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A New American's Perspective: Improving Public Engagement by Rededicating Our Society to Democratic Ideals

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**A NEW AMERICAN'S PERSPECTIVE: IMPROVING
PUBLIC ENGAGEMENT BY REDEDICATING OUR
SOCIETY TO DEMOCRATIC IDEALS**

Hector Garcia[†]

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I. INTRODUCTION

The Hamline University School of Law held a symposium discussing public engagement (Symposium) on October 23–24, 2015.¹ As a member of the Symposium's panel, "Setting the

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1. See DISPUTE RESOL. INST., Symposium, *An Intentional Conversation About Public Engagement and Decision-Making: Moving from Dysfunction and Polarization to Dialogue and Understanding*, MITCHELL HAMLINE SCH. L. (Oct. 23–24, 2015) [hereinafter *Symposium*], http://open.mitchellhamline.edu/dri_symposia/2015/.

Context,” I agreed to write the current article.² At the time, I was the executive director of the Minnesota Council on Latino Affairs, a position I retired from in December 2015, after six years of service. I believe that my diverse professional background in government, international finance, nonprofits, media, and entrepreneurship, as well as my personal background of being a Mexican immigrant and naturalized U.S. citizen, gives me unique insights on public engagement. I hope that my perspective can contribute to this urgent and vital discussion. I believe that the underlying goal we should pursue in this effort is to build a better future for all of our children.

II. DEFICIENCIES IN PUBLIC ENGAGEMENT

One of the working definitions of “Civic Engagement” distributed by Hamline University School of Law during the Symposium is particularly pertinent to this article:

In American history, the citizen has been not only a voter or a rights-bearing member of the nation or a consumer of services. The citizen has also been a producer, a public-spirited agent in problem solving and common work. . . . Addressing the tough challenges we face today will require people to reconceive of themselves as citizens. . . . With restored citizenship, we act as co-creators of history, reclaiming our birthright as democratic citizens to be full participants in shaping our common life.³

Most minorities, American Indians, and the poor, experience chronic and seemingly intractable disparities in education, employment, business development, health, housing, and incarceration.⁴ In spite of numerous laws, billions in appropriations, and grants directed over several decades towards

2. *See id.*

3. DISPUTE RESOL. INST., Symposium, *Working Definitions*, MITCHELL HAMLINE SCH. L. (Oct. 23–24, 2015), http://open.mitchellhamline.edu/cgi/viewcontent.cgi?article=1028&context=dri_symposia (citing the Center for Democracy and Citizenship).

4. Josh Boak, *Disparity Is Slowing Growth, S&P Says*, PRESS HERALD (Portland) (Aug. 5, 2014), <http://www.pressherald.com/2014/08/05/sp-says-wealth-gap-is-slowing-u-s-economic-growth/>; Paul Mattessich, *The Minnesota Paradox*, MINN. COMPASS (Mar. 2015), <http://www.mncompass.org/trends/insights/2015-03-01-minnesota-paradox>.

the solution of this dilemma, progress has not been significant.⁵ The large demographic growth among African, Asian and Latino communities has forced government, nonprofits, foundations, and the private sector to focus more intentionally on finding a solution.⁶

One of the defining obstacles in finding effective solutions to these disparities is derived from deficient public engagement. The title of the Symposium pointed to the essence of that deficiency: dysfunction and polarization in the dialogue between government and citizens.⁷

The disparities suffered by minorities were not a priority for many years because of our proportions among the total Minnesotan population.⁸ Due to our small numbers, we did not have a major impact on the achievements and quality of life within the state of Minnesota.⁹ Concurrently, the majority population's influence on the general status remained strong because it had not yet been affected by the current aging and retirement of the Baby-Boomer generation.¹⁰ The latter phenomenon and the huge increase in minority numbers came together recently as a major threat to the state's economy.¹¹ This has created the formerly

5. See, e.g., Linda Darling-Hammond, *Unequal Opportunity: Race and Education*, BROOKINGS INST. (Spring 1988), <http://www.brookings.edu/research/articles/1998/03/spring-education-darling-hammond> (noting the efforts of over twenty states and the federal government to ensure minority children have quality teachers).

