

5 Lessons for the New Activist-Lawmaker Wave

A veteran left state lawmaker reflects on lessons learned from over 30 years of battling corporate power.

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Rashida Tlaib, who is running to be the first Palestinian-American woman in Congress, was arrested in October after protesting alongside airport, fast-food, and hospital workers in Detroit for higher pay and the right to form a union. (AP Photo / Carlos Osorio)

Alexandria Ocasio-Cortez in New York. Rashida Tlaib in Michigan. Summer Lee in Pennsylvania. James Thompson in Kansas. Grassroots activists the nation over are breaking through at the ballot box on their own terms, proudly progressive, defiantly diverse, even openly socialist. Some are winning the elections they contest. Many others are coming closer to victory than anyone would have thought imaginable just a few years ago.

Has America's left ever witnessed a more promising moment for electoral politics? Certainly not in my lifetime—and I've been around quite a while.

Over 30 years ago, in 1986, I was serving as the insurgent president of a large countywide teachers union local just outside Washington, DC, in Maryland. I had been an activist all my young adult life, as a college student against the war in Vietnam and later as an organizer of labor-community coalitions taking on everything from union busting to racist budget cuts.

The to-do lists of activists in my political generation back then seldom included running for office. Some of my fellow activists considered electoral politics a dead-end distraction from "real" organizing. To others, actually winning office seemed a possibility too far-fetched to take seriously. But I had been teaching high-school social studies, and maybe the civics lessons I delivered had taken some subconscious root. I decided to challenge my county's Democratic Party machine and run—to win—against an incumbent in Maryland's House of Delegates.

I did win that 1986 election, backed by an activist rainbow coalition, and I've been serving in the state legislature ever since, first for eight years in the House of Delegates and then for the last 24 in Maryland's Senate. Throughout all those years in office, and now as the newly named chair of one of the only four Senate standing committees, I've struggled with the tensions that inevitably confront every left lawmaker. How can you challenge the policy choices your own party's legislative leaders make and then expect those leaders to support you on the local issues that deeply matter to your constituents? How do you call out your legislative colleagues who may be selling out to corporate power without getting yourself marginalized and ignored legislatively? How do you know when your compromises are helping build effective social movements and when they're only saving face?

I started dealing with questions like these when Ronald Reagan was still sitting in the White House. I've made plenty of mistakes. But I've learned from those mistakes, and I do believe that what I've learned can help ease the way to legislative—and movement-building—success for the invigorating new cohort of left lawmakers who'll be taking office in 2019 and the years ahead. So let me share five lessons.

Lesson #1

Place one foot in the legislative arena—and always keep one foot out.

Succeeding as a left lawmaker demands—above all else—some fancy footwork. You have to be constantly shuffling between the narrow world inside your legislative halls and the broader world outside. You need to be willing to grind away with your colleagues on the day-to-day drudgery of the law-making process. At the same time, you need to be going beyond the daily business of legislating on often minor matters. You need to be working with people and groups outside your legislature on major transformational initiatives that point to a significantly more progressive future.

Keeping one foot in your legislative chambers and one foot out can take some serious balancing, but balance you must, between working for fundamental change and working incrementally to improve legislation that may have scant transformative potential. Finding that “sweet spot” will never be an easy task.

You can lose your balance in two ways. You can take a “purist” stance and concentrate solely on advancing legislation that raises big issues and a vision of a more equitable society. But if you go that route, your legislative colleagues will likely see your “big issue” agenda as grandstanding and a sign that you're simply not interested in either investing the time to make modest legislation better or taking the steps necessary to realize a broader vision. You'll end up marginalized and unlikely to unite other sympathetic, though less ideological, lawmakers.

Progressive lawmakers more typically lose their balance in the other direction. I've watched newly elected progressives immerse themselves in the day-to-day slog of the legislative process, hoping to prove themselves “effective” and move up in the legislative power structure. These progressives all too often start obsessing about passing bills, however mundane, that can help with their reelection. In the process, they lose their bearings and the broad vision that propelled them in the first place. For them, Incrementalism becomes both the means *and* the end. Their big issues—health care for all, progressive taxation, public campaign financing, clean energy—end up getting short-shrift and, ultimately, forgotten.

Lesson #2

Commit to building a mass movement and link this movement to electoral efforts.

We'll never transform our nation's politics and turn movements for social, economic, and environmental justice into a lasting material force until we can recast progressive issues and demands into specific pieces of legislation and then actual law. We need dedicated progressives inside legislatures working on that recasting.

At the same time, meaningful changes in law will only come about when broad people's movements mobilize to push these changes through. So we can't just elect progressives and leave it at that. We need to elect lawmakers *and* mobilize movements, and, just as importantly, understand the two-way relationship between legislating and movement building. Just as grassroots organizing can pave the way for legislative action, so too can introducing and advancing legislation give purpose and space for promoting grassroots organizing.

