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*Revolutionary Lawyering: Addressing the Root Causes
of Poverty and Wealth* (excerpted)

I am convinced that if we are to get on the right side of the world revolution, we as a nation must undergo a radical revolution of values. We must rapidly begin the shift from a "thing-oriented" society to a "person-oriented" society. When machines and computers, profit motives and property rights are considered more important than people, the giant triplets of racism, materialism, and militarism are incapable of being conquered. A true revolution of values will soon cause us to question the fairness and justice of many of our past and present policies.

—Martin Luther King, Jr.

INTRODUCTION

Poverty, wealth, racism, materialism and militarism cannot be changed by aiming at small revisions or modest reforms. 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. We need revolutionaries. Martin Luther King, Jr.'s, call for a radical revolution of values can be the basis for revolutionary lawyering.

Lawyers can be revolutionaries. Martin Luther King called each of us to join together to undergo a radical revolution of values and to conquer racism, materialism, and militarism. He did not say his call extended to everyone except lawyers. He also did not call us to merely reform racism, materialism, and militarism. Revolutionaries are called not just to test the limits of the current legal system or to reform the current law, but also to join in the destruction of unjust structures and systems and to tear them up by their roots. We are called to replace them with new systems based on fairness and justice.

It is true that lawyers are rarely revolutionaries. In fact, the idea may seem like an oxymoron (like corporate ethics), but some people are, and others can be, revolutionary lawyers. Our profession is, at the core of its practice, the primary profession world-wide that protects and defends the machines, computers, profit motives and property rights so rightly condemned by Dr. King. We use our training, wealth, and position in society to facilitate commerce without conscience, to accumulate wealth without responsibility, and to serve the needs of corporations over and above the rights and needs of people. Yet still, some lawyers can be revolutionaries.

Part I of this Article highlights some of the most glaring details about poverty, wealth and the working poor and provides some facts about racism, materialism, and militarism, both nationally and internationally. The briefest look at who is rich and who is poor, and the reasons behind such status, demonstrates the continued accuracy of Dr. King's prophetic description of why a radical revolution of values is needed, now even more than when he first spoke these words. Part II of this Article discusses some areas of the law that need radical change, law that needs to be torn up by its roots and replaced. Part III reflects on how lawyers who want to be revolutionaries can do so. The Article concludes with signs of hope and a charge to lawyers to consider joining the radical revolution of Dr. King.

I. POVERTY, WEALTH, THE WORKING POOR, RACISM, MATERIALISM, AND MILITARISM

Hope has two beautiful daughters: anger and courage; anger at the way things are, and courage to change them.

—Augustine of Hippo

One of my friends, who has gone to federal prison twice for protesting U.S. training of military human rights abusers, is also a counselor for incest survivors. She told me that in her experience, there are only three ways to deal with evil. The first is to fight evil with evil. The second is to say that there is nothing I can do and turn away. The third is to look at evil head-on and try to meet it with love.⁶

In order to address poverty, wealth, and the working poor, we must first look at these phenomena head-on, even if it angers us. We must face the way things actually are in our nation and in our world. Then we must have the courage to change them.

This section begins with a Social Justice Quiz to reveal some facts about poverty, wealth, and the working poor in light of racism, materialism and militarism.

A. Social Justice Quiz

1. In 1968, the federal minimum wage was \$1.60 per hour. How much would the minimum wage be today if it had kept pace with inflation? How much is the federal minimum wage now, in 2023?¹
2. How much must the typical U.S. worker earn per hour to rent a two-bedroom apartment if that worker dedicates thirty percent of his income, as suggested, to rent and utilities?²
 - “In 2023, a full-time worker needs to earn an hourly wage of \$28.58 on average to afford a modest, two-bedroom rental home in the U.S.”
 - Source: <https://nlihc.org/oor/about>
3. The nation has 3066 counties. In how many of them can someone who works full-time and earns the federal minimum wage afford to pay rent and utilities on a one-bedroom apartment?³
4. In 1965, CEOs of major companies made twenty-four times more money than the average worker. In 2021, CEOs earned how much more than the average worker?⁴

¹ The federal minimum wage stands at \$7.25/hour since July 2009, when it was increased. Had the federal minimum wage kept pace with workers’ productivity since 1968 the inflation-adjusted minimum wage would be \$24 an hour.