6. See Mary Jane Smetanka, *Minnesota's Changing Face*, STAR TRIB. (Mar. 17, 2011), <http://www.startribune.com/minnesota-s-changing-face/118100959/#1>; Rachel Stassen-Berger, *Mark Dayton Seeks \$15M to Tackle Minnesota Racial Disparities*, ST. PAUL PIONEER PRESS (Nov. 30, 2015), <http://www.twincities.com/2015/11/30/mark-dayton-seeks-15m-to-tackle-minnesota-racial-disparities/>; J. Patrick Coolican, *Gov. Mark Dayton Tells Business Leaders Racial Disparities a Key Priority*, STAR TRIB. (Oct. 8, 2015), <http://www.startribune.com/gov-mark-dayton-tells-business-leaders-racial-disparities-a-key-priority/331487701/>; *Dayton Sets Up Office to Target Economic Disparities Among Minorities*, WCCO CBS MINN. (Oct. 12, 2015), <http://minnesota.cbslocal.com/2015/10/12/dayton-to-create-office-of-career-and-business-opportunity/>.

7. *Symposium, supra* note 1.

8. See Smetanka, *supra* note 6.

9. See *id.*

10. See Josh Sanburn, *U.S. Steps Closer to a Future Where Minorities Are the Majority*, TIME (June 25, 2015), <http://time.com/3934092/us-population-diversity-census/>.

11. See *id.*

absent sense of urgency in addressing the dire consequences of disparities across all sectors.¹²

Prior to said convergence of trends, Minnesota had successfully maintained the danger at bay and minorities in peace through its generous philanthropy and social services.¹³ One of the singular aspects of the Minnesota situation was the complacency among stakeholders; all seemed well because of the abundant funding and goodwill to solve a problem.¹⁴ Furthermore, the problem was affecting only a small proportion of the population and not detracting from the state's big picture.¹⁵ Both of these are, in principle, praiseworthy. Nevertheless, Minnesota formalized an interaction between government, nonprofits, foundations, and minorities that was designed more towards sustaining the system than to eradicating the root of the problem.¹⁶

Economist Robert Reich has commented on the failures of philanthropy, stating that "American individuals and institutions likewise fail to funnel their money to those in need."¹⁷ It is within this context that the dysfunction and polarization in question developed.¹⁸ Minnesota is having a very difficult time solving the dilemma in question, because we are misled by positive actions and are not conscious of the case-inappropriateness or excess in the application of those actions.¹⁹ If the source of the dilemma were the errors we recognized, then we would have corrected them long ago. It is far more challenging to correct the sources of the dilemma, which we do not see, because they are tied to a virtue.

12. *See id.*

13. *See* Mattessich, *supra* note 4.

14. *See* Jessica Nickrand, *Minneapolis's White Lie*, ATLANTIC (Feb. 21, 2015), <http://www.theatlantic.com/business/archive/2015/02/minneapolis-white-lie/385702/>.

15. *Id.*; Michael Lee, *Just Because You Do 'Good' Work Doesn't Mean You're a Good Person*, HUFFINGTON POST (Jan. 15, 2016), http://www.huffingtonpost.com/michael-lee/just-because-you-do-good-_b_8984224.html.

16. *See* Nickrand, *supra* note 14.

17. *See* Rob Reich, *A Failure of Philanthropy*, STAN. SOC. INNOVATION REV. 26, 29 (2005), http://ssir.org/images/articles/2005WI_Feature_Reich.pdf; *see generally* JOHN MCKNIGHT, *THE CARELESS SOCIETY: COMMUNITY AND ITS COUNTERFEITS* (1995) (containing essays arguing that institutional and professional services harm the communities that they are intended to help); IVAN ILLICH ET AL., *DISABLING PROFESSIONS* (2010 ed. 1977) (arguing that many of the respected professions, particularly in medicine and the law, are harmful to their intended beneficiaries).

