2. A Goal: Institutional Change

> *"Periods of reform are puzzling moments when those with less power are able to change the rules by which old elites have prospered."*
>
> – Elizabeth Clemens, The Peoples Lobby.

A core feature of the study is its focus on the potential of activism to catalyze institutional change in the communication and information sectors. The concept of institutional change provides both a *goal* for specifying what political activism could achieve, and a *benchmark* for assessing its historical impact. Our focus on institutional change is normative as well as positive. We prefer not to view advocacy or activism as an end in itself or as a lifestyle.[1] We take an instrumental view of citizen collective action, and see institutions as the strategic target for advocates serious about achieving long-term change. We also believe that the new institutional economics, particularly the strand that emphasizes the distributional effects of institutions and institutional change, can contribute a great deal to the reinvention of "media" activism.

2.1 Defining "Institution"

Institutions are not a simple target. In common usage, the word "institution" is often used to refer to any well-established organization, such as the Ford Foundation or the Library of Congress. But in social theory institutions are not specific organizations. They are ordered patterns of social interaction in a particular domain. (Clemens, 1997; North, 1990) Organizations shape and are shaped by institutions, but institutionalism focuses more on the *rules* than the players. Knight (1992, 2) defines an institution as "a set of rules that structure social interactions in particular ways," with the proviso that "knowledge of these rules must be shared by the members of the relevant community or society." In addition to explicit laws, there are the customs and social norms that strongly affect how such rules are interpreted and put into practice. The term "rules" in this definition means both formal and informal expectations.

An example of a relatively simple social institution is the convention of driving on the right side of the road. This pattern is grounded not only in drivers' habits and expectations, but is also codified in written laws and enforced by police. The institutionalization of this domain of human activity makes driving more predictable and so reduces the costs of routine interactions. Institutions thus create social benefits.

But one cannot explain the development of institutions solely in terms of the collective benefits they achieve. Knight (1992), Libecap (1989) and others have documented how the structure of institutions affects the distribution of power and wealth. Property rights are the social institutions that determine who has how much decision making authority over valuable resources. Without stable property rights, productive economic exchange is

[1] For an alternative view, see Calhoun (1995).

hindered if not destroyed. But property rights are not, as the extremes of both left and right would have it, a binary variable that either exist or do not exist. They can be defined in a variety of ways, and how property rights are defined strongly affects the distribution of wealth. A simple example of this is the term length of copyright protection. Longer periods of copyright protection transfer wealth from the consumers of intellectual property to the copyright owner, by eliminating competition in the reproduction of the work for a longer period of time. Shortening the term shifts wealth from copyright owners to consumers.

Likewise, the design and structure of political and governance institutions strongly affects the distribution of political power. As an example of the latter, consider the following three governance structures that might be adopted by an international institution: a) a one country, one vote legislative assembly; b) a one person, one vote global electorate; c) a shareholding structure of the type associated with corporate governance. While any stable governance structure is likely to be better than none, the relative winners and losers would change dramatically depending on which of these institutional structures was adopted. Small countries would be relatively empowered by governance structure a), populous nations or ethnic groups would be empowered by structure b), and wealthy stakeholders would be more empowered under structure c). Some theorists go so far as to claim that the collective benefits of institutions are merely a byproduct of the way interest groups work out conflicts over distributional issues. (Knight, 1992, 27-47)

The institutions ordering communication and information in the United States are complex and manifold. They involve numerous rule-making entities (Congress, the Federal Communications Commission, state regulatory commissions, international organizations and treaty negotiations), dispute resolution bodies (courts at various levels), a large and complex industry, and numerous technical standards and standard-setting organizations.

2.2 Institutional Change

If institutions are rules-based processes that channel social interaction, then institutional change occurs when something disturbs those patterns at both the mental and behavioral levels, provoking a systemic adjustment in the relations among organizations and individuals. That disequilibrating force must be strong enough to call into question the collective benefits created by existing institutions. “Institutional change” means overcoming the inertia of existing institutions and securing into place new rules and new organizational forms that deliver tangible new benefits to significant social constituencies. To elaborate, institutional change means that:

- Changes in *rules and norms* occur, not just the changes in the behavior of specific actors in specific situations.
- The rule changes alter the distribution of wealth or power in a significant way;
- The new rules, like the old ones they supersede or replace, become self-reproducing over time, and create their own inertia. Typically, this means that the

> changes must be broadly accepted as legitimate and that they are compatible with basic material constraints.[2]

More concretely, institutional change takes the form of major new national (or international) laws and policies and the allocation of resources required to make them effective; the creation (or abolition) of large government agencies; major shifts in the allocation of governmental and private resources; and the internalization of new social norms by the dominant culture in a way that legitimates and sustains the changes in power and wealth distribution. Most if not all of these aforementioned factors must be in play to qualify as the kind of institutional change we are interested in, not just one of them.

