

Prosecuting Our Pitch:
An Analysis of Language on Civil Legal Aid
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Voices for Civil Justice



Introduction

Courtrooms have a prominent place in serialized television but are shunted to background in political advocacy. Further, people display little awareness of the role of civil legal proceedings and less understanding of how to agitate for, much less, achieve desired change. Add into this mix America's troubling valorization of self-reliance and you have a challenging arena in which to make a strong case for civil legal aid.

Advocates for civil legal aid are generally playing defense. Appeals to sustain the Legal Services Corporation in the face of increasingly hostile attacks are reactive — not generative. Reliance on inagentic constructions like “the crisis is growing” shield from view the deliberate choices behind undesirable outcomes.

How do we put forth a compelling narrative about what civil legal aid is and accomplishes? How do we establish a popular agenda for the policy changes that would ensure every person just legal outcomes by properly supporting civil legal aid for those who need it?

Here, I examine people's underlying reasoning about JUSTICE, LEGAL AID, LAWYERS¹ and related issues. The conclusions emerge from over 600 unique expressions from advocacy, opposition, media and television. Findings are also informed by previous research into language about judicial selection, government and advocacy. While previous opinion research completed in 2013 factors into this analysis, the basis for conclusions comes from prevailing discourse as it is — not as it was recommended to be.

This language scan is a “you are here” marker, indicating the ways people currently understand, come to conclusions about and make judgments on this issue. We start this journey looking at how you describe the problem you're out to solve and what you convey about its origins. Next, we take up the question of the competing frames currently in advocacy for conveying what CIVIL LEGAL AID is and why it matters. These include CIVIL LEGAL AID AS PROBLEM SOLVING, PROTECTION, (PURSUIT OF) JUSTICE and COUNSEL. As you'll see, each foregrounds a different element of the story and thus brings top of mind specific facets of what CIVIL LEGAL AID “is” and exists to do. Finally, we end with a quick look at one common place messaging habit that dilutes your efficacy: unnecessary hedging.

This document is admittedly heavy on diagnosis and lighter on cures. That's a reflection of the role this step in the analysis plays.

¹ Throughout this document, SMALL CAPS signal a semantic frame rather than a word's meaning in traditional usage.

Methodology

Using a variety of techniques from *cognitive linguistics*, a field dedicated to how people process information and communicate, I examine here how people formulate judgements and come to conclusions about political issues.

Principally, the conclusions emerge from *metaphor analysis*. This involves cataloging commonplace non-literal phrases. Noting patterns in these phrases reveals how people automatically and unconsciously make sense of complexity. Each metaphor brings with it *entailments*, or a set of notions it highlights as “true” about a concept. Priming people with varying metaphors has been shown to alter not just how they speak but the ways they decide, unconsciously, what ought to be done about an issue. We judge a metaphor’s efficacy on how well it advances and amplifies what we wish the public got.

For example, researchers at Stanford showed that groups primed with a metaphor of CRIME AS DISEASE (*plaguing* our communities, *spreading* around) came up with entirely preventative solutions such as after school programs and preschool for all. Conversely, subjects exposed to CRIME AS OPPONENT (*fight* crime, *get tough on* crime) thought harsher punishments were the answer to handling crime. If you’re working for prevention, it’s clear you should liken crime to DISEASE and avoid OPPONENT language. A 3-strikes advocate would want to do the opposite.

What follows is an analysis of what your² words actually convey, especially focused on when this is at odds with what you intend audiences to understand.

What’s in the frame?

A principle entry point to examine how language shapes understanding and gives rise to a set of unconscious and, at times, unintended meanings, is exploration of *frame semantics*. A *frame*, in linguistics, acknowledges that words exist within and thus evoke pre-set packages of meaning, determined by our common knowledge, assumptions and beliefs. In short, words occur in contexts. As such, usage of even a single word brings with it a whole host of associated meanings, actors and objects that come into “view” whether or not the speaker desires.

Familiar ways of discussing most political issues including your own are an object lesson in the consequences of not attending to semantic frames. Here, I detail arguably the most common framing challenges progressive advocates face: providing a clear origin story for the problems they seek to solve.

² Throughout this document, I use “you” rather liberally to mean patterns of communication in frequent usage by your organization, allies or sympathetic media. Further, as examples illustrate common tendencies, I do not cite sources here in order to not cast aspersions on particular organizations or messengers.