² In 2023, a full-time worker needs to earn an hourly wage of \$28.58 on average to afford a modest, two-bedroom rental home in the U.S.

³ In only 7% of counties (228) nationwide, not including Puerto Rico, can a full-time minimum-wage worker afford a one-bedroom rental home at the federal minimum wage rate.

⁴ In 2021, CEOs earned 399 times more than the average worker.

5. What percentage of people/families in the United States are below the poverty line?⁵

6. In 1989, the median wealth (in 2019 dollars) of the different groups was as follows: \$171,300 for White families, \$14,200 for Black families, \$14,700 for Hispanic families, and \$66,100 for Asian and other families. What was the wealth gap between the households in 2019?⁶

7. In the entire twenty-eight year history of the Berlin Wall, 287 people perished trying to cross it. How many migrants died trying to cross the U.S.-Mexico border in 2021?⁷

8. Where does the U.S. rank worldwide in the imprisonment of its citizens?⁸

[These facts indicate that] despite incredible world-wide wealth, there are millions of working poor people in deep poverty in this country, and billions more throughout the world.

B. Growing Economic Inequality in the U.S.

Growing economic inequality in the U.S. is not some socialist-spun critique. Work and poverty walk hand-in-hand. According to a recent twenty-seven city survey of hunger and homelessness by the U.S. Conference of Mayors, thirty-four percent of the adults requesting emergency food assistance were employed. Even bastions of unrestrained capitalism such as the *Wall Street Journal* and *The Economist* note the growing income gap in the United States.

The *Wall Street Journal* recently published a series on the lack of social mobility in the United States. It reported:

Escalators of social mobility haven't compensated for the growing distance between economic cellar and penthouse; America has become more unequal in the past 35 years, but it's no more common for people to rise from poverty to prosperity or to fall from wealth to the middle class. Researchers find less intergenerational mobility in the U.S. than academics believed a couple of decades ago. And available evidence suggests that an American's economic fate is more closely tied to his or her parents than a continental European's.

The Economist agreed:

⁵ In 2021, the official poverty rate in 2021 was 11.6 percent, with 37.9 million people in poverty.

⁶ In 2019, White families have the highest level of both median and mean family wealth: \$188,200 and \$983,400, respectively. Black families' median and mean wealth is less than 15 percent that of White families, at \$24,100 and \$142,500, respectively. Hispanic families' median and mean wealth is \$36,100 and \$165,500, respectively.

⁷ While the International Organization for Migration, a United Nations affiliated group, recorded more than 1,200 deaths of migrants in the Western Hemisphere in 2021, it tracked 728 migrant deaths along the U.S.-Mexico border, calling it the "the deadliest land crossing in the world."

⁸ The United States has the highest incarceration rate of any country in the world.

There is little doubt that the American social ladder is getting higher. In 1980–2002 the share of total income earned by the top 0.1% of earners more than doubled. But there is also growing evidence that the ladder is getting stickier: that intergenerational mobility is no longer increasing, as it did during the long post-war boom, and may well be decreasing.

The *New York Times* began this analysis with a series on class in the United States. Bob Hebert summarized “The Mobility Myth”:

Consider, for example, two separate eras in the lifetime of the baby-boom generation. For every additional dollar earned by the bottom 90 percent of the population between 1950 and 1970, those in the top 0.01 percent earned an additional \$162. That gap has since skyrocketed. [In 2019, families in the top 10 percent of the distribution held 72 percent of total wealth, and families in the top 1 percent of the distribution held more than one-third; families in the bottom half of the distribution held only 2 percent of total wealth.]

It’s like chasing a speedboat with a rowboat. Put the myth of the American Dream aside. The bottom line is that it’s becoming increasingly difficult for working Americans to move up in class. The rich are freezing nearly everybody else in place and sprinting off with the nation’s bounty.

Likewise, the enduring effects and practices of racism are part of the institutional structure of this country and of many parts of the world. In the United States, fewer than half of African-American families own their own home, while nearly three out of four white families do.

No one seriously contests the disparities among whites, African-Americans, and Latinos in the United States. While some suggest that these disparities are behind us, it is difficult to take those arguments as anything other than evidence of continuing racism.

