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## Consumer, Civil Rights Movements

By Herbert Simmons, Jr.

In their eagerness to write "history," some historians have distorted the perception of the civil rights and the consumer movements. They like to use such terms as "era of," "the age of," "pre" this and "post" that. These terms are all delineators and tend to restrict.

Historians have taken two loci on a continuum of civil rights activity and labeled the space in between "the age of the civil rights movement." This thought process confines the sum total of all civil rights activities to the period between 1954 and the end of the turbulent 1960s.

People find it easy to remember *Brown v. Board of Education* and the urban disorders of 1968. But such a limited perspective is myopic.

Webster's "Unabridged New Universal Dictionary of the English Language" defines movement as: *A series of organized activities by people working concertedly toward some goal, often called the movement by those involved in it.* Freedom and the constitutional rights of life, liberty and property have been the common goal of every Black person who has inhabited this land.

When we apply the definition of movement to this goal, it becomes quite apparent that the Black man's struggle for civil rights began many decades ago. It was enhanced by the introduction to the U.S. Constitution of the 13th, 14th and 15th Amendments. These earliest activities initiated a continuum of activities

If we compress civil rights activities into the last three decades alone, then we must find some other explanation for the efforts of Booker T. Washington, W. E. B. DuBois, and Marcus Garvey. We must explain away the courageous people who were involved in *Plessy v. Ferguson*, a landmark case in which the Supreme Court approved "separate but equal" facilities for Black Americans. No, the civil rights movement is not new; it is one of America's oldest social movements.

If we employ the same genre of facts and apply the same definition to the struggle for consumer rights in America, we can trace it back to 1784. The first consumer law, a food law, was passed that year in Massachusetts.

The first known consumer protection movement, prior to 200 B.C., was also in the form of food laws, which date back to early Mosaic and Egyptian history. (These laws governed the handling of meat. Greek and Roman laws prohibited the adulteration of wine with water.)

With this brief history as a basis, we can now select a period from the latter years of progress for the consumer movement (CM) and the civil rights movement (CRM).

### Goal Definition

The goals of both movements were determined by each movement's immediate needs. The CRM had unrestrained freedom as its goal, while the CM had pure food and honest measurements as its goal.

Today, one might say that the CRM is a social movement with strong economic and political goals, while the CM might be considered an economic movement, with strong social and political goals. Also, there is a striking difference in the goal modification of both movements. The CRM seems to have moved from the general to the specific, while the CM has diversified and moved from the specific to the general.

Leaders of the CRM carefully selected goals that were specific and achievable. The chosen goals were the rights to: quality education, voting, equal employment opportunities, open housing and public accommodation.

The CM has had a more charmed existence. There have been more contrasts than similarities during its middle years. For example, its goals have undergone tremendous expansion. From the original goal of insuring — through regulation —

movement now tries to address all issues relating to the purchase and use of consumer goods and services. Naturally, this enormous expansion of the movement's goals have caused some issues to be addressed more vigorously than others.

### Scope of the Two Movements

Both movements were originally limited in the scope and breadth of their activities. The activities of the CRM were conducted both in the South and in the North, particularly the border states. But there existed a climate of repression and intimidation in the South which was exacerbated by the activities of such organizations as the Ku Klux Klan.

The activities of the CM, on the other hand, were limited to areas with favorable federal and local legislative activity.

Another facet of the CRM's scope is that while the movement was in mortal and open conflict with the *de jure* inequities in the South, it was at the same time battling the *de facto* inequities of the North. The North was affected by the "peel effect," because, as the flagrant discrimination of the South was gradually "peeled away," it revealed a more sinister replication of itself thriving in the North.

The CM has found that there were also hidden consumer inequities that were not readily discernable. As the movement increased its efforts to monitor the processing and measurements of foodstuffs, it was discovered that many other consumer products were equally as inferior and unsafe.

### Dynamics and Constituencies

In terms of dynamics, the two movements were quite different. The CRM was caused by the denial of a people to privileges indigenous to the most rudimentary exercises of human existence. On the other hand, the CM was caused by a dissatisfaction with the quality of foodstuffs that were being offered for sale in marketplaces. In spite of this difference, both movements lacked a common and essential facet to their dynamics. That facet was leadership.

In 1956 when Rosa Parks refused to relinquish her seat on a bus in Montgomery, Alabama, her treatment by local authorities catalyzed the hasty resolution of the CRM's leadership crisis. Martin Luther King, Jr. was chosen to fill the movement's leadership void. Having been a student of the Gandhi philosophy of non-violent protest, he implemented for the movement a new strategy of non-violent, direct action.

The Montgomery bus boycott was the first victory achieved by this strategy. For 381 days, Black people boycotted the public buses. That strategy was enhanced greatly by the Black Church, which has always served as the source of spiritual power for the people.

