

They delivered those messages in a constant stream of horror stories – some true, most false.

SECOND: Privatize public services. It's a triple win because they get smaller government, weaker unions, and more government contracts for corporations.

THIRD: Eliminate regulations and safeguards, like environmental laws, workplace safety, and minimum wage. They all just get in the way of business profits and lessen management's total control.

FOURTH: Cut taxes so there's less money for services and workers, more money and power for the top.

AND FIFTH: Weaken their opponents. In 2001, government-hater Grover Norquist proposed weakening the pillars of power that support public services: unions, voter registration groups, and federally funded non-profits like Planned Parenthood. Unions are at the top of the list because they are the only self-funded organized voice for public services and working people.

SO, WHAT? EVERYTHING GETS WORSE AND WE FIGHT EACH OTHER FOR THE SCRAPS.

- There's less money for public services, so fewer receive, services decline, the work gets harder, and raises harder to get. It's a vicious cycle that translates to even less public support for public services.
- There's a wider gap between the rich and the rest than we've seen in 100 years. And as wealth is

more concentrated, they use their power to further tip the scales in their favor.

- There's increased racism, sexism, and other bias-motivated attacks on the "undeserving poor" who take too much taxpayer money.

But there's a much deeper and profound thing that they've accomplished. They destroyed our collective commitment to the common good. They turned "we the people in it together" into "we are each on our own."

So, who is the "they" and what do they want? The ideological and economic forces that have driven the assault on government aren't all the same. It's worth understanding the different groups and motivations.

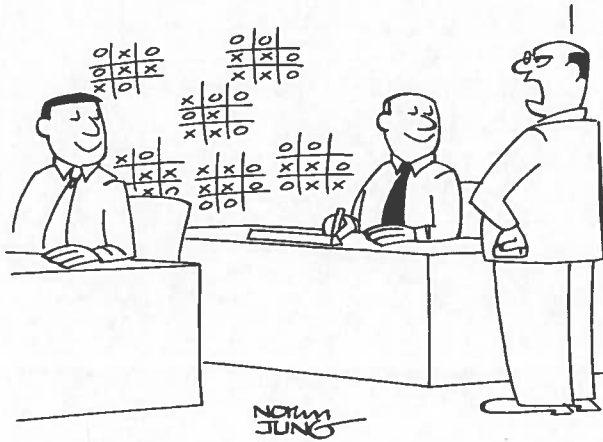
CORPORATIONS who earn more money and gain more power by reduced regulations, lower taxes, and fewer unions. They are antigovernment in every respect, except when they can somehow benefit from the \$7 trillion in annual government spending.

THE POLITICIANS who want to win elections, need their money to do it, and want unions out of the way to make it easier to win.

THEN THERE ARE THE TRUE BELIEVERS who want to fundamentally redefine our relationship with government so that instead of being citizens with rights and responsibilities, we become individual consumers of public services where we get only what we can pay for.



"IS THIS YOUR WAY OF ACCENTING WE DONT HAVE HEALTH INSURANCE?"



"I'VE HEARD THAT YOU TWO DON'T HAVE ENOUGH TO DO."

But we can't just blame them – progressives and unions need to take some of the responsibility. I believe we helped the right wing turn the American people against the government.

We're very good at pointing out government failures or shortcomings. Progressives even use some of the same language about government (corrupt, bureaucratic, out of touch, and wasteful). Some may be true – but we've left the idea of government almost completely undefended. No, it's not perfect by a long shot, but it's all we have. And, if we don't defend it, no one else will.

We need to lift-up the idea of government while we improve how it works and call out those who have captured it for their own benefit. We simply must do it all.

It must be about something bigger. We must reclaim the fundamental idea of public. Here's what I think it means.

- The things we must do together, like attack climate change and health care.
- The things we all benefit from regardless of whether we use the specific service or asset or not. For example, it's in each of our interests for every child to be educated, whether we have children or not.
- Those things that protect and support us all: economic security, safe food, clean air, and health care.

- And it's those things that make us a better, fairer, and more compassionate nation.

There's no question that we must fight today's attack on government and public sector unions. There are lots of ways to do that – and win. But we simply can no longer limit our thinking to those battles, the next contract, or the next budget. We play both defense and offense. We don't have a choice.