The racial wealth gap is not only real, but it is also understandable and predictable when one considers decades of government policies that directly, openly, and systematically discriminated against people on the basis of race. Native Americans, Latinos, African-Americans, and Asians were consciously excluded by both law and practice from many government wealth-building opportunities. ...

While there may be conflicting evidence on whether the world is growing more or less unequal as a whole, there is little argument that the distance between those at the very top and those at the very bottom continues to grow dramatically. [The United States has the greatest degree of income inequality of all G7 nations. From 2007 to 2016, the median net worth of the top 20% increased 13%, to \$1.2 million. For the top 5%, it increased by 4%, to \$4.8 million. In contrast, the median net worth of families in lower tiers of wealth decreased by at least 20%. Families in the second-lowest fifth experienced a 39% loss (from \$32,100 in 2007 to \$19,500 in 2016)].

To repair this inequality, a radical revolution is needed. Laws that create and support these unjust systems are one of the places to start.

II. LAW NEEDS REVOLUTIONARY CHANGE

There is a large and tragic divide between what is legal and what is just. ... It is important, but ultimately insufficient, to insist only on the right of every person to a job and living wages as a means of addressing poverty, wealth, and the working poor. The root causes that support and underpin the current unjust systems must instead be identified and dismantled.

It is impossible to build a better house unless one plans to change the foundation. There is not space here to catalogue all the areas of the law that need radical change, but I will briefly analyze several in which change such as that called for by Dr. King can address root causes of poverty, wealth, and the working poor. Before looking at these areas of the law in critical and creative ways, we must start by opening and freeing our minds.

A. The Traditional Role of Lawyers in Supporting the Status Quo

Freeing our minds requires us to face the role that lawyers really play in our world. As Louis Brandeis said in 1905: “Instead of holding a position of independence between the wealthy and the people . . . able lawyers have . . . neglected their obligation to use their powers for the protection of the people.”

Lawyers have lost their way. We only rarely suggest that our profession is one of justice, because we know it is one of law. We no longer worry whether people admire us, as long as they fear us. Some wanted to be lawyers to help change the world and believed in our country and in our system, but are now lost. ...

B. Radical Change is Possible

We have been taught to believe that radical change is impossible, or at least very, very dangerous. People exploring the possibility for serious change must constantly contend with false messages: “This is the best we can do;” “We live in the most generous and best nation in the history of the world;” “Unrestrained capitalism is the ultimate and only way of solving all our problems;” “Our problems are too big for anyone to handle;” “Go slowly;” “Just look out for number one;” “Do not be a radical;” “Do not be a revolutionary;” and most importantly, “Be afraid, be *very* afraid, of terrorists, illegal immigrants, black men, pushy women, of people who are trying to take advantage of us, of international cooperation, of accountability, and most of all, of big change.”

Professor Robert E. Rodes, Jr., elegantly describes the message that radical change in law is dangerous and bad as “a pervasive set of assumptions introduced into the law by false consciousness. These are the assumptions that stand in the way of imposing accountability on the ruling class and making effective use of law for human ends.”

Rodes explains four sets of defective assumptions in support of the status quo: (1) the values behind current law are the most important ones for the law to implement; (2) the legal system is basically good and the cost of change will outweigh any benefits; (3) nothing can really be done for those who are left out of current legal arrangements—their situation is an unfortunate but inevitable consequence of this “basically beneficent system;” (4) the political power of those who are left out of this system must be limited or they are likely to upset it, because they cannot understand how good the system really is, how inevitable their suffering is, or how fruitless and counterproductive change will be.

Despite these significant obstacles to radical change in law, history shows that all good ideas for revolutionary change are at first shocking, then resisted, then understood, then enacted, and then described as inevitable. Indeed, as Gandhi said: “First they ignore you, then they ridicule you, then they fight you, then you win.”

Cautioned by Gandhi, let us now turn to several areas of the law that need radical change.

...To radically change our world, we must start by taking human rights much more seriously. We must respect the promise of all human rights—personal, civil, political, social, economic, and cultural—in our laws. These promises are an overlooked part of U.S. history. Perhaps one of the reasons that few people in power seem to take human rights seriously is because these rights have implications. Certainly, being equal members of the same family has implications.

