controlled. AN would also represent consumer interests before the Federal Communications Commission, Congress and the courts, redressing the longstanding disenfranchisement that millions of viewers and listeners have suffered under the current regulatory regime. Again along the lines of the CUB model, Audience Network and its professional staff would be managed by persons accountable to the membership through a direct elective process. Besides membership fees, the Network could lease some airtime back to stations or networks. This would help assure the Network's financial security, and allow it to prohibit paid advertisements. During its time slot, the Audience Network could air a variety of cultural, political, entertainment, scientific or other programs that it produced or obtained. Major abuses which are not publicized for years by the commercial media would receive more prompt attention free of the constraints of corporate advertisers.

If Americans had these rights and supports, what might be the result? The honest answer is that nobody knows for sure, since they have never had them in the past, and the circumstances of their application in any case constantly change. Based on comparative evidence and evidence from our own past (during those periods when the tools of democracy were more clearly aligned with its tasks), however, we are confident that results would include: a much livelier and engaged civic culture; almost infinitely higher rates of voter participation; a significant reduction in corporate and government fraud, abuse, and waste (with certainty, we can say that none of the really major scandals of the last several years — e.g., the S&L fiasco, pension defaults, nuclear weapons cleanup disasters, massive securities frauds, slum lead-poisoning, continued redlining of inner-city neighborhoods — would have occurred if these sorts of monitoring arrangements were in effect); a more disciplined programmatic address of problems affecting the public welfare; a stronger and more effective party system for the processing of citizen demand into effective governance; and better enforcement of statutory commands, with less bureaucracy.

All in all, then, a vast improvement in democratic functioning, and with it a vast expansion of the perceived range of democratic possibility. After which, of course, it is for the people to decide just how to expend the blessings of liberty.

## **GETTING THERE FROM HERE**

But would such a strengthening of American democracy be possible? We think so. It may take a while, but it's definitely doable. And right now is a particularly good time to begin.

### ***Why the Moment is Right***

Several considerations recommend beginning a democracy campaign now.

On the temporal aspects of the "moment," in descending order of immediacy: things are bad, and the sooner we get started on fixing them the sooner they will be fixed; public disgust with the present system is at an all-time high, as reflected in the Perot phenomenon and general survey data;<sup>16</sup> the wave of term limits legislation (now in place in 14 states, and soon to extend to 8 more) is about to have real effect — either it will open up state assembly (and perhaps Congressional) seats as never before, or it will (absent public funding and other meliorative measures to level the playing field on candidates and parties) further consolidate the stranglehold that corporate-minded high-donors have on the political process;<sup>17</sup> in the impending face-off between Clinton and Perot,<sup>18</sup> the issue of fundamental democratic reform is not

---

<sup>16</sup> The data from Gordon S. Black Corporation, which has done repeated detailed polling focused on popular interest in pro-democracy reform, is particularly good. It strongly supports the assertion made in the text. (See various issues of *American Policy Monitor*, a newsletter produced by Black reporting recent surveys.) Similar findings have recently been reported by Greenberg Associates (in a massive survey of Perot voters done for the DLC), Gallup, Princeton Survey Research, Harris, and many others. All show high levels of discontent with existing process, and deep interest in fundamental electoral and other reform. One typical finding from Black showed, for example, showed substantial public support for: term limitations (77 percent); rights to initiative, recall, and referendum (82 percent); elimination of PAC contributions (66 percent); public funding of elections if linked to elimination of PAC contributions (76 percent); and elimination of all campaign contributions by foreign governments, firms, and organizations (78 percent).

