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RADICAL SOCIAL MOVEMENTS
AND THE RESPONSIBILITY OF
PROGRESSIVE INTELLECTUALS

Eric Mann*

I. INTRODUCTION

Social movements do better as they gain momentum. At this point in history, however, as we await the new millennium with more trepidation than hope, the forces of gravity are moving against us. I talk about my own work not to glorify or objectify it, but because I think it offers some hope. It is rooted in actual social practice, radical Left

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social practice, which I have gained through thirty-five years of participation in the great social movements of our time. I have spent the last fifteen of those years organizing in Los Angeles.

United States capitalism is the most individualistic, atomized, alienated society imaginable. Commodity production and consumption is destroying any semblance of community. Such destruction creates social havoc and prevents oppressed communities from organizing even militant movements of resistance, let alone social transformation. In that context, progressive, radical Left-wing professionals, including law professors, who want to be of value to and participate in grassroots social movements, are at a dead end. For without social movements, they are reduced to social critics. University based criticism of the existing order is essential with or without a movement. However, without a common strategic objective, a common organized force, and a collective consciousness, the role of social criticism leads to demoralization among both teachers and students. Without organization, there is little hope of changing anything.

From this perspective, I come here not only as an invited speaker, but also as a fellow organizer, to encourage your participation in the Society of American Law Teachers (SALT). I have come to offer some encouragement and strategic observations to help you build this organization into a stronger force, and to encourage greater organizational connections between the Strategy Center, and SALT, and other campus based organizations.

II. THE LABOR/COMMUNITY STRATEGY CENTER

The Labor/Community Strategy Center is a multiracial think tank and act tank in Los Angeles. While its work is considered broad and multifaceted, the core strategy of the Center’s work is to rebuild a multiracial Left with experimental theory, practice, and forms of organization. Our work focuses on urban questions in a “megacity”—a world city of more than nine million people, while our organizing plan encompasses the totality of urban life and reaches out to other cities throughout the world. Our explicitly anti-racist and anti-colonial politics are rooted in initiating mass campaigns and mass struggles in working class communities. We emphasize the participation and leadership of women and people of color.
The Strategy Center was initiated in 1989. Ironically this was the same year as the fall of the Soviet Union and the Berlin Wall, during the alleged "end of socialism." It was built to challenge the dominant obituary: "the end of Left ideology once and for all." The Strategy Center was an aggressive, experimental effort to build on the past achievements of the international Left. It was designed to radically deconstruct and criticize fundamental errors and crimes of socialist and Left history, and began with an unequivocal critique of capitalism and imperialism.

The three questions faced in this experiment were the following: First, could we present a coherent ideology that was less than a fully developed socialist theory but more than a series of random "progressive" reform efforts? Second, could we recruit and train organizers around such a nascent and experimental theory? Finally, could we build an anti-racist, anti-capitalist campaign that could take on the AFL-CIO bureaucracy, the civil rights establishment, and the Democratic party, at a time when so many people were so worried about Reagan, Bush, and Gingrich that anything to the center seemed Left enough for them?

In the beginning, the Strategy Center was heavily Left-baited, even from the progressive movement. It was said, often behind our back, that,

"The Center pays too much attention to race. It focuses too much on concepts, on ideology, and the members try to impose their views on 'the community.' They are mechanical and dogmatic, they cannot organize, they are living in the 1960s, or even the 1930s, and they do not understand the new conditions of life right now. Talking about capitalism turns people off . . . ."

After a while, we limited discourse with the organized so-called progressive movement in Los Angeles. Initially, we questioned this limiting strategy, but after a while we became convinced that the goal was not to debate in a vacuum, but to merge theory and practice. We desired to bring our ideas into oppressed communities and to build mass working class organizations based on a clear anti-racist, anti-corporate line. Then, we could re-approach other progressives based on the strength of our practice.
In the past fifteen years, we have built three major movements and organizations. The Labor/Community Coalition to Keep GM Van Nuys Open challenged the closing of Los Angeles' last auto plant. The Labor/Community Watchdog challenged industrial pollution in the Wilmington/Harbor section of Los Angeles. The Bus Riders Union (BRU) fought for a first class mass transit system in a world "megacity." Moreover, in the heart of the reactionary 1980s and 1990s we took on General Motors, Texaco, the Western States Petroleum Association, much of the Democratic party, and powerful government agencies, including the South Coast Air Quality Management District and the Metropolitan Transportation Authority (MTA). In each situation, we won highly visible structural victories, considered almost impossible to imagine at the time. We kept the GM plant open for a full decade against GM's wishes.1 We succeeded in implementing the first community right-to-know toxic law.2 The Strategy Center also continues to experience victories with the BRU, beginning with the granting of a temporary restraining order (TRO) in 1994 that prevented MTA from taking financial advantage of minority bus riders. Our success continues with the recent MTA vote to purchase more than 800 buses at a cost of over 300 million dollars.3 In contrast to repressed Left discourse, with many Lefts and former Lefts speaking with forked tongues, the Strategy Center is very forthright ideologically. It amazes me that on the streets of Los Angeles the BRU is one of the most visible and popular social movements in the city.

III. LAW AS A TACTIC IN THE STRUGGLE FOR SOCIAL CHANGE

One interesting facet of our work and its relationship to the teaching of law is the story of how the Strategy Center and the BRU used the law as a tactical method of social change. This grass roots militant movement utilized the law as an essential weapon in the Title VI case—Labor/Community Strategy Center v. Los Angeles Metropolitan

Transportation Authority. We argued that the MTA violated the 1964 Civil Rights Act and the fourteenth Amendment by establishing a separate and unequal transit system in Los Angeles.

The MTA operates a segregated rail system with a large, significantly white, affluent suburban ridership. It receives very high subsidies per passenger and has excellent overall service and facilities. Simultaneously, the MTA also operates a dilapidated, deteriorated bus system with more than 350,000 predominantly minority bus riders each day. The bus riders constitute ninety-four percent of all the MTA transit system passengers. The bus riders are eighty-one percent Latino, Black, Asian/Pacific Islander, and Native American, and more than sixty percent come from extremely low income levels. Title VI does not require proof of intentional discrimination; rather, plaintiffs "only" need to prove adverse discriminatory impacts. In practice, however, courts are very hostile to Title VI claims. Nevertheless, because the MTA created such an explicitly and shockingly racist transportation system, in 1994 we were able to surpass the Title VI hurdle, and win a highly publicized TRO against the MTA. The TRO prevented the MTA from eliminating the monthly bus pass and from increasing the daily bus fare.