I was with a group of people recently, and one person told me that her sister had won the lottery—nearly twenty million dollars. But the sister refused to share any of her winnings with her family members. Everyone in the group was horrified and ashamed. How could this be? The first people you share with are your sisters and brothers!

Well, some in our world have won a different kind of lottery, and also refuse to share with their sisters and brothers. Most who have won this lottery—based in large part on where they were born, the color of their skin, their gender, their parent’s income, and their opportunity for education—do not even think they “won,” but instead think they “earned” their prize. Anyone who believes they earned their own fortune by hard work should consider what they would have achieved had they been borne in Sri Lanka or Haiti.

Each person counts as much as everyone else. This is a radical thought with even more radical consequences. If everyone is inherently equal, they do not have to earn their equality, but are entitled to equality in the same way as everyone else simply by the fact that they are human. If everyone is equal and we are all members of the same human family, what does it mean that some are so well off, while [countless others] die in poverty each day?

Part of taking human rights seriously is taking the idea of common good seriously. Human rights include not only the right to human dignity and equality, but also a full range of economic, social, civil, and political rights. ...

In its essence, taking human rights seriously means putting people at the center of all policy decisions and treating every single person with the dignity and respect they deserve. Taking human rights seriously means a fundamental change in the approach to law in the world and in this country. It is a step that must be taken if we are to work towards justice and the revolution of values.

2. Human Rights Trump Privilege and Property Rights

(1) The needs of the poor take priority over the wants of the rich; (2) The freedom of the dominated takes priority over the liberty of the powerful; (3) The participation of marginalized groups takes priority over the preservation of an order which excludes them.

—David Hollenbach

In a new justice-based value system, people must be valued more than property. Human rights must be valued more than property rights. Minimum standards of living must be valued more than the privileges that come from being well-off. Basic freedom for all must be valued more than the privileged liberty of accumulated political, social, and economic power. Finally, the goal of increasing the political, social, and economic power of those who are left out of current arrangements must be valued more than the preservation of the existing order that created and maintains unjust privileges.

This principle of prioritizing human rights creates conflict because it essentially turns current practice upside down. It looks at the world from the perspective of the working poor, the powerless, and the left-out, and makes a conscious decision to make radical changes to that world. No current rules, laws, or institutions are more important than justice and equality. Prioritizing human rights will free advocates from being bound by the privileges conferred by an unjust system. However, undoing unjust privilege to reorder the world will not occur without serious conflict and resistance from those who benefit from current inequities.

To imagine a world in which each and every individual is treated with respect and dignity, receives equal protection, enjoys freedom, and is accorded social justice is to threaten virtually any tradition or practice based on privilege and hierarchy, birth or wealth, exclusivity, and prejudice. The reason is not difficult to explain, for as one experienced observer notes succinctly: “The struggle for human rights has always been and always will be a struggle against authority.” Visions of human rights, by their nature, defy the legitimacy and threaten the existence of all forms of political, economic, social, or cultural despotism, tyranny, dictatorship, oligarchy, or authoritarian control . . . They are thus capable of presenting a potent focus and a resounding rallying cry for those who want change.

Visions of human rights have always presented a profound threat to special privilege. They still do. From the perspective of those at the top (those who thrive under current laws and policies), there does not seem to be much need for radical reform. Indeed, radical reform may even appear unjust to those who stand to lose their comforting privileges. However, when examined from the underside, the need for dramatic change is evident.

A radical revolution of values prizes the perspective of those at the margins. Why? Because it is in listening to and standing with the victims of injustice that the need for critical thinking and action becomes clear. Liberation theology calls this the “preferential option for the poor.” Those without property, wealth, food, and basic human rights are the members of our human family who show us the injustices of our world and the directions needed for the revolution. Radical change requires more than traditional reforms that try to solve problems without upsetting current power relationships. It is not possible to bring about justice without radical change, and radical change is not possible without reducing the power, influence, and comfort of those who have more than their fair share of the world’s resources.

3. Re-defining Property

We must lay hold of the fact that economic laws are not made by nature. They are made by human beings.