Passivizing Problems

Before you can hope to convince your audience of the validity of your vision, they'd need to "get" your story about the sources of and solutions to the problems you describe. The origin story we rely upon intuitively conveys whether our proposed answers are the right ones. If we don't convince the patient of our diagnosis and the severity of the disease, why should we expect her to follow our treatment plan?

You tend to shield from view the actors who create the harms you catalogue. Yet research shows altering descriptions of events influence how audiences assess culpability and evaluate proposed remedies. In particular, varying verb forms between agentive (transitive) and non-agentive (intransitive) can have audiences change their judgments about real world events.

You are falling prey to the progressive tendency of implying bad things just happen. The major obstacle you have in conveying why many harms exist and persist, is your **frequent use of non-agentive constructions**. Here are representative examples:

Yet in recent years, the pitfalls of the American criminal justice system **have vastly overshadowed** the devastating effects on America's poor of its civil justice counterpart.

A crisis in civil justice **has seized** the lowest rungs of state courts where the great majority of American justice is meted out.

A lack of access to justice for some is a burden to all.

The rise of the self-represented litigant (SRL) **has created** an unprecedented disruption in the practice of law and the management of courts.

Despite the essential work of pro-bono attorneys, our nation **faces** an enormous justice gap.

And as the housing crisis **continues to grip** cities across the country, few have discussed the critical disadvantage for **people facing eviction** or foreclosure without a lawyer, something their landlord or bank almost certainly has.

The **inability to obtain** legal help has devastating consequences.

The value in real dollars of LSC's appropriation **has declined** dramatically since its high water mark in 1980.

The capacity of people to secure meaningful access to the courts **is also impeded by** the extreme and ill-conceived funding restrictions imposed on LSC-funded legal aid programs in 1996.

The demand for legal aid far outstrips **the resources available**, and as a result, many are navigating high stakes legal situations—in which their families, homes, and livelihoods are on the line—on their own.

In all of these examples, and the many others I could add, there is never a single villain, or even actor, named. If our nation “faces” bad things, then they have no clear cause. And, it follows, no solution.

Worse yet, opacity about the origin of problems risks making legal aid itself seem culpable: “Legal aid programs **turn away** at least one case for every one they take.”

Even in places where you get more pointed about sources of problems — you still don’t clarify who is behind the bad deeds or you revert to passive sentence structures:

Due to **persistent attacks** on the Legal Services Corporation, the cornerstone of the nation’s efforts to promote equal justice, this statement rings truer than ever today.

Nearly a million poor people who seek help for civil legal problems are turned away because of the **lack of adequate resources**.

Every year, 1 million cases are turned away from LSC-funded offices **due to funding shortages**.

The Supreme **Court’s approach** in civil cases, however, has been considerably less protective, which has contributed to the **ever-growing** justice gap and even worsened the indigent defense crisis.

Unless you convince your audiences that **people making intentional and at times nefarious decisions** are behind outcomes witnessed, you can’t make the case that other outcomes are possible. Yet, rare are the examples, like this one, where you place a culprit front and center: “The crisis traces back to a concerted effort by the Heritage Foundation and other conservative bastions to deny low-income people access to the courts by destroying LSC.”

It’s not only on the side of enumerating problems that you tend toward sentences without agents. Also in detailing your efforts or describing achievements, you tend to leave people out of view:

In the face of repeated funding crises, the **sector has broken** new ground, devising significant **innovations that are serving** more people and proving to be game changers.

The Access to Justice **grants have greatly enhanced** the provision of services to indigent residents facing loss of their homes.

The final way in which the tendency to leave people out of the picture manifests is in the personification of CIVIL LEGAL AID. In the following examples, among many others, civil legal aid appears to be the agent behind desirable outcomes:

Voices generates media coverage and tells stories to build awareness that **civil legal aid ensures fairness** in America's justice system.

Civil legal aid is one of the best strategies we have to **tackle inequality and poverty**.

Civil legal aid provides Americans with the legal tools they need to protect their families, homes and health.

NLADA increases **civil legal aid's capacity** to apply for, receive, and manage federal grant programs that target low-income populations and allow legal services to fulfill program goals.

Note that this metaphor of LEGAL AID AS PERSON backgrounds the deliberative efforts of attorneys and other professionals. In making LEGAL AID the actor, it eclipses the efforts that these funds enable.