As a progressive lawmaker, you have a pivotal coordinating role in advancing this symbiotic relationship. As an “insider” to the legislative process, you can share insights on legislative pressure points and when and how best to press ahead, information that can be crucial for developing strategy and tactics for effective grassroots work. You can, for instance, engage with advocacy groups on initiating hearings and investigations to expose corruption or flesh out plans for ambitious progressive projects.

Embrace this coordinating role. Help make your legislating part and parcel of movement building. But never forget that you serve the movement; the movement doesn't serve you.

The coordinating role you play can, to be sure, get dicey. One prime example: the inevitable decisions you'll face on when to compromise. In a legislative process dominated by corporate assumptions and perspectives, advancing a progressive vision never gets easy, and compromises along the way will always be necessary. But when do you stand on principle and risk total legislative defeat on an issue and when do you compromise to gain some significant if limited achievement?

That sort of choice will always be a tough call. My advice: Don't try to make it alone. As a progressive lawmaker, you need to interact continually with activist grassroots groups. Share with them the tough calls you're facing. Get their input. Let them help decide when a compromise would truly count as a victory that advances our progressive agenda. The compromises that left lawmakers forge only truly work out for the long-term when they reflect a progressive consensus.

Legislatures, we need to remember, by and large follow and do not lead. They tail the populace. Legislators only green-light new concepts and proposals when an overwhelming number of their constituents voice approval for changing direction. The US Congress, let's remember, waited until over 70 percent of the American public voiced opposition to the war in Vietnam before finally taking action to end that conflict.

The same "late to the party" dynamic plays out today. Every current national survey shows widespread support for taking dramatic moves toward economic and social justice on universal health care, on ending corporate tax and subsidy giveaways, and on so much more. But our lawmakers, at both the state and federal levels, still feel no imperative to act. Left lawmakers can't make their colleagues feel that imperative. But their constituents, organized and purposeful, certainly can. We left lawmakers owe them our help.

Lesson #3

Remain impatient, but never ignore the long game.

Effective left legislating can take time. Sometimes years.

I spent three years back in the early 2000s working to pass a landmark "Healthy Air Act," a bill I sponsored to restrict greenhouse-gas emissions from coal-fired power plants. Why did this effort take so long? We needed first to get the broad environmental-activist community to focus on one issue over a multitude of other concerns, and we needed to expand the coalition supporting the legislation beyond the "usual suspects" to include the health, religious, and other communities.

By the third year of the campaign, our effort had generated some real dynamism. After countless community meetings and statewide door-to-door canvassing, state lawmakers had no safe harbors. Everywhere they went, they faced getting asked—or confronted—on where they stood on the Healthy Air Act.

Our multiple years of work ended up paying off. The legislation finally enacted forced power plants to invest over a billion dollars on scrubbers to reduce emissions. Today, over a decade later, our challenge has changed, and we need to shut down coal-fired power plants. But the coordination of grassroots organizing and legislative action back then did produce a meaningful progressive step forward, the strongest state air pollution legislation in the country. I would later see the same multiyear pattern on our successful efforts to ban the death penalty and pass marriage equality.

So perseverance can produce for left legislators. But perseverance—a willingness to think and act long-term—can't become our automatic default. As progressive lawmakers, we have to remain impatient for social justice and never let anyone tamp that impatience down. We need to be ever ready to aggressively "grab the moment." That moment, after all, may never reappear.

We have some obvious legislative tension here, between perseverance and impatience. How do we manage it? How do we gauge how rapidly to push ahead on progressive legislation? Our answers ought to rest on two variables. The first: the level of public understanding on a particular legislative matter. If relatively few people have any idea about what we're trying to accomplish and why, any change we do secure will open no new eyes to progressive possibilities. If you find yourself facing a situation with this low level of public understanding, you need to think more long-term and concentrate on educating the public—and your legislative colleagues as well—on the problem you're addressing.

The second variable that determines the immediacy of our left legislative advocacy: the status of the mass movement that's supporting our issue. If that movement rates as large and dynamic, go for it! If that movement hasn't yet developed, don't just take the time to let that movement build. *Help* that movement build.

Lesson #4

Challenge racism and promote intersectionality.

Progressive elected leaders, particularly white ones, bear a major responsibility on race. White legislators need to stand up and challenge the racism that remains endemic in our legislative chambers. That task shouldn't be relegated to minority lawmakers. As a white legislator, I know I've missed opportunities here, and I've worked to become more conscious of my racial blind spots. Helping other white lawmakers see *their* racial blind spots can be even more personally difficult. But the effort remains essential. I have found—on issues like bail reform and other broader justice-system concerns—that conservative Democrats can be every bit as big a legislative obstacle as Republicans.

Trust and respect only build across racial lines, I've come to understand, when white lawmakers show themselves willing to stand up with minority communities as they fight to counteract the under-sourcing, discrimination, and concentrations of poverty they face. "Standing up" in legislative terms typically means shifting spending and resources from more affluent communities to urban centers.