—President Franklin Delano Roosevelt

Support of private ownership does not mean that anyone has the right to unlimited accumulation of wealth. Private property does not constitute for anyone an absolute or unconditional right. No one is justified in keeping for his exclusive use what he does not need, when others lack necessities.

- Pastoral Letter from U.S. Catholic Bishops on Catholic Social Teaching and the U.S. Economy

In looking at poverty, wealth, and the working poor, we must look at wealth, as well as poverty, in a radical new way. As such, the right to property must be re-defined. Property rights must always be subordinate to justice and peoples' rights to basic survival. This is an explicit part of the revolution of values that Dr. King sought.

Undeniably, there is value in private property. Owning your own home is generally understood as a right that is in the interest of society and of the common good. ... But it is apparent that a few hold a large and inordinate share of the world's resources, while others have a grossly inadequate share. If private property is a valued common good, should not everyone have access to it?

It is at this point, where massive scarcity and excess co-exist, that the human rights of justice and equality are openly violated. If it is true that no current rules, laws, arrangements, or institutions are more important than justice and equality, then it is time to change the rules; it is time to re-define property rights.

... [P]rivate property should be a protected right to the extent that it provides to a person and their family the right to live in basic human decency and to pursue their rightful place consistent with the common good. However, when a person or entity claims property in excess of what is necessary for basic human survival, and when there are people who need these same basic elements, then it is time to re-define the laws of property to share the earth's resources in a manner more consistent with justice, equality, and the shared human dignity of all. If there are people in desperate need while others enjoy excess, then justice dictates that the excess is no longer their private property. To the extent that people possess what is not theirs, it is theft.

Such a re-definition of property is a basic ideal of the push for a just living wage, both world-wide and in this country. Does a person, corporation, or business have a right to take home a profit if they have not paid their taxes? Do they have a right to take home a profit if they have not paid their creditors? If the answer is no, then why should they be allowed to take home a profit if they do not pay a living wage to their workers? Paying a just wage is a fundamental element of any business that employs people. If a business cannot pay a just and living wage to its employees, why does the community need that business? As one Republican U.S. Senator [William E. Borah of Idaho], who was a great friend of business, argued, the right to a living wage is more important than the right to operate a business.

Thus, at the point of excess, private property ceases to be a right, and the social mortgage can be exercised by proper authority to provide for the basic unmet needs of others. At this point, excess individual wealth actually belongs to the poor. If excessive wealth can be the solution to life-threatening poverty, then it should be.

Re-thinking property should also consider the push for privatization—making formerly public assets and services private. There is considerable movement towards privatizing formerly public works and institutions, such as water, health, sanitation, education, roads, and security. This movement will inevitably privilege those with economic resources to the disadvantage of those without.

... Re-defining property rights is another step towards justice.

4. Democratizing Corporations

The leading lawyers of the United States have been engaged mainly in supporting the claims of the corporations; often in endeavoring to evade or nullify the extremely crude laws by which legislators sought to regulate the power or curb the excesses of corporations.

—Louis Brandeis

To address the root causes of wealth and poverty, we must look at democratizing the main form of world economic power: the corporation. If we expect to bring about justice in our world, corporations cannot be allowed to focus exclusively on “machines and computers, profit motives and property rights” any more than people can. Law and lawyers have played a fundamental role in the growing problem of the corporation, and there must be a radical change in both.

It is essential that corporations be brought under democratic control and regulated for the purposes of the community and justice. In order to do so, fundamental changes must be made. Revolutionary thought must be directed toward re-asserting democratic control over all elements of corporations, eliminating corporate personhood, and phasing out socially unnecessary corporations.

It is time to recall the words of Justice Marshall, who wrote that a corporation “is an artificial being, invisible, intangible, and existing only in contemplation of law. Being the mere creature of law, it possesses only those properties which the charter of its creation confers upon it, either expressly, or as incidental to its very existence.” It is time to reassert the democratic control of people over corporations.

Massive corporate layoffs, environmental disasters, financial fraud and collapse are common topics in the news. Most of the analysis of the essential problems of corporations has not occurred in legal circles, but there are many “extra-legal critiques.” Lawyers need to listen and take leads from these critiques, and ultimately help translate them into change.