Civil rights and environmentalism are clear examples of social movements that produced institutional change of the sort we are concerned with here. In both cases, sustained contention between organized citizens groups and their antagonists produced 1) major and difficult-to-reverse changes in state, federal and local laws; 2) new, more or less well-funded government agencies with novel forms of regulatory power;[3] 3) major shifts in the distribution of political power; and 4) widespread inculcation of new social norms into private behavior (overt racism or sexism is publicly unacceptable, pollution is stigmatized, etc.).

2.3 Why Bother with Institutional Change?

Not all activism produces institutional change, nor is it intended to do so. Many advocacy groups see themselves as upholding or sustaining existing laws or norms. Many activist organizations and causes are targeted at localized issues or problems and have little interest in systemic transformation of an existing order.

Thus, we need to introduce an important distinction between advocacy focused on institutional change, and advocacy that is not. This report is interested in the former, and less so in the latter. By adopting this focus, we do not wish to imply that activism targeted on institutional change is "worthy" and other forms of activism are "less worthy." On the contrary. Collective action by citizens to improve local conditions or to resist specific bad actions by government or the private sector is a vital part of an open society. From a normative standpoint, advocacy that sustains or defends good institutions is just as important as activity aiming in new directions. For example, a campaign or legal defense fund to prevent a particular group or web site from being censored constitutes a kind of activism that (in the United States at least) upholds widely accepted liberal norms and existing constitutional rights.[4] Charitable efforts to ameliorate poverty may have a beneficial effect on the recipients, but most of this activity does not pretend to be catalyzing a long-term, institutionalized shift in the distribution of wealth. That kind of

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[2] E.g., one can pass a law decreeing that everyone in a society will have million dollar annual incomes, but the law is meaningless unless the new organizations and institutions actually have that wealth to deliver.

[3] The Equal Employment Opportunity Commission and the Environmental Protection Agency.

[4] On the other hand, efforts to prevent censorship from taking a new form and from being applied to a new medium such as the Internet, such as occurred with resistance to the Communications Decency Act, has long-term institutional significance.

activism is just as important – and certainly more common – than sustained social movements aimed at systemic change.

Nor do we wish to overlook the ways in which more concrete and localized forms of activism might generate longer term institutional change. One can focus a great deal of energy on a specific corporate actor such as Clear Channel Radio, and have a real impact on that actor's fortunes and behavior. In some cases, altering the conduct of that individual business may not have a long-term impact on the rules governing the structure of the broadcasting industry or on the norms and ideas guiding the legislatures' and courts' treatment of broadcasters. On the other hand, it is possible for advocates to make specific actors such as Clear Channel a "poster child" for abuses or problems that call into question existing policies. That in turn can lead to more generalized changes in attitudes and rules. As one leader of an advocacy group has put it,

> "When activist groups single out individual companies as the targets of their campaigns (e.g., RJR, Exxon, Nike), the goal is not just to change the behavior of that individual organization, but to raise the issue in the press, frame the public debate, and influence policy makers. There are numerous examples of how these strategic, focused interventions have had significant impacts on industry-wide practices as well as public policy decisions."[5]

In general, activism aimed at institutional change is more difficult and expensive, longer-term, more uncertain and riskier than activism targeted at smaller objectives. Indeed, because of the complexity of human society and the pervasiveness of unintended consequences, there is no guarantee that efforts at radical institutional change won't make things worse rather than better. Why then does this report focus on institutional change? There are four major reasons.

- First, the Ford Foundation is an organization capable of investing substantial amounts of time, energy and resources promoting some kind of social change. As a matter of efficient use of human and financial resources, it may as well think big. That is, Ford's support of communication/information activism should be designed to produce effects that are institutionalized, systemic and "locked in," as opposed to effects that are temporary, sporadic and localized.