Additionally, in 1996, with the help of our attorneys at the National Association for the Advancement of Colored People (NAACP) Legal Defense and Educational Fund, in conjunction with the active participation and leadership of the BRU, we were able to reach a negotiated settlement with the MTA that ultimately led to a Consent

7. See id. at 1.
8. See id.
9. See id. at 3.
11. For example, subsidies on the train cost three dollars to ten dollars per passenger per ride, and subsidies on the bus cost 33 cents per passenger per ride.
13. See id.
Decree. The Decree established the BRU as “class representatives” for 400,000 bus riders, spanning over the next ten years, subject to a federal court oversight process.

In an article written by myself and Chris Mathis, entitled *Bus Rider Organizers Meet the Law: Civil Rights Consent Decree? Legal Tactics for Left Strategy*, we discuss the law as a tactic that is part of a broader strategy of building a multiracial, working class movement. Our class action legal case has been an essential tactic in building our organization, but it is always subordinate to our overall objectives. In fact, contrary to expectations and to the present reactionary state of the federal court system, we have won amazing victories precisely because of our integration of the sometimes contradictory, but in our view, essential dialectic of mass and legal organizing. For example, winning the TRO was a great legal victory, but it was an even greater political victory. The BRU, then in its fledgling stages, catapulted into mass consciousness. It was then up to us to consolidate the masses, and we did so through painstaking organizing work on the buses, one day at a time, one passenger at a time.

**IV. THE ROLE OF IDEOLOGICAL STRUGGLE AMONG PROGRESSIVES TODAY**

Now, I want to lay out the framework for a lifetime conversation—the discussion of my own work and its lessons can only be a starting point. First, the Labor/Community Strategy Center has spent a lot of time building organizations and structures of resistance. I really want to encourage the members of SALT to understand how exciting and important it is to have an organization. At the Center our slogan is: “Consciousness, Leadership and Organization.” From our perspective, all organizing work in this period in history should be evaluated by whether or not it builds new consciousness, leadership, and organization.

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16. See *id.*
We need consciousness in order to radically change the debate and to move in a very aggressive, counter-hegemonic way against the ideology of the existing system. The Strategy Center is not trying to influence the existing discourse as much as it is trying to radically confront it. The dominant public conversation today has never been more repressive. It takes place within existing limits of an increasingly white, racist, bourgeois dialogue. The conversation always makes you feel like you are the Left-wing of a right-wardly moving bus. If you are not consciously challenging the existing ideology, or not willing to form an organization and situate yourself consciously on the Left, then you are going to move to the Right almost without realizing it.

The process of moving to the right is very seductive and disorienting because you will not realize your own gradual intellectual and political deterioration. You will always congratulate yourself, “Hey, I’m to the Left of everybody in my department, or, I’m to the Left of everybody I’ve heard on television.” But obviously, much more is needed. If you are willing to think outside of what Chomsky called the “bounds . . . of thinkable thought,” and if you are ready to fight the universities, the courts, the media, the Democratic party, the Republican party, and your own department, then you will discover that there is a high price to pay for moving to the Left. This is because we do not live in a democratic society. The price of dissent is to risk a heavy payback from the system.

There are, however, some professionals who, despite their privileged position in society, are in accord with Left politics and speak out for the underprivileged. For example, some epidemiologists want to talk about the role of toxic chemicals and the role that corporations play in shaping, and often distorting, the university curriculum. These scientists want to set forth a people’s science, as opposed to a corporate science—reflected in very concrete demands. They advocate the banning of all known carcinogens before conducting epidemiological studies to determine how many people will contract cancer or die. Many of them have begun to ally with, teach, and learn from militant community groups in “cancer clusters” throughout the United States. Not surprisingly, these individuals are facing brutal challenges to their

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professional competency, from corporate organized campaigns that aim to deny them tenure, discredit their research, and undermine their scientific credibility.

Similarly, there are also radical professors who want to challenge class, race, and gender bias of capitalist law. They want to consider demands by social movements that are extralegal, or even illegal. Many women and people of color, at the university faculty level, understand from their own experience the structural oppressiveness of the system. They face discrimination at every level, even in their attempt to attain tenure. They must weigh their personal professional struggle against their obligation to speak out, from a position of considerable vulnerability, on controversial issues. They often try to explain their predicament by stating: “I know there’s a price to pay for speaking out, outside of the new multicultural cotton-candy system enforcing ‘triple-speak,’ but I’ll get my job first and pay that price later.”

This is a bad social theory—there is never a time when risk feels safe or retaliation is not threatening. For virtually everyone there is vulnerability. For a battered woman contemplating running away there is the threat to her children, or the threat of even more danger if she is caught. For the privileged professionals in the world’s superpower, there is always something in the present that we want so much, materially or egotistically, that we are willing to defer our principles in the name of realpolitik. Clearly, self-preservation and tactical sophistication play a role in any strategy, but in a time of unrivaled racism and reaction in this country, we need to recruit a new generation of intellectuals who are willing to subordinate their career objectives for the sake of a broader strategy for social revolution. The question is not whether professionals should have careers, obviously they should. For the most politically committed and effective professionals, however their career must be driven by politics, and that is a very hard thing to carry out without organizational support systems.

This is why SALT is so important. We need institutions that can help problematize, theorize, strategize, and develop tactical plans for achieving the most impact with the least risk of isolation and retaliation. Every person who is willing to be a true Left leader, in the entire history of the United States, understands that isolation, retaliation, and personal cost are possible outcomes of challenging the ideology of capitalism, the ideology of empire, and the ideology of the system.
The civil rights and anti-war movements succeeded as a result of the contributions of front-line activists, who understood social change as a life and death struggle—with life and death risks. If they were willing to put their lives on the line, surely we can understand that in some instances, we must put our tenure on the line.