18. *See* Reich, *supra* note 17, at 30.

19. *See, e.g.*, Lee, *supra* note 15.

Not everyone was oblivious to this evolving avalanche, nor was it exclusive to Minnesota. Many other states are now experiencing similar situations, although the sudden factor of demographics has been the most significant in states like Minnesota because of the inflow of new immigrants and refugees.²⁰

III. DYSFUNCTIONAL COMMUNICATION

There are several significant characteristics in the dysfunctional communication which became so entrenched in Minnesota. One of the most noteworthy is that government and others who are intent on helping minority communities do not listen to minority representatives as equals.²¹ I have often heard minority and American Indian leaders express frustration about being invited to participate in plans designed by the majority to bolster cultural awareness or inclusivity but are not invited to participate in the actual design of those plans. I personally have had similar experiences in various sectors and situations.

It is common knowledge that the tables at which major decisions are made usually do not include members of the minority communities.²² Even in those cases in which a minority group is represented, our opinions do not seem to be taken as seriously as those of the majority members.²³ Boards of organizations often practice this type of token inclusiveness.²⁴

Especially at this time of scarcity for large numbers of Americans, the imperatives of law and compassion are proving to be insufficient at best. Scared majority members have turned to resentment instead of cooperation.²⁵ It is in this context that the logical and economic element of judgment in interactions between

20. See Hector Garcia, Opinion, *Immigrants Will Define the Future*, ST. PAUL PIONEER PRESS (July 21, 2015) [hereinafter Garcia, *Immigrants Will Define the Future*], <http://www.twincities.com/2015/07/21/immigrants-will-define-the-future>.

21. Jeanne Batalova & Michael Fix, *Through an Immigrant Lens: PIAAC Assessment of the Competencies of Adults in the United States*, MIGRATION POL'Y INST., Feb. 2015, at 1.

22. See *The Satirical Website that 'Has a Minority for Every Occasion'*, BBC: BBC TRENDING (Feb. 17, 2016), <http://www.bbc.com/news/blogs-trending-35589621> (discussing the efforts of the satirical website "Rent-A-Minority" to attack the use of token minorities on boards using humor).

23. See *id.*

24. See *id.*

25. Garcia, *Immigrants Will Define the Future*, *supra* note 20.

government and minorities becomes so important. The majority, both in government and elsewhere, needs to see a light at the end of the tunnel of diversity projects—a clear economic return on investment.

Another type of dysfunction comes from the politically correct but superficial mode of communication that has been widely accepted by both the majority and minorities.²⁶ Since many people of the majority do not expect people of minority groups to put forth serious and educated opinions,²⁷ valid options for the minorities have become aggressive activism, legal action, or being pliable to the conditions imposed upon them.²⁸ This format of interaction does not solve the disparities, but has become acceptable because it keeps everyone busy and keeps the money flowing.

I have been a witness to group discussions of renowned educators and legislators in Minnesota. These discussions focus on statistics, funding, on the connection of the “executive function,” and on other theories to explain the education “achievement gap” among minorities.²⁹ These discussions, although critical, do not consider communication flaws as an important subject.³⁰ It is probably impossible to convert dysfunctional communication into dialogue if the subject of communication is not relevant to those who lead the efforts of reducing disparities.

In the age of information and globalization, in which the resulting mindset is interdependence, it has become imperative that we learn to communicate constructively.³¹ We assume that we

26. *Id.*

27. *Id.*

28. Chao Xiong, *Council on Black Minnesotans Sues State, Alleging Retaliation*, STAR TRIB. (Aug. 10, 2015), <http://www.startribune.com/council-on-black-minnesotans-sues-state-alleging-retaliation/321337361>.