- Second, public interest activism as we know it was itself both a catalyst and a byproduct of institutional change that took place in the 1960s and '70s. Most veteran advocates understand that, and the evidence gathered by this report will further document it. What is less well understood is that the specific organizational forms and social norms of that period have themselves become institutionalized. What were once new challengers employing new organizational forms, new norms and new methods have become familiar, an adjusted-to part of the political landscape. Consequently, much of their energy or ability to transform has been spent. We wish to convey a sense that the specific form taken by public

[5] Comments on "Reinventing Media Activism (Preliminary Review Draft)" of Dr. Kathryn Montgomery, President, Center for Media Education, Professor, American University. July 28, 2003.

interest activism needs *revitalization* and *reinvention*, rather than *reassertion* and *repetition.*

- Third, we note that many of the groups now involved in communications activism aspire to create institutional change, particularly change of the sort achieved by the civil rights and environmental movements. But many of these groups sense, correctly in our opinion, that they are no longer generating systemic change but are defending or preserving values and institutions against a competing movement (neoliberalism) with more momentum and power. Other groups, on the other hand, do see their current advocacy as agents of major institutional change. We are convinced, however, that all too often the second camp fails to appreciate the substantial burdens, both intellectual and political, that such a commitment entails. In particular, while valid and powerful expressions of dissatisfaction with the media status quo abound, the formulation of alternative institutional arrangements and the articulation of a politically feasible pathway to them are not so abundant. Thus, an analysis of how activism is related to broader institutional change seems to be needed in both instances.

- Finally, institutional change in our field is taking place whether we want it to or not. The only choice is whether to participate actively or passively, as shapers or reactionaries. New institutions are being constructed at the international and national level in response to globalization and the rise of the Internet, e-commerce and e-government. That in turn creates pressure for adjustments at the national level. Institutional change is particularly evident in the domain of communication and information because of the drastically lowered costs of transnational communication and the liberalization of trade in communication/information services and equipment. The construction of new transnational rules, organizations and norms pertaining to communication and information will have a major impact on national institutions. The international arena presents a field of action that is more open to innovation and change than the national arena. In the developed countries at least, stable patterns of contention among the relevant constituencies have been forged and entrenched in the domestic arena over a longer period of time. Things are in greater flux internationally.

2.4. The Paradox of Institutional Change

The quote from historical sociologist Elizabeth Clemens at the beginning of this section presents a paradox. Like all good puzzles, it makes one stop to think. Thinking about it clarifies one of the key issues posed by institutional change. The paradox is this:

> *If (as institutional theory suggests) the rules and norms currently in place reflect and reproduce the prevailing distribution of wealth and power, how do groups or individuals who are disadvantaged by or dissatisfied with those patterns of interaction ever manage to change them?*

What kind of social leverage or organizational jiu-jitsu is needed to make this happen? Is it driven by happy accidents? Technological change? New ideas? Violent conflict?

The theory of institutions we are using provides a generalized account of what might lead to institutional change. If institutions are based on distributional bargains that reflect the relative bargaining power of various social groups when institutions are formed, then change could come about by:

- Changes that dramatically improve the bargaining strength of the formerly weaker parties
- Changes that dramatically reduce the bargaining strength of the stronger parties
- Changes that significantly alter the collective benefits that might be achieved by an institutional framework, either expanding or contracting them
- Changes that allow the relative losers in one institution to migrate to alternative institutional arrangements

We must stress, however, that no amount of scholarly research is going to provide a simple, reproducible recipe for altering institutions going forward.[6] The achievement of consciously pursued social changes is an art, not a science. Social science can only give us clues as to where to look for strategic levers, and generalized descriptions of how various movements have done it in the past. Thus, below we provide a brief description of two particular phenomena with which institutional change has been associated in the past: 1) social movements, and 2) innovation in organizational forms. These are advanced not as guides to future action but as frameworks that help us to analyze and understand our historical review of advocacy in communications and information.

