



Winning Right to Counsel in Eviction Cases: Organizing and the Role of Lawyers



What is organizing?

- Brings people together around common issues - builds a base
- Helps people analyze problems and power, and develop solutions
- Supports people to develop strategies and tactics
- Mobilizes people to confront their targets and fight for their solutions
- Builds leadership
- Builds democratic community institutions



Creating social change from the ground up:

- Collective struggle
- Leadership by those impacted
- Building power



Collective Struggle

“From the depth of need and despair, people can work together, can organize themselves to solve their own problems and fill their own needs with dignity and strength.”

Cesar Chavez, labor leader and co-founder of the National Farm Workers Association

Collective Struggle

- People acting collectively - in community
- Fighting against oppositional forces (landlords, banks, police, bosses, ICE, government...)
- To make change or to defend things that they built/won/earned
- Winning struggles that lay the groundwork for the next struggle
- Often involves long term goals and short term tactics and strategies that are consistent with the long term goals and build towards them

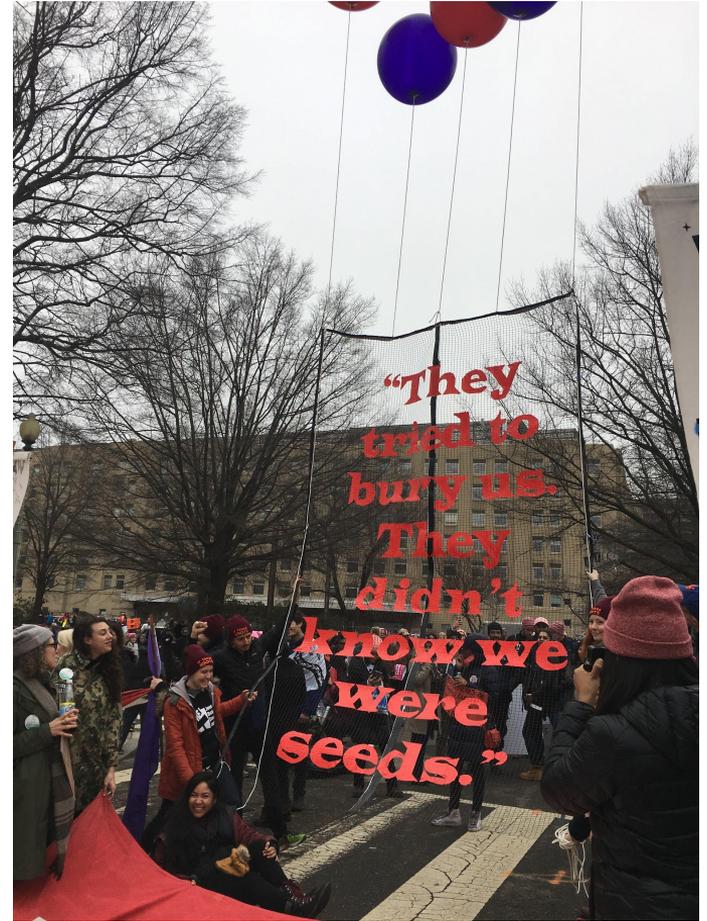
Leadership by those who are impacted

- Those who are oppressed because of the issue or system
- Impact can be individual and collective
- Intersecting systems of oppression



Building power to win...

- Power of knowledge and consciousness (being able to see systems in different ways)
- Power to devise tactics and strategy
- Power to articulate demands



Building power to win...

- Power to speak and to bring in others
- Ownership of the movement
- Collective (not individual) power

“There’s really no such thing as the ‘voiceless.’ There are only the deliberately silenced or the preferably unheard.”

Arundhati Roy

How does the collective come together?

How do people sharpen their leadership skills?

How do they build power?

By Organizing!

How can lawyers support RTC campaigns?

“There are more than enough lawyers in this world defending the way things are... If we are going to transform our world, we need lawyers willing to work with others to dismantle and radically restructure our current legally protected systems.”

William (Bill) Quigley

How can lawyers support RTC campaigns?

- Be a “resource ally” - often we have access to power and resources that grassroots organizers and leaders do not.
- Be a tactician/strategic advisor - our legal training and experience can be helpful as communities devise strategies and tactics to achieve the solutions they have chosen.

How can lawyers support RTC campaigns?