Unfortunately, there are very few militant and radical social movements that create such a challenge to college faculty at the law schools today—so many of those essential and historical dilemmas for progressive intellectuals are deferred or avoided. More often, progressive faculty face a more depressing dilemma—How can I encourage young people to enter a profession that has done so much to impede and even undermine the basic human rights of the oppressed? How can I teach law as simply the rules of the masters’ system?” My answer is that being a lawyer or law professor does not translate into being an advocate of the current state of the law. Teachers and students should consider themselves first as political scientists and political organizers. Throughout history, radical lawyers have been essential, often defending the political activists who are the most oppressed and repressed. For example, Charles Garry, William Kunstler, Leonard Weinglass and countless others have been essential advocates for the political prisoner class. They have defended the rights of movement activists facing repression and even death. Some lawyers even defended whole social movements that attempted to expand the rights of entire classes of oppressed people.

Even today, when the law is so reactionary and “precedent” is nothing more than codification of three decades of reactionary judges appointed by Reagan, Bush, and Clinton, legal intervention is essential. This is especially true for attorneys defending the rights of movement activists who face repression and even death, such as Mumia Abu Jamal. It includes attorneys representing the dozens of almost forgotten heroes of the black liberation movement of the 1960s and 1970s, who also are still in jail. We need more radical attorneys, not less, and we need those who are willing to expand the rights of entire classes of oppressed people.

But for many law faculty, the sometimes vulgar populist challenge to “get out in the community” or to “get off the campus” is neither tactically nor strategically beneficial. I suggest it might be more useful for you to see yourselves first as political organizers. Re-examine your
department, your courses, and your university and perceive your environment as one site of struggle that could be competing with many other sites of struggle. The university is a critical site of struggle for many reasons.

First, from the United States to the Third World, the university is home to the student movement. The student movement is essential as a radical, and at times revolutionary force in society. Second, the university has growing corporate ties that allow for direct struggle with many of society’s most powerful and visible forces. Finally, the university is a central cultivator and disseminator of the ideology of dominance—even more than the dominant ideology—which can be challenged visibly at its heart. At most law schools, and I can speak directly of my own undergraduate experience at Cornell University, the ideology of being trained to be part of the new ruling class is in fact quite blatantly conveyed to the students. Such an environment allows radical or even thoughtful faculty to challenge the curriculum and culture of their own university.

In my travels around the country, I spend time speaking to low-income residents of oppressed communities, activist law professors, and other groups contemplating radical social change. Among these people is a widespread sense of despair. College faculty in particular, who often teach about social movements from a position of indirect knowledge, find it is very difficult to move from critiquing the system to proposing strategic and tactical methods for change. Many university faculty lament their lack of ties to low-income, working class, and minority communities, and for good reason. Few professors, however, are really equipped psychologically, culturally, or professionally to transform themselves into community organizers. We should not underestimate the powerful role that radical intellectuals from the university can play in impacting social movements on campus, as well as their essential role of popular and radical writing that can impact working class intellectuals. Radical professors can also play an integral role by inviting leaders of social movements to campus, so that they may help challenge theories of the corporatized university.

Strategy Center members come from many different histories and affiliations, like the Rainbow Coalition—people who worked for Jesse Jackson in ‘84 and ‘88—liberation theologists, radicals, anti-racist feminists, socialists, and communists of different theoretical orientations. Our unity is rooted in what we call theory-driven practice, which focuses on issues of strategy and tactics, and the building of actual mass movements in opposition to powerful forces, such as the corporate elite of transnational corporations. In addition, there is considerable struggle with the more established forces in the Democratic Party, including the civil rights, environmental, and labor establishments.

It is ironic that the New Left of the 1950s, 1960s, and 1970s grew up with antagonism toward the Democratic Party, believing that the Southern Democrats were the bulwarks of racism and that Vietnam was the Democrats’ war.18 Yet today, so many liberals, who speak out against Newt Gingrich and Pat Robertson, are silent when Bill Clinton cuts women off welfare or initiates human rights violations against civilian populations in Cuba, Iraq and Kosovo.

Today, many liberal law professors hide their own personal and career attachments to the Democratic Party’s anti-Left Democratic Leadership Council, with vague calls to soft utopias—speaking in the language of co-optive evasion. The term “community” is one of the most dangerous platitudes of the co-optive liberals in academia. Last year I was invited to participate in a workshop at the American Association of Law Schools, organized by some very thoughtful law professors who were affiliated with SALT. But at the plenary sessions, I was appalled to hear the low level of progressive discourse. Of the participants, many women and people of color had blatantly careerist and centrist politics. They claimed, “It’s time for us to get off the campus and get involved in ‘the community,’” but what they did not explain was the politics of academia, or of the community, or where and what the community actually is. The term “community” should refer to low-income, working class, minority neighborhoods. However, in Los

Angeles, and I know in every major and minor city in the United States, the "community" is just as "corporatized" and politicized as the university. The dominant political form of organization in Los Angeles is a new, multiracial, transnational elite that has its roots in every church, union, and community group in the city. It is a system in which government contracts and funds are the new currency of coalition and difference, and most "community leaders" have no political independence or even the aspiration to be independent.

For example, in Wilmington, California, when the Texaco refinery exploded in 1992, we organized a movement of low-income residents to challenge Texaco's practices. We called for Texaco to reduce its emissions by fifty percent. We also demanded that the corporation provide a community health inspector, that it provide a community health clinic for treating respiratory problems from emissions from toxic chemicals, and we called for reparations to the people of Ecuador for Texaco's decade of "drill and run" ecological devastation. During this campaign, we discovered that virtually every church and public school in the area had received computers from corporations. Every trade union and every elected official also was beholden to Texaco and its powerful and brilliantly organized lobby, the Western States Petroleum Association. WATCHDOG, the group we organized, challenged the corporate power and the "company-town" atmosphere that Texaco, as well as Chevron and other oil refineries, had cultivated.

Our efforts were impeded by the sordid and pathetic ties that bind the community. It was tragic to see so many prominent community figures silent, or even hostile, because of their ideological and material integration into the Democratic Party and the corporate machine.