29. *See, e.g.*, Judy Willis, *Three Brain-Based Teaching Strategies to Build Executive Function in Students*, EDUTOPIA (Oct. 5, 2011), <http://www.edutopia.org/blog/brain-based-teaching-strategies-judy-willis> (advocating a focus on using activities that support the development of the executive function).

30. *See id.*

31. Rebecca J. Anderson, *Communicating in the Information Age: It's Still All About Human Behavior*, APPLIED CLINICAL TRIALS (Apr. 1, 2002), <http://www.appliedclinicaltrials.com/communicating-information-age-its-still-all-about-human-behavior> (arguing in the context of project management that “most breakdowns in communication are the result of misunderstandings between senders and receivers,” and that a focus on human psychology is vital to effective communication in the technology age).

know how to communicate sufficiently because we exchange a multitude of ideas and data faster than ever before through electronic means.³² However, although the enormous amount of information being communicated can be constructive to the establishing of better communication, it can lead to destructive ends.³³ In order to make the conveyance of information constructive not destructive, we must make a choice and follow communication with action.

The terms of dialogue widely accepted as appropriate are labels without any meaningful depth. For instance, the justly discarded term “colored people” from the past disingenuously acquired total acceptance by being changed to “people of color.”

A more challenging obstacle to functional communication because of its national and general endorsement is that of the “race” terminology and classification.³⁴ “Race,” in its fundamental connotation of associating color and other physical features to character traits, has long been suspected to be false.³⁵ Science has confirmed through DNA studies that the concept of “race” is a myth.³⁶ In spite of this scientific proof, “racial” identification continues to be the basis of serious, consequential theories and decisions.³⁷

We must deconstruct the myth of “race” in order to improve civic engagement. Physicist David Bohm stated, “any attempt to deal with an illusion cannot solve anything.”³⁸ Sir Isaac Newton said, “A man may imagine things that are false but he can only understand things that are true, for if things be false, the apprehension of them is not understanding.”³⁹ Ignoring the

32. *See id.*

33. *See id.*

34. *See* Robert Wald Sussman, *There Is No Such Thing as Race*, NEWSWEEK (Nov. 8, 2014), <http://www.newsweek.com/there-no-such-thing-race-283123>.

35. *See id.*; Natalie Angier, *Do Races Differ? Not Really, DNA Shows*, N.Y. TIMES ON THE WEB (Aug. 22, 2000), <https://partners.nytimes.com/library/national/science/082200sci-genetics-race.html>.

36. Mark Schoofs, *What DNA Says About Human Ancestry—and Bigotry*, RACE SCIENCE IN THE MEDIA, http://web.mit.edu/racescience/in_media/what_dna_says_about_human/ (last visited Aug. 11, 2016).

37. *See id.*

38. JIDDU KRISHNAMURTI & DAVID BOHM, *THE FUTURE OF HUMANITY: A CONVERSATION* 43 (1986) (discussing the future of humanity in a Socratic dialogue).

39. ISAAC NEWTON, *THEOLOGICAL MANUSCRIPTS* 127 (H. McLachlan ed.,

damage that maintaining the myth of “race” has on our society will prevent us from solving the problems of disparity and injustice.

It is obvious that there must be a system to correct the consequences of injustice, exploitation, and alienation of certain ethnic groups. This system would inevitably affect all members of society, not only the intended groups. Yet, this does not imply that we must perpetuate the alienation in order to have a system to correct it. To do so would be akin to justifying keeping chains on people in order to eliminate the effects of the slavery to which they had been subjected.

The concept of “race” is indeed a mental chain; it perpetuates an association that does not exist in reality and so becomes a self-fulfilling prophecy.⁴⁰ It might be helpful to reflect on what Franklin D. Roosevelt said, “Men are not prisoners of fate, but only prisoners of their own minds.”⁴¹ Will we ever be able to turn Martin Luther King Jr.’s dream of children being judged by their character and not by the color of their skin into a reality?⁴² Can we do this if we initially define the people we meet based on their skin color?