- Open doors - we have access to spaces and people (power).
- Support people working out how to break through barriers
 - Often it is more important in a struggle that organizers and impacted individuals break through barriers, rather than having the privileged open doors.
 - But we often intimately know how those barriers work from the inside perspective - our access gives us information and insight. We should democratize that knowledge.

How can lawyers support RTC campaigns?

- Build our collective institutional support
 - Stop making it about the individual advocate
- Be in it for the long haul - be ready to lose and to start over.

“Nobody’s free until everybody’s free”
Fannie Lou Hamer

How can legal advocates support RTC campaigns?

- Take a step back - be willing to be inactive, or to support behind the scenes.
- Learn to serve - be willing to be on-hand just in case you are needed, be willing to help as required (not just in the way that you would like)

How can lawyers support RTC campaigns?

- Say “yes” more
 - This isn’t necessarily about doing more work (though it might be), it’s about making sure the immediate needs of movement folks are met
 - Be solutions oriented and commit to making what is needed happen, which doesn’t necessarily mean doing it yourself

How can legal advocates support RTC campaigns?

- De-individualize issues - help expose systems and politics and support collective strategies.

“It ain’t about law, it’s about politics by other means.”

Mumia Abu-Jamal, “Live from Death Row” in All Things Censored



How can lawyers support RTC campaigns?

- Be part of collective struggle, be in solidarity - this is your struggle too!

“If you have come here to help me, you are wasting your time. But if you have come because your liberation is bound up with mine, then let us work together.”

Aboriginal activists group and Lila Watson, indigenous activist and artist of the Gangulu people, Australia

How can lawyers support RTC campaigns?

- Learn to be in community
 - Be your authentic self
 - See people as just as powerful as you
 - Build relationships
 - Trust people
 - Be in community in ways that aren't always about problems

How do lawyers impede movement building?

- By being risk averse
- By thinking like lawyers
 - Often pessimistic
 - Always seeing the problems and things that could go wrong
 - Sometimes have trouble thinking outside of existing systems and institutions



How do lawyers impede movement building?

- By not believing in people's potential - by not trusting people
- By being professionals/experts - by overestimating their authority

“They were thinking that the MFDP [Mississippi Freedom Democratic Party] lawyers were the experts on these matters and that they had recommended accepting the compromise. Our lawyers might have been experts, but they were the experts at things as they were. The last thing we needed was things as they were. We needed something new and different.”

Victoria Gray Adams writing about her organizing work with the Student Non-Violent Coordinating Committee in Mississippi in 1964

How do lawyers impede movement building?

- By having identities that are invested in the status quo
- By being comfortable with the status quo

“We revolt simply because, for many reasons, we can no longer breathe”

Frantz Fanon



How do lawyers impede movement building?

- By using privilege in ways that exclude people, e.g. legal language
- By believing in the justness of the legal system
- By only advancing legal strategies within a fundamentally unjust legal system

“The law, in its majestic equality, forbids the rich as well as the poor to sleep under bridges, to beg in the streets, and to steal bread.”

Anatole France

How do lawyers impede movements/organizing?

- By not clearly defining roles and decision making processes
 - Anti-oppressive movement work requires a lot of preparation and intentional collaboration so that we do not replicate oppressive ways of being in our own movement spaces
 - When roles are not agreed on clearly, or if those agreements aren't followed, traditional power imbalances often rise to the surface. For example, men talking more than women or interrupting women, audience-members directing questions at outside professionals rather than at more experienced community-members, people of color speaking less than white people or having their comments “added to” by white people, etc.

How do lawyers impede movement building?

- By telling people what the solutions to their problems are
 - Often this is done by presenting a limited range of options that focus on purely legal strategies

“I just don't believe that when people are being unjustly oppressed that they should let someone else set rules for them by which they can come out from under that oppression.”

Malcolm X

Right to Counsel NYC Coalition Campaign Toolkit

The Right to Counsel NYC Coalition worked with Take Root Justice to create a Right to Counsel Campaign toolkit.

The toolkit tells the story of how we won and it provides tools, templates, and activities for organizers in other cities to use in their campaigns.

You can access the Right to Counsel Toolkit at rtctoolkit.org

If you have questions...

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www.righttocounselnyc.org www.rtctoolkit.org



If there is no struggle, there is no progress... This struggle may be a moral one; or it may be a physical one; or it may be both moral and physical; but it must be a struggle. Power concedes nothing without a demand. It never did and it never will.

Frederick Douglass