Frames for civil legal aid

CIVIL LEGAL AID can be construed as its own agent - as mentioned. But whether AID is described as acting autonomously or we bring the work of people into view, there remains the question of how we describe what LEGAL AID is and why it's desirable. We turn now to consider the prevailing frames for CIVIL LEGAL AID and what they imply about what it exists to do and ought to remain or increase.

Civil legal aid as problem solving

Frequently, we find advocates describing civil legal aid as a means to resolve social problems:

Civil legal aid is a best-kept secret when it comes to ensuring fairness in the justice system and **addressing some of our country's most serious problems**.

Whether helping veterans obtain hard-earned benefits and medical care, advocating for fair treatment of tenants, or partnering with physicians to help patients whose illness is due to conditions that require legal intervention to remedy, **civil legal aid advocates are often an important part of the solution**.

Our data shows that legal services are both the least funded and most cost-effective way to **address poverty**.

We **solve problems** for families living in poverty, seniors, individuals with disabilities, immigrants, veterans, and survivors of domestic violence.

For...residents facing a life crisis - eviction, illness, violence in the home - legal help is often the most **powerful and effective remedy**.

As the only organization in the United States focused on the needs of the self-represented in civil courts, we envision a nation in which **every person can get some form of effective assistance with their civil legal needs**.

For nearly 50 years, we have challenged systemic injustice and **helped clients meet basic needs** for housing, access to high-quality education, health care, family stability, and income and economic security.

Several things stand out about this PROBLEM SOLVING frame. First, it exists without reference to court. In fact, the basic fact of legal issues existing within an adversarial system — wherein two parties have opposing claims — doesn't come up. Further, it tends to gloss over issues of inequality. Indeed, it says little about why certain people and communities routinely have so many problems that require resolution.

In this frame, CIVIL LEGAL AID is often characterized as improving “services” or their delivery. The intent with this seems to be to place it within a larger category that includes public goods like social security, public education, highway maintenance, to name a few. Likely, the hope is to draw attention away from opponents’ claims of legal aid as highly politicized and partisan:

It builds upon the efforts of the Legal Aid Interagency Roundtable and the US Department of Justice Office for Access to Justice to demonstrate to federal agencies how civil legal aid can help **meet program goals and improve delivery of services** in areas such as health care, housing, and veterans' affairs.

Our work includes helping civil legal aid programs build strong partnerships with community organizations and state and regional government entities to **deliver services**.

Studies show that **these vital public services** not only help individuals and families, but save taxpayers money by reducing the costs that spread beyond a family in crisis to the local, state and federal government. For example, providing a lawyer to prevent an unlawful eviction and keep a family in their home costs much less than placing them in a homeless shelter.

Additionally, there is growing evidence that providing counsel not only **makes outcomes more accurate**, but may actually help the states save money.

Despite the number of providers, civil legal aid cannot meet the **need for services**.

This CIVIL LEGAL AID without court approach often includes economic justifications, as we see above. Or, for another illustration, “civil legal aid provides important **return on investment** for taxpayers, businesses and communities.” While not a direct evocation of the PROBLEM SOLVING frame, this nod to making the business case, as it’s often termed, is a frequent addition.

The intent here is to expand the argument for civil legal aid from resolving individual problems to addressing a shared social concern. This is an important messaging priority. In order to broaden support for civil legal aid, we need more than just the immediate existing constituency to pay attention to and act on behalf of it. Whether bringing CIVIL LEGAL AID outside a courtroom context is the way to accomplish this task is an empirical question.

Analytically, there’s cause for concern. It’s not just competing desires and courtrooms left out of this frame, the pursuit or absence of JUSTICE is also left out of view. Here, civil legal aid exists to improve efficiency and save tax dollars. Of course, it also there to ameliorate harms like homelessness and poverty but the fundamental power imbalance that engender these harms don’t enter the frame. Thus, it becomes challenging to understand how civil legal aid as opposed to, say, affordable housing units or increased food stamp allotments, has a role to play.

Civil legal aid as protection

Emphasizing PROBLEM SOLVING or SERVICE DELIVERY plus cost savings is one way to package CIVIL LEGAL AID. Another approach is to describe it as a form of PROTECTION:

Not everyone benefits from the **protection of law**.

People received legal advice and representation to access fair and affordable financial services and **protect themselves** from deceptive lending practices.

[Organization] **prevents** evictions, **saves** homes from foreclosure, and **preserves** thousands of subsidized and rent-regulated housing units.