There have always been corporate critics in the legal community, and work on these issues continues. There is a growing group of progressive corporate legal scholars who are trying to find ways to make fundamental changes in corporate law and governance to eliminate corporate political activities, limit corporate personhood, change the responsibilities of directors, reform limited liability and treat all large corporations as quasi-public entities subject to increased social control.

... The problem of democratizing large corporations is one that can be addressed by progressively eliminating the largest ones that society determines it does not need. There is a historical basis for citizens to re-assert control over growing and powerful business

interests by breaking them into smaller entities that can be regulated by the people. The key question is the public good, and we should determine the ways in which large corporations contribute to or harm the public good. Some large corporations might actually be in society's interest, while others certainly are not. There is no reason that a progressive, phased-in cap on corporate size cannot be implemented, with the burden on large corporations to persuade the public to which they are theoretically responsible that they should not be broken into smaller units with more accountability, transparency, and democratic control.

... [5]. Other Areas

There are many other areas of law that need revolutionary change. These areas, including immigration policy, prison reform, education, and reparations, are noted briefly here.

First, justice demands that we scrap current immigration laws and most proposed reforms and recognize that no person is illegal. It is a strange version of justice that gives nearly global freedom of movement to money and companies, but refuses it to people. Current globalization is based on the free movement of capital and goods. Wal-Mart, Toyota, GM, Citibank, and other corporations are allowed to set up shop anywhere and move freely between countries with ease. People, however, are not nearly as free to migrate. National borders should be secondary to the pursuit of human rights. Artificial boundaries between nations cannot be considered legal or just reasons for excluding people from pursuing the conditions necessary for human dignity. This is yet another area in which non-lawyers have taken leadership action. ...

Second, ... the [prison] system is the end result of a profoundly dysfunctional, racist, and anti-poor process almost satirically termed the criminal justice system. Society certainly can and should protect itself from the people who endanger it, but prisons are not the answer. Forcibly detaining people in inhumane conditions does not further the common good. Moreover, the system ensnares far more than just the criminally dangerous. "Jails and prisons have become, in effect, the country's front-line mental health providers." If we created a decent mental health care system, ten to twenty percent of the current jail and prison population could be released. If currently illegal drugs were decriminalized, twenty-five percent of people in jail could be released. The American prison system demands radical change.

Tragically, the U.S. and many other countries have failed to provide an adequate education to the people who need it most. Worse, many have grown discouraged and have lost the impetus to imagine and work for radical change. The right to adequate education must be dramatically re-imagined and re-invigorated, both in the United States and globally. Given the new demands of work, this right must include a right to free higher public education.

Finally, victimized peoples and nations deserve reparations to counterbalance the continuing effects of injustice. Theologian Walter Brueggeman states that the definition of justice is to "sort out what belongs to whom, and to return it to them." Reparations should be made to people who have been subjected to injustices by governments or corporations. Reparations should also be made internationally where appropriate. Reparations often address core issues of racism—social structures that perpetuate the advantages compiled over hundreds of years of privilege.

These areas of law are but a few of those that support current systems of racism and materialism, and that must be radically changed. While nearly every area of the law is in need of radical change, lawyers must become revolutionaries for that change to occur.

III. BECOMING A REVOLUTIONARY LAWYER

The world does not need more lawyers that support the status quo. We need revolutionaries. Over the years, I have listened to hundreds, maybe thousands, of people who are actively working to make radical changes in the world. From those conversations, I have distilled a few principles regarding what I term “reflective activism,” and I will share these here.

... These are not specific instructions, or a cookbook for radical action, but rather reflections on remaining committed to radical change. Revolutionary change is not the sprint of a specific campaign, but a marathon of life work. What is needed is not a map of where to go, because the destination continually changes, but rather a compass that will help orient us toward the goals we seek in our journey. These principles can help orient us toward a lifetime of acting as revolutionaries and help us deal with the joys and defeats that are inevitable in such a journey.

Becoming a revolutionary lawyer first involves “un-learning” most of what we were taught in law school and what we have learned in the practice of law. We must change teachers and skills, but, most of all, we must change our minds and hearts. We must be humble and admit what we do not know. We must learn from our “clients” and be willing to be uncomfortable.

Solidarity

If there is a first principle of radical change, it is the principle of solidarity. Radical change only comes about by working *with* people; it is never the result of working *for* people. Liberation is never something that people do *for* others, but something that people achieve *with* others. This is best summed up by the quote: “If you have come 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.”