Disillusionment and cynicism have led to decreases in voter registration and participation.⁴³ This is a natural reaction by citizens who have dealt with the lack of resolutions for the disparities in spite of the laws, funding, and voting which they have supported with their democratic participation. Going through the motions is not enough. Simply persuading citizens to vote in larger numbers in order to support laws and to elect public officials will only lead to even greater disengagement if there are no results in addressing the intractable dilemma of disparities. In actuality, the dilemma has expanded; it is no longer the minorities and American Indians who are affected by the disparities alone. There is a growing number of European Americans among the poor and disenfranchised.⁴⁴

Liverpool Univ. Press ed. 1950).

40. See Sussman, *supra* note 34.

41. Franklin D. Roosevelt, Pan American Day Address to the Pan American Union (Apr. 15, 1939), <http://www.ibiblio.org/pha/7-2-188/188-13.html>.

42. Martin Luther King, Jr., I Have a Dream Speech (Aug. 23, 1963), in WILLIAM SAFIRE, *LEND ME YOUR EARS: GREAT SPEECHES IN HISTORY*, 495, 499 (1992).

43. Sam Fulwood III, *Race and Beyond: Why Young, Minority, and Low-Income Citizens Don't Vote*, CTR. FOR AM. PROGRESS (Nov. 6, 2014), <https://www.americanprogress.org/issues/race/news/2014/11/06/100627/why-young-minority-and-low-income-citizens-dont-vote/>.

44. *Id.*

Dysfunction and polarization have spread.⁴⁵ Once constructive or destructive principles become a part of a social structure, the system will not distinguish people by color of skin or ethnicity. If a system is unfair and dysfunctional it will begin to cannibalize even those who created it. Though little publicized, European American students are now also experiencing educational “achievement gaps.”⁴⁶

In 2013, *The Boston Globe* discussed the burgeoning inequality of education between the rich and the poor:

High-income families are spending more time and money than ever on their children’s education, further widening the gulf between rich and poor students, according to a new report.

....

“The living standard in our country depends critically on getting more people to go to college,” said [Michael] Greenstone “The most concerning thing is that there are initial signs that inequality is starting to bleed into social mobility. And social mobility is at the heart of the American experience.”⁴⁷

The report, by a Massachusetts Institute of Technology professor, also found that “a student attending one of the nation’s most selective universities is fourteen times more likely to be from a high-income family than a low-income one.”⁴⁸

It is intriguing to note that disparities are also spreading to other areas, such as health.⁴⁹ Middle-age European Americans have suffered dramatic reductions in life expectancy due to drug and alcohol abuse and epidemic suicide.⁵⁰ On November 2, 2015, a *New York Times* article reported that “Death Rates [Are] Rising for

45. See Nate Cohn, *Polarization Is Dividing American Society, Not Just Politics*, N.Y. TIMES (June 12, 2014), <http://www.nytimes.com/2014/06/12/upshot/polarization-is-dividing-american-society-not-just-politics.html> (discussing results of a Pew Research study on ideology in the American public).

46. See Fulwood III, *supra* note 43.

47. Megan Woolhouse, *Wealth Gap Limits Equality of Education*, BOS. GLOBE (July 5, 2013), <https://www.bostonglobe.com/business/2013/07/04/inequality-among-students-rises/AuUbN6qkLDb684uiUysqFP/story.html>.

48. *Id.*

49. See Gina Kolata, *Death Rates Rising for Middle-Aged White Americans, Study Finds*, N.Y. TIMES (Nov. 2, 2015), http://www.nytimes.com/2015/11/03/health/death-rates-rising-for-middle-aged-white-americans-study-finds.html?_r=1.