It is neither adequate nor honest to talk about "working with the community" or worse, to speak in "working to empower the community" rhetoric. Most of the time this language only serves to conceal the most blatant corporate agenda. You must formulate your own strategies and tactics and bring your own challenge against the corporate and racist domination of United States society. You must challenge our government's constant expansion of empire and the denial of self-determination to so many people throughout the world. Only then will you find your own allies in both the university and the many communities that need to be organized.
Another critical turning point in these new lines of demarcation on the urban scene took place immediately after the urban rebellion in Los Angeles in 1992. Shortly after the rebellion, Bradley and Wilson recruited Orange County entrepreneur Peter Ueberroth to organize a widely proclaimed, comprehensive private sector response to the public crisis. But Ueberroth's new organization, Rebuild Los Angeles, soon made clear the central components of its "corporatist" agenda. It demanded environmental deregulation, more police, low wage "enterprise zones," and explicitly pro-corporate politics in the community. Black, Latino, and Asian community residents were told, "If you want to attract private investment, you have to make yourself attractive to business. You have to start seeing South Central as a new market, even a third world country, but certainly not as a site of all that old, outdated and self-defeating militancy."

Following the 1992 rebellion, the Strategy Center spent a year working with academics and organizers to draft a rather comprehensive Left program for urban politics. This agenda is reflected in our publication, *Reconstructing Los Angeles—and U.S. Cities from the Bottom Up*. Though it was difficult to develop a coherent counter-plan, it was even more difficult to find allies. Ironically, most community operatives preached the gospel and even sang in the corporate choir.

Instead of investigating the causes of racism and police abuse, most community players bought into the program of "community based policing." Police brutality was explained as a product of cultural misunderstanding and perhaps as bureaucratism, but not as an inherent role of armed force in low-income, black and Latino communities.

On the first anniversary of the rebellion, when *Reconstructing Los Angeles from the Bottom Up* was published, we developed complex demands for an expanded, high wage public sector, that helped to shape the subsequent "living wage" campaign. It also included demands regarding public sector wages, the initial program of the Bus Riders Union, and a strategy of building public pressure on the investment decisions of private corporations. We also worked to build a movement to stop a federal Weed and Seed program that proposed to criminalize minority youth in certain "target zones," using federal

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funds and troops. It sought to establish federal law with harsher penalties in communities of color, while allowing the normal state law to operate in affluent and predominantly white areas. To our shock, we were told by low-income community organizers, many of whom were former revolutionaries and members of revolutionary nationalist and communist groups, that while they opposed the program, calling it neo-fascist, racist, and all the right words, they could not oppose it publicly. This is because their own organizations or agencies received substantial public funds. While they preferred to take funds from the Department of Health and Human Services, they would take funds from the Justice Department, with all the ominous strings attached. Thus, we had to find the brave intellectuals of all races, primarily people of color, who were willing to stand up to the “corporatist” agenda after the rebellion. Anthony Thigpenn of the AGENDA project and professor Rudy Acuña of Cal State University Northridge were two outstanding leaders in this campaign. We pressured the Los Angeles City Council to agree to hold hearings in minority communities and to warn the residents of the dangers of the Weed and Seed program. Some of the residents, legitimately afraid of “crime” and “gangs,” were initially open to more police and even an occupying army. Other political figures argued that while they opposed the program, they were tired of seeing minority communities “short changed” and did not want arrogant Lefts from the Strategy Center and other groups to lecture to them about the morality of taking funds. Rudy Acuna, in front of 500 people, lectured City Councilman Mike Hernandez that when he first organized the Chicano Studies Program at Cal State University Northridge and was somewhat desperate for funding, he was offered “private” funds from cigarette manufacturers to help “sponsor” the program. He explained that he would not fund the program with a product that could addict and eventually kill a new generation of Chicanos. Mike Hernandez deferentially told Rudy, “Well, that is why you are called the conscience of our community.” Rudy shot back, “Our community needs a lot more people of conscience. Don’t anoint me. Refuse to take the money.” I raise this point because this was an example of an effective university-based intellectual with a long history of alliance with social

20. A Call to Reject the Federal Weed and Seed Program (The Urban Strategies Group of the Labor/Community Strategy Center, Los Angeles, Cal.).
movements. By contrast Mike Hernandez plays a very reactionary political role, in direct opposition to the politics of other university-based intellectuals and community residents. The issue, therefore is not primarily one of location, but one of politics and principle.

The tragedy today is that many progressive and campus intellectuals who want to become involved in Left social movements in oppressed communities, with all the culture shock that it will often require, cannot really find radical social movements, because often they do not exist. That is a terrible dilemma that must at least be acknowledged and transcended—as we try to move beyond vacuous and deceptive “get down with the people” politics, often used to silence university-based intellectuals. That is why often I encourage university faculty not only to broaden their contacts, but also to understand the strategic centrality of their present location.

VI. THE STRATEGY CENTER’S CAMPAIGN AGAINST TRANSIT RACISM AND THE FOUNDATION OF THE BUS RIDER’S UNION

We dream up campaigns. We bring in intellectuals, working class intellectuals and university based intellectuals, focusing on working class intellectuals. We encourage participation from people of color, women, and white people who are thinking strategists. We think about several things. What do we want to do in Los Angeles? One, we want to challenge the corporate agenda. Two, we want to find an issue that can focus all the races around an anti-racist issue. Three, we want issues deeply felt by communities of color, particularly the urban poor. Four, we want to clean up the environment and focus on air quality issues, which are very important to us as a public health issue.

We also want to take on what we call the corporatization of the state. In modern day capitalism, especially on a global basis, profits are harder and harder to make, except for the high-tech “gorillas” and the most powerful multinationals. As a result, the capitalist state, which once was seen in liberal terms as a mechanism for a mild redistribution of wealth to compensate for the ravages of the market and to mediate class conflict, is now seen as a major source of corporate contracts, protected from the actual competition of the market. In the case of Los Angeles’ rail system, it is a mechanism for taking sales tax money, one cent on the dollar, and moving it into the MTA. From there it is distributed to rail construction contractors, with enormous
tolerance for cost overruns. This makes MTA one of the few safe investments of corporate capital, because if there is no profit, or not enough profit, the MTA board can grant a "change order" and provide more money. "Corporate welfare" is too superficial a term for this behavior. The corporatization of the state in the age of transnational capitalism means that the state is now an important and increasing source of profit for the so-called private sector.

This debate, over the class nature of public funds and government is one of the central issues of our work. But the most central theory that drives this work is a unique anti-racist analysis, heavily rooted in class exploitation and women's oppression.