In the 1950s and 1960s, several churches in the South became targets for dynamiters and firebombers. But this did not deter the Black churches from serving as command posts throughout the South. This facilitated two important features: It provided for a greater involvement of more people; it infused a moral fiber into the CRM that was later to be woven into a fabric of coalition and cooperation. The cooperation was of a nature that has seldom been seen before or since on such a large scale.

Churches in the South were not the only ones to aid in the movement. Churches all over the nation provided not only a financial base, but also a dedicated constituency for the movement. And, other national Black organizations, some of which had traditionally disagreed on issues of strategy and tactics, joined the legions. Grassroots organizations, business and professional groups, and trade unions all worked assiduously together. This was demonstrated in 1963 by the great march on Washington which drew more than 200,000 people.

### The CM Strategy

The dynamics of the CM centered around one specific strategy — regulation of the marketplace. This strategy has been successful because lawmakers themselves are consumers. The issues that they have supported are issues that affect them as much as anyone else. As a result, the movement has been successful in achieving regulations on a variety of fronts.

The greatest flurry of activity yielding the greatest benefits occurred in the 1960s. It was enhanced by the articulation of a consumer bill of rights by President John F. Kennedy on March 15, 1962: The right to safety, the right to be informed, the right to choose, and the right to be heard. This has led to the passage of no less than a dozen significant pieces of legislation in the past two decades.

Involvement and support for the CM has been, perhaps, its most unique quality. Although all 200-plus millions of Americans are consumers, the movement has no identifiable constituency. That is to say, if the movement was called upon today to marshal all of its forces against a single issue, it would hardly know where to turn.

There are groups, organizations and factions of every description championing individual causes under the banner of consumerism. The net result is that there are lots of "consumer groups" claiming to represent everybody but few groups who in actuality really represent anybody.

Overall, since the 1960s, more grassroots people have become active in the movement than ever before. But there has been no cohesion between the myriad consumer agencies and organizations that have emerged. The movement has suffered due to a spate of organizational cannibalism that has considerably reduced the number of viable groups that could serve as a nucleus for the development of consumer solidarity. This could be one of the reasons why the consumer movement has never had a national leader.

The movement's history shows a succession of eminent persons who have become inflamed by a particular issue and pursued it with the benefits to most consumers being mainly a by-product: Dr. Harvey Wiley, chief chemist for the U.S. Department of Agriculture was joined by such luminaries as Upton Sinclair whose book, *The Jungle*, exposed the filthy conditions under which meat was slaughtered and processed; Esther Peterson, the first Presidential Assistant for Consumer Affairs, and Ralph Nader, the most visible leader since the 1960s. But no individual has emerged with the strength and credibility to lead the entire movement while representing all factions.

### Focus and Impetus

The CRM focused entirely upon the conditions of a deprived people who were singularly powerless. However, collectively, they represented a driving force which maintained a high level of impetus for the movement. This is true mainly because the original goals have not essentially changed.

The quest for quality education, voting rights, equal employment opportunities, and decent housing are as much a driving force today as they were at the onset of the CRM.

In the case of the CM, the task of getting people involved has been more difficult because of the varied personal interests that are often the determinants of whether a person or group of persons will participate in an effort. For instance, it would hardly be likely for poor consumers who are interested in survival to be enthralled at the prospect of participating in a

demonstration to regulate the prime interest rate.

The CM has been able to live with this situation because, unlike the CRM which employed a huge army of the powerless and near powerless, the CM has had a small cadre of powerful and influential supporters plus a modicum of rank and file.

### Future of the Movements

While both movements have enjoyed much success in the past, their future is in a state of virtual limbo. One cannot omit the fact that the CRM has removed most employment barriers, but its affirmative action initiatives are uncertain; that it has restored the precious franchise, but there are still problems with reapportionment and redistricting plans which attempt to exclude minorities; that it has extricated many oppressed people from dilapidated housing, but discrimination still exists; that it has removed many of the obstacles to quality education, but there are new assaults being launched by some members of Congress on school desegregation initiatives.

As inflation continues to soar, minorities, women, older Americans, the handicapped and citizens on fixed incomes are falling farther behind.

In the same vein, the CM has made indisputably more progress in the last two decades than in all of its previous history. The legislative scoreboard is replete with consumer advances and victories. In fact, many of the goals and principles articulated and espoused by each of the movements are now institutionalized.

Notwithstanding institutional gains, the challenge now is not to simply protect the invaluable gains but to provide the climate, nourishment and the wherewithal for these gains to continue to sprout and flourish.

The two movements must re-examine themselves in light of the prevailing socio-political ramifications and economic realities. This must be done with a resolve to buttress their strong points, and strengthen weak ones. □

*Herbert Simmons is director of the District of Columbia Office of Consumer Protection. The above was excerpted from a presentation in April at a conference of the American Council on Consumer Interests in Minneapolis.*