Working in solidarity means that we must constantly challenge racism, paternalism, patriarchy, homophobia, classism, nationalism, and all of the other violent divisions hard-wired into our selves and our systems. Those systems of division were set up and are maintained to keep us from being in solidarity with others struggling for justice. We must make common cause with others to identify and overcome those divisions. ...

People should never expect to achieve revolutionary change alone, but only by organizing with others to confront injustice and to create new ways of living. Solidarity also means that unless each of us realizes that we directly and personally benefit from actions for change, we will not have enough reason to keep working for justice. ...Solidarity is our first principle.

The dominant tendencies of our day are unregulated global capitalism, racial balkanization, social breakdown, and individual depression. Hope enacts the stance of the participant who actively struggles against the evidence in order to change the deadly tides of wealth

inequality, group xenophobia, and personal despair. Only a new wave of vision, courage and hope can keep us sane—and preserve the decency and dignity requisite to revitalize our organizational energy for the work to be done. To live is to wrestle with despair yet never allow despair to have the last word.

—Cornel West

Continually Engage in Critical Re-education

“The more completely [students] accept the passive role imposed on them, the more they tend simply to adapt to the world as it is.”

– Paolo Friere

To live a life of radical change, we must continually and critically re-educate ourselves.

... Independent and critical thinking is our job. If we fail to do our job, no one will educate us about alternatives to the status quo, and no one will insist that we learn about alternative views. ...[W]e should discover the real histories of social justice and revolutionary movements—these can be both inspiring and comforting as we realize the humanity of the organizing efforts involved.

This justice perspective demands that we turn our world view upside down and look at fairness from the point of view of those billions who live at the base of the mountain. From the top, things look natural and inevitable. From the bottom, however, who would not question the inequality? ...

Since we in the United States live at the top of the mountain, we are not naturally in a position to understand the perspective of those at the bottom. Therefore, we must continually re-educate ourselves about justice and injustice. The conventional wisdom from the top is that “we are doing all we can,” “things are much better than they used to be,” and “don’t worry about it; someone else is working on this right now.” True re-education is our job. A preferential option for the poor insists that we vigorously challenge the current social, economic, military, and religious arrangements that teach us these false truths.

It is incumbent upon us to seek out the voices of the poor and listen to them. The media is not going to do that for us. The view of the United States from Haiti, Sri Lanka, South Africa, or China looks quite different than the view from Washington, D.C. Likewise, the view of the United States from the perspective of inner-city underemployed or unemployed workers and their families, or from those in prisons or domestic violence shelters, is quite different than views from other perspectives.

... Turn the world upside down and look at it from the perspective of workers, the poor, and the international community. The rich and powerful think the current system works fine most of the time. Billions of others do not agree. We must engage in solidarity with those others to participate in the radical transformation that our world needs.

Do Not Accept Reality—Particularly for the Future

Somewhere deep inside us we seem to know that we are destined for something better than strife. Now and again we catch a glimpse of the better thing for which we are meant—for example, when we work together to counter the effects of natural disasters and the world is galvanized by a spirit of compassion and an amazing outpouring of generosity; when for a little while we are bound together by bonds of a caring humanity . . . when we sign charters on the rights of children and of women; when we seek to ban the use

of antipersonnel land mines; when we agree as one to outlaw torture and racism. Then we experience fleetingly that we are made for community, for family, that we are in a network of interdependence.

—Desmond Tutu

If you work for radical change, people will frequently tell you that the future is already determined, and there is nothing anyone can do about it. Do not believe them. In the past, slavery was widespread and legal; women were prosecuted and jailed for voting; domestic violence was an acceptable part of relationships; child labor was legal; labor unions were outlawed; only white men with substantial property could vote; there was no minimum wage; and the disabled were told to stay at home and hide away, as were gays and lesbians. Everyone who worked to bring about those changes was told repeatedly that it was useless to organize for justice, that the present was the best that could be done under the circumstances, and that the powerful would never allow change.