When I first became involved in mass transportation organizing, I was told that the MTA operated two separate, although allegedly interrelated systems: a bus system for the urban poor of color, and a rail system primarily serving suburban whites. But in the era of "post civil rights," which means "no civil rights," even members of the Rapid Transit District talked in terms of "the bus system as stepchild," "the bus system as second class citizen," "the bus system as the workhorse for the poor." But the members stayed away from discussions of racism or civil rights violations. Perhaps this was due to the fact that the new CEO of the MTA, Franklin White, was black, and many of the new MTA board members were powerful elected officials from the Black and Latino community.

In 1994, the MTA, with a three billion dollar a year budget continued to build rail lines that were running at 300 to 400 percent above cost. They did so by raiding the bus system that served, or misserved, ninety-four percent of the people. The fledgling Bus Riders Union, deploring the deteriorated, overcrowded, late buses with segregated transportation patterns, went to the MTA Board and asked them to place a three year, two year, or any year moratorium on rail construction. Our goal was to free up funds that could then be used to improve conditions on the buses. The initial MTA reaction was that we were crazy, working against "progress." There was not a serious conversation about what a clean fuel, first-class, state-of-the-art bus system

21. The Rapid Transit District, RTD, is the Los Angeles bus system predecessor of the later amalgamated MTA.
22. See Mann, supra note 12.
23. See id.
could be. Everyone just kept repeating the mantra that actually reinforced racial discrimination and segregation: “Bus is the past, rail is the future,”—in what seemed to be clearly coded race and class tones. This struggle to change the discourse was most opposed not by Los Angeles Mayor Riordan, who came into power with a strong appeal to white conservative and often racist voters, but by many women and minority public officials and professionals. We came to understand that the material basis of that pro-rail ideology, and challenge to any discussions of racism, was that the rail system had been one of the few gravy trains left for minority and female contractors. The MTA even funded murals of progressive icons, Cesar Chavez and Rosa Parks, to “rainbowify” the new train stations. Many female and minority business people, many of whom were hanging by a thread, told us that they supported our movement, agreed with our demands, but had to take the money because “rail is the only game in town.” The reason I emphasize this is not because these groups were the main problem, but because we had hoped they could be among our allies. In fact, when we began, we had few allies, except the 400,000 bus riders themselves. Construction unions saw digging holes in the ground as two to four year sweetheart contracts. Supporters of the rail included powerful construction firms such as Tutor Saliba and Parsons Dillingham, real estate developers, and a few white and minority suburban commuters who wanted to use the service occasionally, if and when it was built. Many community groups with whom we had allied on environmental racism issues, such as opposing the siting of toxic waste facilities, saw rail as a positive public works project. Though they admitted it benefitted few, cost a fortune, and raided the bus system, they argued, “Well, the white people always get those type of projects; now it’s our turn.”

So in the beginning we had a theory and no movement. The concept of stopping rail was almost as radical as saying you wanted socialism, and throughout 1993 we were building a small base among bus riders. Even in the first year we had a sense that a movement could be built, but with so few allies in the electoral arena, or in the civil rights movement, it was hard to discuss a “united front.” Without allies, new social movements are very hard to build.

In 1994, however, the MTA made a major tactical mistake that helped our movement significantly. They not only gave seventy
percent of the rail money to six percent of the riders, but they actually chose, after bleeding the bus system dry, to raise the bus fare from one dollar and ten cents to one dollar and thirty-five cents. They also chose to eliminate the unlimited use monthly bus pass. For people in Los Angeles who use public transit, the unlimited use bus pass is their life-line. Without a forty-two dollar pass, you are paying one dollar and thirty-five cents plus a twenty-five cent transfer for each ride. If you are paying one dollar and sixty cents per ride and your kids are paying one dollar and sixty cents per ride, you are likely to run out of money. And when you run out of money, you run out of transit. When you are making four dollars, five dollars or six dollars an hour and three dollars and twenty cents of that is spent for a round trip bus ride to work—one that will take one to two hours each way, if the buses do not break down—you are spending almost an entire hour of your labor simply getting to work on “public” transportation. On top of that, you are also paying a one cent sales tax.

By 1994 we had a small movement, an ambitious and some might say grandiose “billions for buses” plan, and yet we were at a dead end: The MTA board was hard as a rock. When I spoke out against the fare increases, I was attacked by MTA police and thrown into a wall. When other BRU members yelled and stood up in protest they were attacked by MTA police, had their arms twisted, and were thrown out of the meeting.

At a meeting of BRU organizers, I proposed, literally as a method of last resort, the idea of going to court to try to get a temporary restraining order against the fare increases and elimination of the bus pass. Our grounds would be that both the increase and the elimination would cause “irreparable harm” to the MTA’s 400,000 daily bus riders, eighty-one percent of whom were Latino, Black, and Asian Pacific Islander. Perhaps the 1964 Civil Rights Act could be relevant thirty years later.

We had no illusions. We had just read The Limits of the Law, an important book by Stephen Halpern, who later became a close ally of the Strategy Center. Halpern’s book chronicles the painful history of

how Congress passed Title VI of the 1964 Civil Rights Act because ten years after Brown v. Board of Education\textsuperscript{26} allegedly integrated the schools, more than ninety percent of all black children in the South were still in virtually all black schools.\textsuperscript{27} Halpern’s book outlines how the very powerful remedy, withholding federal funding from local and state government agencies guilty of racial discrimination, virtually never was enforced.\textsuperscript{28} No United States President wanted to risk the wrath and lose the votes of an entire city or state by withholding money: the lifeblood of United States politics and society.\textsuperscript{29}

We called the NAACP Legal Defense and Educational Fund and, fortunately, attorneys Connie Rice and Bill Lann Lee agreed to take our case and push ahead at breakneck speed. They agreed to file a motion for a temporary restraining order at federal district court in less than three weeks—in time for the September 1, 1994 deadline—when the bus pass would be eliminated. When the federal judge ruled in our favor and stopped the MTA from raising its bus fares, it was as if the entire city lit up. We came out of the courtroom and onto the courthouse steps, surrounded by a literal army of media. We had made history, and made the front page, even at the height of the O.J. Simpson trial.