These tribunals provide the only forum for most Americans to seek restraining orders, resolve divorce and custody matters, **defend** against evictions, **prosecute** wage theft, and **fight** debt collection.

In evictions, for example, two-thirds of tenants who go to court without a lawyer lose their homes, while two-thirds of those represented by an attorney are able to keep them. In complex areas of the law, legal help is essential to enable people to understand and **defend their rights**.

We help our clients **protect** their families, their health, and their livelihoods.

In the PROTECTION frame, the courtroom is more likely to serve as a setting but it's by no means always there. Nevertheless, the idea of competing objectives or desires is more prevalent, due to the tendency to employ the ARGUMENT AS WAR metaphor. In referencing the need for protection and defense, there's an implied - and often directly referenced - antagonist.

Legal problems are construed as BATTLES making it clear why going into them "unarmed" or alone is dangerous:

They often have to **fight these battles on their own** because — despite the fact that civil cases can result in people going to jail, or losing a house, health care or custody of their children — they don't have the right to a lawyer, as defendants in criminal cases do.

As we saw with the PROBLEM SOLVING frame, LEGAL AID AS PROTECTION also seeks to bridge from defending individuals in particular straits to a broader public interest role. The absence of legal aid enables bad actors to continue and expand harms: "Lack of access to legal help, in other words, **serves as a shield** for neglectful landlords and all sorts of other bad actors—abusive husbands, predatory lenders, corrupt employers." Or, in another example, "this is not just a problem for **overmatched** individuals. 'It creates industries that become more abusive...They feel 'we can do whatever we want.'" This is part of the reason we have lost social mobility." Thus, legal aid is useful as a deterrent to undesirable behavior as well as a defense against harms already underway.

Given the strength of populism in this moment, and the palpable anger toward corporate interests wielding power to harm everyday Americans, it seems promising to pursue this PROTECTION approach. In fact, leaning harder into this frame by doing away with passive structures and casting these monied interests in the role of seeking to dismantle civil legal aid may prove especially resonant. However, conclusive assessment of this frame requires empirical testing; it can't be properly assessed analytically. Equally critical is how profiling civil legal aid in defending against claims versus prosecuting wrongdoing works for different audiences.

Civil legal aid as justice

Both of the previous approaches tend to share an elimination of harm element. In other words, they posit CIVIL LEGAL AID as existing to diminish or get rid of something bad. In contrast, this next frame posits civil legal aid as a means to create something good:

It is essential to fulfilling our nation's fundamental promise of **justice for all** – not just for the few who can afford it.

Justice depends on having a fair chance to be heard, regardless of who you are, where you live, or how much money you have.

Millions of Americans are fighting legal battles alone without any access to legal help, compromising the **fundamental fairness** of our society.

A person's ability to **enforce important civil rights** should not depend on their income.

We're an award-winning nonprofit working to create the country's first system of universal access to legal representation and prove that **justice for everyone** is possible.

The emphasis in this frame is the fulfillment of shared values, most often justice for all. Lack of civil legal aid is posited less as a problem for the individuals navigating challenging situations but rather as a missing element within our society as a whole.

Inequality, or the fact that some individuals and groups are systematically restricted from legal support while others enjoy a surfeit of it, looms large here:

Civil legal aid **levels the playing field** by providing legal assistance and representation, self-help centers, and access to information and forms so people can know their rights.

We believe that the poorest and most vulnerable among us deserve **the same access to justice** and quality legal representation as more fortunate citizens.

As in many other domains, the conversation about INEQUALITY centers around the metaphor of HORIZONTAL DISTANCE. The most common way the inequity of access is described is through the language of "gap":

Closing this gap will require both an expansion of pro bono services and a variety of other measures, including increased funding from all sources and continued implementation of innovative solutions such as self-help centers, medical-legal partnerships, and access to web based information and forms

The United States suffers from a severe **justice gap** that prevents families from moving out of poverty and threatens the stability of our court system.

The **justice gap persists and grows worse** because of chronic underfunding of the Legal Services Corporation and extreme and ill-conceived federal restrictions placed on the legal aid programs that receive LSC funds.

This isn't a [justice] **gap**. It's a **chasm**.

While “gap” accomplishes the basic job of a metaphor in making simple and tangible the complex and abstract, it's problematic for multiple reasons. First, it offers no origin story. It enters the tale at the end to indicate that one entity is physically apart from another. When we offer people no origin story, as described earlier, they fill one in for themselves. And, generally, they default all too readily to individual causation not systemic ills.