Progressives—of all colors—need to be able to make the case that ultimately everyone benefits when we narrow our economic and social divides and help those in special need. Working people, after all, face many different problems. But all these problems interrelate. The struggle against racism inextricably links to poverty and economic injustice. Success in the battle for single-payer health care hinges on preventing private insurance companies from exacting every possible pound of profit. Reducing greenhouse gases ultimately comes down to taking on the political power of the fossil-fuel powers, the auto industry, road builders, and the like, not just to save our planet in the long term but to protect the health of our most vulnerable, frequently minority communities in the near term.

We left lawmakers have a responsibility to go beyond just raising the issues of economic, social, and environmental justice. We have a responsibility to explain how these basic elements of justice feed off one another. Left lawmakers may be as well-situated to make these connections as anyone. We can't miss our opportunities.

Lesson #5

Confront corporate power.

Over the last dozen years, Maryland has moved nicely forward on key “social issues.” We’ve also taken some limited steps forward on worker rights, approving, for instance, paid sick leave for all employees outside very small businesses.

But Maryland has registered precious little progress on issues that challenge entrenched corporate power. Not that progressive lawmakers haven’t tried, on everything from “combined reporting,” an approach to taxes that limits corporate tax avoidance, to ending corporate giveaways for *Fortune* 500 giants like Northrop-Grumman and Amazon. All with no success.

In fact, corporate giveaways have increased in recent years. Just this past April, Maryland’s legislature voted to move forward on a \$5.6 billion corporate-welfare “incentive” package to lure Amazon to the state. My effort to block the giveaway garnered just 12 Senate votes out of the chamber’s 47. In our House of Delegates, a similar outcome. Democratic legislative leaders didn’t just not oppose the Republican governor’s subsidy proposal. They made no effort to even consider working collaboratively with nearby Virginia and the District of Columbia on a joint regional proposal to prevent Amazon from playing one jurisdiction against another.

Initiatives like paid sick and family leave remain important to pursue at every opportunity, and the Fight for \$15 will be a central issue in the upcoming session. But steps like these have a limited capacity, in and of themselves, to transform income inequality and class relationships. They don’t affect who owns or controls capital or how capital gets used. We need to address that fundamental control. Left legislators need to challenge, at every opportunity, the unspoken assumptions of the corporate state.

What’s good for Corporate America seldom turns out to be what’s good for the rest of America. Donald Trump’s corporate-tax cut, our most recent example, has been good only for the corporations that pushed it through to passage.

Left lawmakers need to be raising the sorts of questions about alternatives to corporate power that can help expand people’s horizons. Why shouldn’t we create public state banks and make post offices centers for community banking? Why not have our states agree to stop bidding wars for corporate relocations? Why can’t we deny government contracts to corporations that pay their CEOs over 25 times worker pay?

Our failure in Maryland to restrict corporate power, both economic and political, reflects a far wider national story. No state has scored much success here. Some municipalities, on the other hand, *have* passed some restrictive legislation. What explains these local successes? One key factor: Progressives in these municipalities, unlike left lawmakers at the state level, have no suburban or rural conservative elements to deal with, be they Republican or Democrat.

Other factors also contribute to our state and national failures in the fight against corporate power. We can point to the weakening of the labor movement and the absence of strong and effective grassroots organizations that take on class issues. Or simply the enormous corporate domination of our political playing field, a domination built upon a deeply ingrained ideology and campaign contributions that keep our legislative skids unrelentingly greased for power and wealth.

Acknowledging the might of this 800-pound corporate gorilla doesn’t mean, of course, that we should be throwing in the towel. We need instead a more effective strategy of curtailing corporate control. I’ve been the lead sponsor of public, small-donor financing of elections, as Maine and Arizona have achieved, and this financing would help to start leveling the campaign playing field. We need to reach the point where low-income-housing organizers have the same opportunity to run for office—and access funding—as the downtown lawyers defending corporate interests.

Left lawmakers, by their very official status, can add considerably to the struggle against corporate power. As lawmakers, progressive activists have an access to media that other activists simply do not. We left legislators should be making the most of that access. We should be relentless generators of op-eds, a constant presence on political chitchat programming and social media. In all these venues, we need to be hammering home the importance of restructuring economic and political power.

“We can either have democracy in this country,” the great Supreme Court justice Louis Brandeis once noted, “or we can have great wealth concentrated in the hands of a few, but we cannot have both.”

This classic Brandeis maxim can serve as a fitting touchstone for the emerging new left cohort of progressive lawmakers about to take

office in city and county councils, statehouses, and Congress. But simply channeling wisdom from Brandeis won't ever substitute for the thoughtful legislative advocacy essential to building a mass movement—and transforming our staggeringly unequal US of A.

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