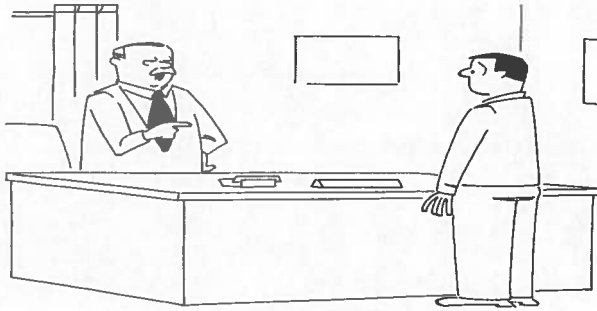
Here's a few things we could do to get started to build a pro-public movement; not just the program of one organization or one union.

1. Develop a practice of learning, strategizing, and developing our own ideas about the fundamental role of government in a functioning and fair democracy and economy – in our workplaces, in our communities, and in our organizations.
2. Ensure that individual campaigns and issue silos add up to progressive, pro-public governing ideas and new cultural conventional wisdom.
3. Learn how to be defenders and reformers of government without further undermining public distrust of public solutions. Progressives need to lift-up the idea of the vital role of government while we improve how it works and call out those who have captured it for their own benefit. And lift-up the successes, small and large, of government action.

- Donald Cohen is executive director of *In the Public Interest* and the author of *Dismantling Democracy*, from which this is adapted.



"Delegating all the unpleasant aspects of the job has left me with nothing to do."



NOTHING
 "I'M DELAGATING ALL MY MISTAKES TO YOU."

Federal Court Clarifies Protected Employee Speech

Whether a public employee is speaking as a private citizen or as a public employee can often mean the difference in maintaining employment or being fired for violating a policy. When the information being publicly disclosed by the employee was acquired while the employee was "on the job," the private citizen / public employee distinction can be a complicated question to answer. Fortunately, a federal court in Michigan has made it a little easier to comprehend.

In the case of *Whittie v. City of Rouge River*, a part-time police officer was terminated, immediately followed by the promotion of a part-time police officer to a full-time position. Prior to his termination, the officer had posted at the police station a photograph with superimposed comments (a "meme") of a sergeant sleeping in his police vehicle while on duty. The officer had also reported several incidents to the Chief of Police, such as a civil rights violations of one of his fellow officers, racist rants by fellow City police officers on social media, an unlawful release of a prisoner, wage and hour violations, and a sergeant receiving a sexual favor in exchange for not making an arrest.

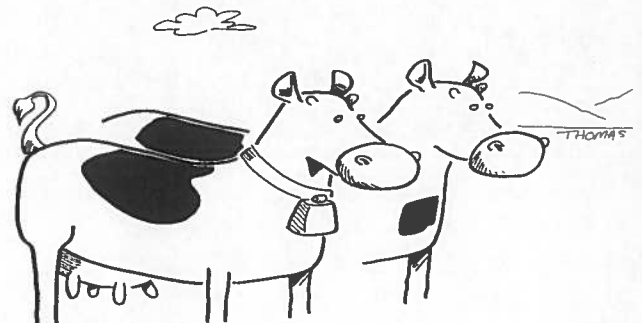
The officer posted at the police station a photograph with superimposed comments (a "meme") of a sergeant sleeping in his police vehicle while on duty. In her deposition, the police chief stated that she considered this issue "the straw that broke the camel's back." The chief went on to say that the officer was "being insubordinate, usurping my authority, creating divisiveness, not being courteous to his fellow officers, creating dissention among the troops."

After the termination the office filed suit against the City was that his termination was a breach of contract, a violation of due process, and a violation of this First Amendment right to free speech. Specifically to the First Amendment claim, the officer stated that his termination was based, at least in part, upon his action in reporting violations by other officers.

To show protected conduct in the First Amendment the employee must establish three elements: (1) the employee must speak about "matters of public concern"; (2) he "must speak as a private citizen and not as an employee pursuant to his official duties"; (3) the employee must show that his speech interest outweighs "the interest of the State, as an employer, in promoting the efficiency of the public services it performs through its employees."

The City defended by saying that the First Amendment did not protect the officer since all of the information he delivered to the police chief was information the officer learned while executing his duties as a public employee and not information he obtained as a private citizen. The Court rejected the City's defense, stating that "the critical question . . . is whether the speech at issue is itself ordinarily within the scope of an employee's duties, not whether it merely concerns those duties." As the officer stated that his speech was not within the scope of his job duties and City did not present any testimony to the contrary, the officer's communication was determined to be that of a private citizen and not a public employee.

As the officer had established that the police chief had based the termination, in part, on the divisiveness he created when reporting the conduct of other officers, the Court ruled in the officer's favor.



"Finding a needle in a haystack sounds like a dream job."