The temporary restraining order was the essential breakthrough for our movement. We went from a small impressive grassroots group to a major city-wide, and even national, force almost overnight. This demonstrates that legal tactics can be critical components of social movement organizing.

Our members figured that with the temporary restraining order in hand, the courts would rule on our more fundamental challenge to the MTA in a few months. We hoped the courts would order thousands of new buses, put a moratorium on rail funding, lower bus fares and bus passes, and for once, put ninety-four percent of the MTA’s passengers in the driver’s seat. In the following two years however, the MTA board continued to stonewall us. Each stage of the pre-trial motions was marked by delay. Finally, in 1996, we negotiated with MTA and signed a Consent Decree.\textsuperscript{30}


\textsuperscript{27} See Halpern, supra note 25, at 45.

\textsuperscript{28} See generally id.

\textsuperscript{29} See generally id.

\textsuperscript{30} Labor/Community Strategy Ctr. v. Los Angeles Metro. Transp. Auth.,
The story of why we did not go to trial, the choice to settle the case, and our assessment of the strengths and weaknesses of the settlement are a history book in itself. It is best analyzed with years of perspective. To our disappointment, however even after we agreed to settle the case, the MTA completely violated the settlement, acting as if this was a treaty made to be broken. Our members were very discouraged. A year later the bus system was actually worse than before. Many of our members lamented, “Why did we put so much of our time, so much of our lives into this? The Consent Decree is not worth the paper it is written on.”

While we all shared this feeling, we also understood that the fight to enforce an agreement with a government agency, an employer, or a transnational corporation is the most difficult part of the struggle. We could not simultaneously present ourselves as Left analysts of United States society—and, for some of us, United States capitalism—and then allow ourselves to be shocked when a racist system did not embrace an anti-racist agreement.

And while there is no guaranteed outcome, in early 1999, as I look ahead to the next few years of our work, I see real victories ahead.

Through two years of rather amazing post-Consent Decree organizing we have worked with guerrilla artist Robbie Conal to develop a “No Somos Sardinas”-“We Are Not Sardines” poster protesting bus overcrowding. The poster has become a landmark on the streets, buildings, and bus stops of Los Angeles. We also built a “No Seat, No Fare” campaign to protest the overcrowding on the buses, in which more than 40,000 bus riders refused to pay their fare, flashed “No Seat, No Fare” free bus passes from the BRU, and gained the support of most bus drivers as well. Finally, we generated a regional and national media campaign on our work, including a Time Magazine full page story, “The Few, the Proud, the Bus Riders.”

We also generated major stories in the Christian Science Monitor and the Washington Post, front-page stories in the Los Angeles Times, La Opinion, and

many stories in other Black, Latino, and local community papers. Finally, we continue to gain more television and radio coverage than we can handle.

As the public and the press begins to see our movement as the cause célèbre, and not for fifteen minutes but five years of fame, the tide begins to turn. First, the money for Los Angeles’s rail system has finally run out and the agency is going bankrupt. We have some support in the United States Department of Transportation for a bus-centered system and the funding of our Consent Decree. Second, Richard Riordan, the “corporatist” mayor, has turned out to be a better ally than many, even if this positive result is the product of enormous struggle—class struggle—on our part. Riordan’s business background makes him a more reliable adversary. At one point he agreed to make a motion to buy 550 buses, then, sensing political opposition on the MTA board, which he chairs, decided to “study” his own motion. Our members began chanting, “Stop the Lying, Start the Buying, Buy the Buses Now.” Riordan came over to pacify us, but we got into a yelling match in front of hundreds of spectators and press at the MTA board meeting. When another board member tried to walk away in a huff, telling us, “Don’t ever call me a liar,” Riordan defended us, “Well, actually we did lie to them you know,” he admitted. So Riordan hired a new CEO for the MTA, a corporate turnaround artist named Julian Burke. Burke has been the most effective agency director we have ever worked with. He aided us in developing and passing a proposal to purchase 788 brand new compressed natural gas buses over the next three years, at a cost of about 250 million dollars. We continue to put pressure on elected officials of color, who still prefer to dream of a mythical rail project in their district—a monument to their careers—than work with us to purchase hundreds of brand new buses that could provide a monument to the lives of the urban poor. We also go to Washington to work with officials of the Department of Transportation, who assure us that Bill Clinton is with us all the way, but only if we have the support of the Republican Richard Riordan. We would go to court, lose in court, refile our motions, win in court, get back on the buses. And in this dialectic of politics and law, something rather

amazing happened. We began to win what seemed like an avalanche of interrelated victories.

On the legal front, one of the specific remedies we won in the Consent Decree was the first concrete, legally enforceable ceiling on overcrowding on the bus system. Now there can be no more than fifteen people standing on average on a forty-three seat bus. How do you document this? We convinced the courts to allow both MTA staff and BRU members to become “point checkers.” Point checkers count to determine overcrowding on each bus at a designated bus stop. We also hired our own members as point checkers to document racial discrimination on the bus. The data confirmed that on many buses, 25 to 43 people were standing. Our members cried out, “We won’t stand for it.” So while the legal standard in the Consent Decree was no more than fifteen people standing, our members, frustrated at the inaction and delays of the courts, began to demand that no one should stand, especially considering that most Los Angeles bus rides span from one to two hours and involve many transfers.

After years of educating the bus riding class, the “No Seat, No Fare” campaign really took off. The campaign also created a “revolution of rising expectations.” Many passengers worried that the well-paid bus drivers would not be sympathetic to their cause. However, after years of working with the drivers and the passengers, and the drivers’ own understanding that driving a bus overcrowded with hot, angry riders was hardly a dream job, the drivers turned out to be surprisingly militant allies. It was really wonderful to see a Black bus driver with a virtually all Latino ridership on his route put his hand over the farebox and tell the riders as they came in, “No Asiento, No Pago.” We have convinced the drivers that we are the “pro-union” bus riders union. Sindicato de Pasjeros has built very strong ties to the Latino working class, and the Bus Riders Union/Sindicato is understood to be more than a community-based working class group—it is seen as a new form of working class union.