<sup>17</sup> Thus far, progressive forces have generally been on the receiving end of the terms limits phenomenon, which has (from the right) successfully tapped into anti-corruption fervor. There is no reason progressives should not seize the same public energy and move it in a more positive democratic direction.

going to go away, and may figure pivotally in calculations in the 1996 presidential campaign.<sup>19</sup>

Organizationally, recent years have seen substantial growth in groups broadly concerned with "pro-democracy" reform. Organizations centered on the debasements of our present system of campaign finance are, of course, particularly prominent. But the ranks of groups formally dedicated to pro-democracy reform extend well beyond them. At the outer (for our purposes) rim of these groups, moreover, are countless more that, in theory, *should* be attracted to pro-democracy reform. Here we would include virtually all organizations broadly identified with almost any "progressive" agenda of substantive reform — from environmental groups to trade unions, community housing activists to consumer federations — *and* a variety of groups that would in no way class themselves as "progressive" but still, for organizational reasons of their own, want more effective voice and access to the present system. Many of these groups, certainly all the national ones, have means of multiplying a pro-democracy message — through their newsletters, direct mail, or basic organizing — either as a relatively costless add-on to their narrower substantive message, or as a more or less direct boost to "pro-democracy" organizing they are already doing. And, finally, there are a variety of presently excluded political organizations — we think here primarily of minor parties, now of growing importance in the life of many states — that would be attracted to this as a defining oppositional issue, and a source of direct support to their organizing efforts.

It is true that the efforts of these groups are usually not concerted. Contention for scarce resources promotes organizational jealousies, and substantive differences on policy have long precluded more than episodic coalition politics. In principle and practice, however, *all* stand to gain from an expansion of democratic freedoms. Declaring *that* point about the common utility of the democracy toolkit, rather than striving for agreement on some substantive policy goal, provides a basis of unity among otherwise conflicting groups. And the resultant *unity*, by producing all sorts of economies of scale and scope, could relieve some resource questions. Let's say a trade union is approached with a mailing on pro-democracy reform — for example, increased electronic media access via the Audience Network — of obvious interest to anyone conducting popular organizing drives. Might it not send it? Let's say that the different groups working together on legal aspects of such reform got together to map a common strategy. Wouldn't there be enough work to go around? Let's say that, in a given state, all the progressives, all the Perotistas, all the good government people, and anyone else who wanted to come was invited to signoff on and help change the basic rules of the game — not just their narrow end of things, but the whole thing — wouldn't some people come? We certainly think so.

It is here that it is best to think about one natural objection to this campaign, viz. that it is too *broad*, and thus risks enervation through lack of focus. To this we say two things. First, at any given point and locale the campaign would *of course* need to focus energies. This can be done simply by agreeing on a sequence of moves in implementing the broader agenda, which agreement we would expect would vary somewhat from one locale to the next. But second (assuming such basic competence in focus), the breadth of the vision is in fact an *organizational strength*. Look at what we are doing here. We are appealing to all the different special interests and isolated individuals out there and saying "Look, you all have a stake in

---

<sup>18</sup> Or Perot-inspired parties, their progeny, and new partners. It is interesting to note that all the new centrist political parties (Patriot, Independence, etc.) that are on the horizon, as well as at least one of the "left" ones (New Party), define themselves in the first instance as parties of pro-democracy *reform*.

<sup>19</sup> Many think, we think correctly, that Clinton erred tactically in not pushing harder on campaign finance reform — an issue that could define him as insurgent, doing a new politics over the opposition of the (much hated) Congress, and obviously pro-reform. These are the buttons he needs to push with Perot voters, about which he is rightly worried.

all or part of this, and the legitimacy of that stake is exactly equal to that which leads 'your piece' to be included, namely, an interest in democracy." We are using the toolkit as a way to build unity, among otherwise divided or preoccupied people, around building democracy itself. And these people, we warrant, are not naive. They know that getting a real working democracy in the United States at present requires "soup to nuts" reform of the basic rules of American public life, not just tinkering with one or another part.

**So ...**

We could talk about details of campaign structure, target states, and so on, but any further specification of them without support is meaningless, and any support will come with all sorts of improving ideas, changing what might be said here. The question now before us is whether a critical mass of people, in a few select states, are willing to make this sort of sustained effort. We are definitely down for this. What about you?