Refuse to accept the reality of those who think that our future is pre-determined by the powerful and will never change. Certainly never accept our current reality as the inevitable future. Accept no limits. Never let anyone tell you what you can achieve or who you can become. Challenge injustice even if you do not know the solution. Do not accept false choices—demand a third way. Our choice is not between living a life of justice and starving, or selling-out and prospering. Demand and create another livable option. Moreover, our choice is not between merely accepting the situation, or making superficial reforms. We can insist on a third way in order to create a just system. As Dorothy Day [radical Catholic activist] said: “Our problems stem from our acceptance of this filthy, rotten system.” Do not accept it, transform it.

Sustainable Living

Sustainability is a revolutionary principle because it assumes that every person has a right to enough of the world’s resources to survive, and that no person has a right to take more than his or her fair share. This is a profoundly un-American idea, and it challenges every person and institution in the United States.

The United States represents less than five percent of the population of the world. According to the U.S. Geological Survey, the United States consumed approximately 39% of the world’s oil production, 23% of the world’s natural gas production, and 23% of the world’s coal production in 1998. Europe and Japan consume less than half as much energy per person as the United States.

Does the rest of the world wake up each day and say, “Let’s give the United States an extra-large helping of energy today, tomorrow and every day?” No. The unequal global distribution of resources is a justice issue. We must acknowledge that the current wealth of

the United States is built in part on structural injustices around the world. We must acknowledge that the United States takes precious non-renewable resources from others—either by direct force or by unequal bargaining power.

Sustainability is a direct challenge to consumerism and materialism. We cannot live lives of affluence without profiting from an unjust distribution of resources. We as individuals and as institutions must change dramatically for a just distribution of global resources. This requires a transformation of personal, community, national and international standards and practices. We must look seriously at our lifestyles and institutions and radically modify them. True justice must address the local, national, and global inequalities of poverty and wealth. The absence of sustainable living is another glaring example of why we must continually work for change.

Finally, we must care for ourselves as well as the world and our community on this journey toward radical change. As the Buddha said: “You can search throughout the entire universe for someone who is more deserving of your love and affection than you are yourself, and that person is not to be found anywhere. You yourself, as much as anybody in the entire universe, deserve your love and affection.”

SIGNS OF HOPE AND CONCLUSION

I am convinced that if we are to get on the right side of the world revolution, we as a nation must undergo a radical revolution of values. We must rapidly begin the shift from a “thing-oriented” society to a “person-oriented” society. When machines and computers, profit motives and property rights are considered more important than people, the giant triplets of racism, materialism, and militarism are incapable of being conquered. A true revolution of values will soon cause us to question the fairness and justice of many of our past and present policies.

—Martin Luther King, Jr.

This Article begins and ends with Dr. King’s speech titled *Time to Break Silence*. It is time for lawyers to break silence and admit the profound changes that are necessary to bring about justice in this country and in this world. It is time for lawyers to switch sides and work for justice, instead of continuing to labor at the disposal of those who pay us well to defend the injustices of current systems and institutions. Thankfully, there are signs of hope for the vision of Dr. Martin Luther King, Jr.

In the United States, a grassroots coalition of immigrant farm workers fighting for better wages recently won a huge upset victory over a transnational corporation. They did so by organizing community, college, and church groups nationwide [the Coalition of Immokalee Workers]. In fact, state and local authorities have passed over 130 living wage ordinances in order to diminish the gap between work and poverty. Many other local and campus-based living wage campaigns have been initiated, in addition to movements that seek to raise the integrity of work and working conditions.

... There are even signs of hope in law schools. Law schools have expanded clinical programs that directly introduce students to justice issues and often directly challenge assumptions. New human rights programs (including clinical programs) teach the basics of human rights to the next generation of lawyers. Law schools realize the necessity of loan-

forgiveness programs, which enable highly- indebted graduates to undertake social justice work. This is how we will rediscover the essence of justice.

There are enough lawyers in this world defending the way things are. Plenty of lawyers protect unjust people and institutions in our social, economic, and political systems. Plenty of lawyers work for structures that perpetuate and increase the racism, militarism, and materialism in our world. These lawyers are plentiful and well-compensated. True structural and fundamental change will not come by aiming at small revisions or reforms. If we are going to transform our world, we need lawyers willing to work with others toward a radical revolution of our world. We need no more lawyers defending the status quo. We need revolutionaries.