2.4.1 Social Movements

Research on social movements tells us that successful movements will take advantage of political opportunities unique to a historical moment, strategically mobilize the resources available to them, and successfully frame issues in ways that appeal to the public. Charles Tilly (2002) compares a social movement to a "kind of campaign, parallel to an electoral campaign," but notes that "whereas an electoral campaign pays off chiefly in votes…a social movement pays off in the effective transmission of the message that its program's supporters are (1) worthy, (2) unified, (3) numerous, and (4) committed." In social movements the relationship between actions and the goals of the movement are diffuse and indirect:

> …as compared with striking, voting, smashing the loom of a nonstriking weaver, or running a miscreant out of town, [a social movement's] actions remain essentially symbolic, cumulative, and indirect…Social movement mobilization gains its strength from an implicit threat to act in adjacent arenas: to withdraw support from public authorities, to provide sustenance to a regime's enemies, to move toward direct action or even rebellion. (Tilly, 2002, 88)

According to Sidney Tarrow, disruptive forms of contention are the strongest weapon of social movements because they "spread uncertainty and give weak actors leverage

[6] Indeed, such a formu la, if it could exist, would be self-negating, because if anyone could follow it everyone would follow it, allowing the expectations of opponents of social change to converge on strategic countermeasures.

against powerful opponents." However, disruption is also a highly unstable tactic. It requires high levels of commitment on the part of participants, and as Tarrow notes, "commitment in social movements is difficult to maintain over long periods except through formal organizations, which movements do not like, can seldom master, and – when they do – often turn them away from disruption." (Tarrow, 1994, 98) Regular reliance on disruptive tactics tends to split movements into "militant minorities tending toward violence" and "moderate majorities tending toward convention." (Tarrow, 1994)

2.4.2 Organizational Innovation

While the social movement literature emphasizes ways to undermine or disrupt the equilibrium that sustains existing institutions, sociologists such as Elisabeth Clemens have called attention to the way organizational innovations usher into place new patterns of social interaction, locking in changed institutions. Clemens' work emphasizes the ability of people to manipulate organizational forms and organizational repertoires. Her analysis is based largely on detailed studies of the historical origins of interest group politics in the progressive era, which contrasts the achievements of labor, farmers, and woman movement in that period. (Clemens, 1993, 1997)

According to Clemens, *how* people organize is as important as what resources they have and what purposes they organize for. Think of what it means to organize as a social club, a paramilitary force, a religious order, or a Washington DC-based public interest lobbying group. Each one of these organizational forms is associated with a different repertoire of behaviors and actions. Each creates quite different expectations in the minds of its participants and invokes a different type of response by others in society. These internal expectations and external responses both enable and constrain what the organization can achieve. Shared mastery of known organizational forms facilitates collective action. Mutual knowledge of organizational forms facilitates cooperation based on tacit knowledge rather than explicit instructions. Organizational forms may also be a source of shared identity. (Clemens, 1997, 49-50)

Once routine patterns of interaction are articulated and established, they become "modular" and can be transposed from one setting to another. This transposition of organizational repertoires can be a catalyst of institutional change. One strategy for securing institutional change is to organize "as if" existing institutions already apply to formally excluded categories of actors or domains of activity." (Clemens, 1997, 189) The organized lunch counter visits of the civil rights movement, wherein African-Americans acted as if they had the same rights as whites, fall into this category. This method dramatizes contradictions in society's rules, reorienting peoples' thinking and creating the opportunity of altering patterns of participation. An important insight from this perspective is that challengers who adopt familiar models of organization and use them for familiar purposes will simply *reproduce* existing institutions. The reverse strategy – challengers who adopt modes of organization that are completely unfamiliar to and disruptive of the surrounding society – is likely to invoke incomprehension, rejection and repression. Institutional change is most likely to come from challengers with organizational forms that combine familiar and unfamiliar elements. (Clemens, 1997, 62)

Clemens' perspective also offers insight regarding where to look for the wellsprings of institutional change. Contrary to romantic notions of the poor and downtrodden rising up to alter their conditions, institutional change almost always comes from constituencies in the middle. "Rather than resulting from the resistance of the most disempowered, lasting rearrangements of institutionalized rules are more likely to be produced by the least marginal of the marginalized, the most advantaged of the disadvantaged." (Clemens, 1997, 12)

2.5 Conclusion

This section identified *institutional change* as the appropriate object of activism and advocacy, and provided definitions and descriptions clarifying what is meant by it. An argument was advanced as to why a focus on institutional change in communications and information is appropriate. Then, some tentative ideas were put forward about how institutional change occurs, and two methods of analyzing social change, the social movement literature and the organizational sociology of Elisabeth Clemens, were introduced.

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