Further, in describing a “gap,” we risk altering the implied objective. If rich people had no legal resources, no way to hire good counsel, this would eliminate the “justice gap.” This, of course, is not your aim.

Also note that the entities metaphorically on either side of the DIVIDE in the language of “gap” can vary. Most writers imply that the elements on either side of the gap map to those who can access legal assistance and those who cannot. But others cast these roles differently. Consider, for example, “the justice gap represents the difference between the **level of civil legal assistance available** and the **level that is necessary** to meet the legal needs of low-income individuals and families.”

Occasional ambiguity over the articulation of this frame aside, larger questions remain. Are we better served making an INEQUALITY argument or talking about JUSTICE not being served for the whole society? Is the problem the comparative – some “get” justice, others don't? Or is the problem that justice can't be achieved because, by definition, there is no justice unless it's universal?

Civil legal aid as counsel

The common feature of the previous frames is that they focus on outcomes. In contrast, the final frame foregrounds process and tends to have the courtroom as the setting. The emphasis here is on support and not being alone in troubling times:

They are receiving unjust outcomes because they don't have a lawyer **by their side**.

The **right to counsel** can also be an excellent tool for fighting poverty.

Millions of American cannot afford the **legal help they need** when facing life-changing situations, such as domestic violence, unlawful evictions, or the loss of veterans', health or disability benefits.

We should be asking the candidates whether they prefer the status quo—where many **go to court alone**, unsure of their rights, and can lose everything—or whether they will fight to ensure justice for all.

Unsurprisingly, in this frame, legal experts are front and center. There are two different metaphorical approaches to activating CIVIL LEGAL AID AS COUNSEL. The first emerges from one of the most common metaphors we have in English: LIFE AS JOURNEY:

The public believes it is important – in fact critical – to have access to legal expertise to **navigate** the complexities of the civil justice system.

The American legal system is **complicated terrain**, even for those with the resources to hire skilled attorneys.

They're **left to navigate** these complex legal situations on their own - and risk losing their families, homes and livelihoods in the process.

Even in seemingly **straightforward** situations in which people are clearly on the right side of the law...Americans are often unable to **overcome roadblocks** on their own without the help of a lawyer to **navigate** the legal and **bureaucratic maze**.

As lead poisoning irrevocably damaged the lives of children in Flint, Michigan, and around the country, we heard little about how families with young children are **forced to navigate a bureaucratic maze to escape** lead-contaminated housing, an almost impossible task without legal help, that leaves many in harm's way.

As mentioned, life is frequently likened to a journey where we *hit a crossroads*, get stuck in *dead end jobs* or find ourselves *growing distant* from a loved one. Here, legal concerns are a particularly challenging element in this JOURNEY requiring a skilled guide.

This metaphor makes clear why it's important to have a professional by your side. It makes vivid — in physical terms — the experience of confronting civil legal issues.

When legal help isn't described as NAVIGATION, it's construed as REPRESENTATION — generally always using this term:

[Organization] has focused on advancing justice through excellence in civil legal aid and public defense so low-income people receive **high-quality representation**.

Three-quarters of all civil cases involve at least **one unrepresented party**.

Although never made explicit, the system, in effect, **depends upon the skill of an attorney** to transform a party's grievance into a highly stylized set of allegations, evidence, and arguments, upon which a judge or jury can base a ruling. **Unrepresented parties** face challenges at every step of the litigation, from properly filing and serving an action, to gathering and presenting admissible evidence to a judge.

It is well-documented that **unrepresented litigants** secure far fewer victories in court than their represented counterparts.

This leads to the question of whether it's more compelling to enter into the civil legal aid conversation with the purpose and payoff of having a lawyer (construed as a representative or navigator) versus centering our approach on the presence or absence of social problems, protections or justice. The former is much more readily court-centered while the latter approaches more readily occur outside this setting.

In contemplating where to situate the civil legal aid "scene," it's important to consider that *having your day in court* is a common trope in our culture. From a messaging standpoint, this is arguably the key feature that separates the judiciary from the other branches of government. Namely, that the average person may find him or herself in court either directly or on behalf of someone else.

Courtroom dramas share with medical dramas the common element of allowing for a rotating cast of "every person" walk-ons. Unlike films or series that purport to show us the White House or Congress, people from all walks of life can fit into a court storyline.