Our sole purpose is not to get “media coverage,” as an end in itself, but rather to shape the terms of the debate through how our story is covered. When we entered the fight over the future of mass transit, newspapers already were covering the MTA with daily front page stories. The issues were framed in “soap opera” forms of scandal and corruption. Story after story chronicled in chilling detail the massive cost
overruns—often 400 percent over initial budget. The media focused on
the rail project kickbacks, faulty construction, and palace intrigues
within the MTA bureaucracy—"whose expense accounts were padded
more than others?" We tried to point out that those were simply the
daily and structural petty scandals of life under capitalism, whereas the
more profound scandal was the racism of the agency’s policies.

It was the rail projects themselves, stealing funds from bus riders,
that were totally inappropriate and far too costly for a dispersed
megacity of 4,000 square miles and nine million people. The real story
was about allowing a bus system, which was so urgently needed, to
deteriorate in front of our face, and the faces of people of color. For
years we were treated as shrill and redundant: "All you people ever
talk about is racism" we were once told, as if like an advertising agency
we should vary our message based on the latest opinion surveys. The
more racist the conditions became, the more out of style we seemed,
except of course to our own members and to half a million bus riders.
Fortunately, our members reinforced our own sanity.

In the past few months there have been breakthroughs of enor-
mous magnitude. At the height of the "No Asiento, No Pago" cam-
paign, and as our motions came closer to federal court deadlines, nego-
tiations between us and the MTA led the new CEO, Julian Burke, to
propose a significant increase in bus purchases, to accelerate the re-
placement of overaged, dilapidated buses. Burke introduced, and the
MTA board passed, a motion to purchase an additional 788 buses over
the next three years, at a cost of more than $250 million. These clean
fuel, compressed natural gas buses are not the cheaper and deadly
"clean diesel" buses they tried to force us to accept as more "cost ef-
fective." Diesel buses with massive emissions of particulate matter and
oxides of nitrogen create a public health hazard. Because the poor live
near freeways and industrial sites, they ingest the most lethal combina-
tion of air toxins. Therefore, they want clean air the most. We think
this act represents a very big thing, an enormous reform victory at a
time when radical reforms for the urban poor of color are unknown.

When the press asked us if we were pleased with the MTA pur-
chase, we said "yes," and immediately put forth our very carefully con-
structed demand for 1,000 additional expansion buses, to raise the total
fleet from 2,000 to 3,000. This would be the beginning of a viable
mass transit system that could reshape the political and cultural
landscape of what is one of the most racially-segregated, air-polluted, and auto-dependent regions in the United States. We are learning how to consolidate gains and push for more radical reforms. We are aspiring to balance dependable adversary work and the ability to reach agreements with a stance of perpetual expansion of the scope of our demands—perpetual ingratitude.

Throughout this process we also are working to improve our understanding of the "Organizer"—the key link of history, the smallest possible unit of organization around which we can build far broader and larger groupings. Many of our front-line organizers are women of color. They shape a multi-racial practice in which we try to evolve and refine our interactions with working people, our theories of pedagogy and communication, and our culture and politics.

Each organizer gets on the bus with a similar overall strategy, but each organizer customizes that message and process to build a base, person-by-person. The organizer engages low income people to create a class consciousness by integrating many disparate sentiments and sensibilities, language, culture, race, and gender. It is a theory of multi-racial class-consciousness, in which the urban poor must be at the core.

VII. RECENT DEVELOPMENTS

Since giving this talk at the SALT Conference, there has been a major breakthrough in the case of the Labor/Community Strategy Center et al. v. Los Angeles MTA.

On March 8, 1999, Special Master Donald Bliss issued a ruling in his authority as an officer of the United States District Court, Central District of California, Western Division. He ruled on the specific provisions of the Consent Decree that pertained to the standards established for reducing overcrowding on the buses. I will quote from this ruling verbatim and then make a few final comments.

SPECIAL MASTER'S DETERMINATION OF REMEDIES NECESSARY FOR COMPLIANCE WITH THE OCTOBER 1996 CONSENT DECREE.

The issue presented to the Special Master for resolution is fairly straightforward: What steps are necessary to bring

the MTA into compliance with the load factor requirements of the Consent Decree? The resolution of this issue is costly and complex. Under the Consent Decree entered into by the parties and approved by the court on October 29, 1996, the MTA undertook to make significant improvements in the bus system, including “reducing overcrowding by adding new service.” See Consent Decree at II.A. (hereinafter “Consent Decree” or “Decree.”) To accomplish this, the MTA agreed to a five year timetable reducing the amount of overcrowding on buses as measured by a “load factor”—a specific ratio of bus passengers to bus seats.

[After 50 pages of explanation and analysis, the Special Master ordered the following remedy.]

The MTA is directed to move expeditiously to:

1. **Remedy Violations Attributable to Inoperable Buses.**
   a) fully implement its accelerated bus procurement plan by replacing 538 aging vehicles with new CNG buses by June 2000;
   b) complete the conversion of 333 ethanol buses by December 1999; and
   c) complete the repair of the 594 CNG buses under warranty by May 1999.

2. **Remedy Violations Attributable to Lack of Operators.**

3. **Remedy Violations Attributable to In-Service Failures:** In order to achieve compliance with the Consent Decree, the MTA should:
   a) hire a sufficient number of additional mechanics, improve training and supervision, and establish performance quality standards for mechanics.

4. **Remedy Violations Attributable to “Missed Trips.”**

5. **Remedy Violations Attributable to Poor Schedule Adherence.**

6. **Remedy Violations Attributable to Insufficient Capacity:** In order to achieve compliance with Consent Decree, the MTA should:
a) purchase 430 new CNG buses to provide the additional capacity required . . .

b) hire additional full-time operators to operate the new service, as required

c) hire additional mechanics as needed to meet the new service requirement;

d) obtain, through lease or other means, 277 buses on a temporary basis to meet the 1.35 load factor as soon as possible until the new purchased buses arrive . . .

7. Remedy Violations Attributable to MTA's Having an Undersized Fleet: . . . MTA should procure an additional 102 new buses . . . for delivery on or before June 30, 2002 . . .