Language about the day-to-day ramifications of legal problems are critical to increasing interest in what can seem important only to some segment of the population. Happily, there are many examples of this kind of discourse already in your advocacy:

Having a lawyer can make the difference between keeping a home or losing it, obtaining protection from domestic violence or risking injury, having sufficient food or going hungry, or even keeping a family together versus having it split apart.

Veterans are often **homeless** because they don't have legal help—to obtain **mental health benefits** or **fight eviction**, for instance—because they couldn't afford a lawyer or didn't know they had any rights under the law.

What if Your Landlord Tried to **Evict You**?

What if Your Ex-Partner Wouldn't Let You **See Your Children**?

What If Your Employer Wouldn't **Pay You**?

Survivors of sexual assault and domestic violence are routinely unable to obtain legal help to hold their perpetrators accountable or to move on with their lives.

While it's theoretically possible to highlight lived experience within any frame for CIVIL LEGAL AID, it's likely most easily done in counsel approach. Focusing in on attorneys necessarily grounds the conversation in what people feel and see and do, as opposed to the more abstract domains of PROBLEM SOLVING or broadly defined PROTECTION.

Given the civil legal aid involves a host of supports, only some of which entail an actual attorney at your side, it may seem too limiting to adopt this frame. However, it's possible to apply NAVIGATION or not facing problems unarmed to a broader set of services than actual attorney-client time. REPRESENTATION, however, is more circumscribed in terms of the kinds of support it characterizes.

Unnecessary Hedging

Finally, from the problems you seek to solve and larger frame you choose to convey CIVIL LEGAL AID'S purpose, we come to descriptions of your own efforts. Hindering you from expressing yourselves clearly and persuasively is your tendency to insert *unnecessary hedge phrases*. Verbally distancing ourselves from the full weight of our assertions is incredibly common.

Several phrases like "work to," "aims to," "seek to" serve this hedging function in progressive advocacy, for example:

They **sought to counter** the sheer invisibility of civil legal aid as a contributing factor in the declining trajectory of funding and support for the sector.

[Organization] **aims to strengthen** the brand identity of this growing and diversified sector.

[Organization] has **focused on advancing** justice through excellence in civil legal aid and public defense so low-income people receive high-quality representation.

This site provides resources for pro bono and legal services attorneys and others **working to assist** low income or disadvantaged clients.

We have **identified** a successful multi-faceted approach **to advancing access oriented solutions** for the self-represented.

[An organization] **dedicated to creating** a just society by mobilizing the next generation of lawyers committed to equal justice.

These expressions beg the question — do you get things done or just try really hard? Happily, hedging is probably the easiest messaging issue to fix. Removing the verb before the infinitive in these common constructions does the trick. Thus, “working to assist” becomes simply *assisting* and “identified an approach to advancing” becomes *we advance*, and so on.

To be sure, it may feel boastful or short sighted to take credit for actions that happen in broader coalitions and fights that are incomplete. However, unless you convey to people you’re the winning team — with tangible gains to show for it — they are unlikely to want to join the cause.

Concluding Thoughts

You rightly construe your purpose as building awareness of and intensifying support for civil legal aid. To the extent this involves building popular will (as opposed to a strategy based on directly convincing elites), it’s useful to judge potential messaging approaches through the lens of what has proven effective engendering sustained interest in and actions on behalf of disparate progressive causes.

Research on what compels and sustains social action suggests three underlying reasons why individuals support and join causes for social or political change: perceived injustice, likelihood of success and sense of affinity with affected group(s). First, the more individuals perceive injustice, the more likely they are to endorse and engage in collective action, propelled in part by strong emotional reactions. This bodes well, of course, for your cause and suggests that centering more on abrogation of values and less on PROBLEM SOLVING or cost reduction is a wiser course.

Second, individuals are more likely to mobilize if they believe a collective action is likely to succeed. This brings us to a critical lesson observed most vividly in the fight for Marriage Equality and, to a certain extent, marijuana legalization and immigrant rights. Namely, abandoning the common tendency to focus on the extent of the massive obstacles to your cause. When we emphasize just how hard our struggle, people are understandably loathe to lend their time and resources to what seems an impossible mission. Instead, we must employ a “fake it till you make it” strategy of articulating the world as it ought to be and indicating this is the certain future we will reach.

Finally, a strong sense of social identification with the movement prompts mobilization. This brings us back to the critical role that lived experience plays in effective political messaging. The more your listeners can see, hear and feel what life is like with and without proper civil legal aid, the better.