8. Providing for Adequate Monitoring and Reporting.

The press support for the court order and the BRU cause is staggering, with the Los Angeles Times running a front page headline, "MTA Told to Buy 532 Buses to Ease Overcrowding: Court-Appointed Official rules for plaintiffs who allege that emphasis on rail systems discriminates against minorities. Cost could run $400 million over five years."37

As always, the story is far from over; there is never a time to close this chapter of history. The MTA may appeal the ruling. The MTA may try to evade the ruling. Even the most "expeditious" implementation of the ruling will take years, and given its profound specificity and great attention to detail, our capacity to implement such a broad based ruling certainly will be tested. Nevertheless, this is one of the biggest political and legal victories for the civil rights movement and for civil rights law in decades, and it is a tribute to all those who have risked their lives for the civil rights movement.

It seems strange that after giving such an ideological talk at the SALT conference, focusing so much on strategy, politics, and values, that the final ruling I report is so technical, so specific, so legal. And yet we have never shied away from that reality. As an organizer, I have come to understand that all great generalities reside in very precise and sometimes minute specifics. The Strategy Center and BRU

worked with our attorneys to first document, then analyze, then apply
to every specific provision of the Consent Decree the material reflec-
tions of racial discrimination and the most precise remedies needed.

After all was said and done, it was low-income people of color, who
went out on the buses, documented overcrowding, then came back
to the office to enter their data in the most precise, professional, and le-
gal manner. They then went back out on the buses as volunteer organ-
izers to lead the “No Seat, No Fare” campaign. They combined within
themselves all the tactical components of a unified strategy. Today,
people of all races and classes call our office, telling us that the BRU is
the ray of light in the life of the city, our victories are their victories.
The core assumption of this story is that Left, popular, democratic, and
complexly formulated theory is rooted in the daily lives of society’s
most oppressed and working classes.

VIII. Conclusion

At a time when many academics are trying to debunk theories of
class, we are building a new discourse based on an actual class struggle
that is forcing an entire city to take a stand. In our view, the working
class is comprised of many students, elderly, and disabled people, as
well as Latinos, Blacks, Asians, Native Americans, Jews, Armenians,
unemployed welfare mothers, and highly paid industrial and technical
workers, all with their own versions of oppression. Each group pos-
sesses their own separate and essential struggles with society—and
each other—but they are all part of the working class nonetheless. We
have been uniquely successful in organizing these groups to think of
themselves as a class and to act as such. Simultaneously the working
class of color is also part of a national liberation movement within the
borders of the United States. It is this strategic alliance of the class and
national liberation struggle that gives our work its unique overview. If
this theory and practice, even in its initial stages appeals to you, we
hope you would consider relating to it in at least one form or another.
The Labor/Community Strategy Center operates in some of the fol-
lowing ways:

We hope you will seriously consider using Strategy Center publications, such as: Taking On General Motors,38 L.A.'s Lethal Air,39 Reconstructing Los Angeles and U.S. Cities from the Bottom Up,40 Immigrant Rights and Wrongs,41 A New Vision for Urban Transportation,42 and our new film, Voices from the Front Lines. Our work focuses on strategy and tactics and the building of social movements. Of course there is a need for analysis and theory, but ultimately, criticism must be related to strategy and tactics. The discussion at SALT of “Power, Practice, and Pedagogy” is the right type of conversation. It is impossible, however, to define any theory of pedagogy without linking it to actual social practice. How can we understand practice or its theory without an actual struggle for power? By resolving our struggles against the physical, political, economic, and cultural structures of the dominant classes, we can test our own theory to see if we can offer an alternative, countervailing, counter-hegemonic ideology. Because it is hard to identify an ally in the pure realm of ideas, it is only through practice that you can see who your allies really are.

On a real issue of principle, for example, the firing of a professor denied tenure for arbitrary and discriminatory reasons, you may find that people in your department, whose overall ideological perspective is conservative, take a principled, even courageous stand on the actual issue at hand. In contrast, the person whom you thought, would be your strongest ally, turns out to be a vacillating ally—motivated by careerism, cowardice, and cynicism, agreeing in general but never on anything in particular. As a campus organizer you must learn the world of shifting alliances, of trying to build a solid core of allies and progressive theorists and practitioners, but you must never lose contact with many other forces, including students, campus workers, other faculty, and community groups who comprise the raw material of the

38. Mann, supra note 1.
42. A New Vision for Urban Transportation (The Labor/Community Strategy Ctr., Los Angeles, Cal.), 1996.
constantly shifting alliances and allegiances that make organizing so fascinating.

**B. Diversity of Materials**

All of our publications are written for readers at multiple levels: for the opinion leaders of oppressed people in every class structure, from college students to the immigrants and other workers with very little formal education. Although the concepts are always very complex, the language and argument attempts to be direct, forceful, and polemical. We are trying to change minds, or at least to awaken minds.

Our emphasis on the written word has also been challenged in the age of the video. Reading is the best vehicle to develop political consciousness because it allows a discourse between the reader and the material. Unlike the television viewer, the reader can stop and think, engaging the material at his or her own pace: the mind can wander and return, so that one influential sentence may linger, agitate, and transform. In film, the image moves so fast that it entertains better than it engages. Today, in many low-income communities, there are new groups who proclaim to be “non-ideological.” They denigrate and attack “theory” in a not very veiled anti-communist and anti-Left manner. These groups purport to celebrate the “self-discovery” of each person’s individuality among the oppressed without placing each person’s struggle for consciousness in a social context. They talk about “popular education” as if great books are elitist, and complex ideas are anathema to the poor. Both the slavemaster and the slave understood the power of literacy and many black people fought for the right to read before they even fought for the right to vote. Today’s anti-intellectual organizers do not have the faintest historical or cultural understanding of the explosive potential of the written word. In our work among low-income people, we have recruited many people who appreciate the high level at which we engage them.

The Strategy Center is now using our books, films, speeches, and tapes to expand our base nationally and internationally. We have developed a new bilingual political magazine, *AhoraNow*, edited by Lian Hurst Mann, that we distribute to activists and intellectuals throughout the world. We started in Los Angeles, where we want our liberation *AhoraNow*! Kikanza Ramsey and I just returned from Atlanta where we met with environmental justice groups, rank and
file union caucuses, university faculty, and community-based agitators. In the past three years our members have been to Paris, Ecuador, Mexico City, India, Hong Kong, and Canada in search of new ideas and new allies. It is as an organizer, more than as a speaker, that I appreciate speaking to you in SALT as fellow agitators, educators, and movement builders. In the Age of the Right, the Age of Reaction, we need to nurture and protect institutions of integrity and resistance.