50. *Id.*

Middle-Aged White Americans.”⁵¹ The study was carried out by 2015 Nobel Memorial Prize winner in Economic Science, Dr. Angus Deaton and his wife Dr. Anne Case.⁵² Those with the least education reported the most pain and the worst general health.⁵³

The article states:

The analysis by Dr. Deaton and Dr. Case may offer the most rigorous evidence to date of both the causes and implications of a development that has been puzzling demographers in recent years: the declining health and fortunes of poorly educated American whites. In middle age, they are dying at such a high rate that they are increasing the death rate for the entire group of middle-aged white Americans . . . The mortality rate for whites 45 to 54 years old with no more than a high school education increased by 134 deaths per 100,000 people from 1999 to 2014.⁵⁴

IV. TODAY'S OR YESTERDAY'S AMERICAN VALUES?

The source of this unprecedented situation might be found with the gradual shift of the American mindset from “We the people of the United States” to “Me the entitled consumer looking out for number one.”⁵⁵ As is obvious during the 2016 presidential debates, there are many Americans who have grown to accept that the principle of “winning is the only thing” is the source of the United States’ great world achievements.⁵⁶ Yet, if one reads the history of the nation, the thoughts of its founders, and the observations of educated observers from other countries in the eighteenth and nineteenth centuries, such as the French author, Alexis de Tocqueville, of *Democracy in America*, it is more accurate to

51. *Id.*

52. *Id.*

53. *Id.*

54. *Id.*

55. Marshall Lager, *The Age of Entitled Consumers: What Hath Consumerism Wrought?*, DESTINATION CRM, <http://www.destinationcrm.com/Articles/Columns-Departments/Pint-of-View/The-Age-of-Entitled-Consumers-100679.aspx> (last visited May 21, 2016) (discussing the rise of the “entitled customer”).

56. Steven J. Overman, *Winning Isn't Everything. It's the Only Thing: The Origin, Attributions and Influence of a Famous Football Quote*, 2 JACKSON ST. U. 77, 77 (1999); Heather Haddon, *Donald Trump's Presidential Run Was Long in the Making*, WALL ST. J. (Aug. 11, 2011), <http://www.wsj.com/articles/donald-trumps-presidential-run-was-long-in-the-making-1456964836>.

consider cooperation and support of the commonwealth as the true sources of those exceptional achievements.⁵⁷

Making America great again will not come about by repeating the mantras of “winning is the only thing” and “looking out for number one” that came to be so revered in our society over the last few decades.⁵⁸ These notions are only side effects of prosperity, and not desirable ones at that, except perhaps in games and when exploiting legal loopholes. The greatness of the United States came from an arduous, complicated, long-term process of wise living and thinking by large numbers of individuals in society who built institutions over generations based on the values which inspired them to self-enlightened sacrifice for the common good. For example, consider Roosevelt’s statement: “confidence . . . thrives only on honesty, on honor, on the sacredness of obligations, on faithful protection, on unselfish performance; without them it cannot live.”⁵⁹

Why does such disconnect appear to exist within so many people in our society? I posit that it is probably due to what I think of as the “inherited wealth and power syndrome.” Human beings who inherit great power and wealth are prone to associate these assets with their outward characteristics and trappings, rather than with their true sources.⁶⁰ It is proverbial that many rich children and grandchildren of wealthy and powerful individuals develop the assumption that elegant dress, speech, and environment are the origins of what they inherited, instead of the results of the thoughts and actions of their grandparents or parents.⁶¹

If entitlement develops among privileged individuals, it can certainly develop within a privileged nation. It is likely that many Americans today have convinced themselves that being born in the United States, of European American stock, with a drive for

57. See generally ALEXIS DE TOCQUEVILLE, *DEMOCRACY IN AMERICA* (Penguin Putnam 2004) (1835).

58. See Overman, *supra* note 56.

59. Franklin Delano Roosevelt, First Inaugural Address (Mar. 4, 1933), in WILLIAM SAFIRE, *LEND ME YOUR EARS: GREAT SPEECHES IN HISTORY*, 777–83, 779 (1992).

60. See Anne Manne, *The Age of Entitlement: How Wealth Breeds Narcissism*, THE GUARDIAN (July 7, 2014), <http://www.theguardian.com/commentisfree/2014/jul/08/the-age-of-entitlement-how-wealth-breeds-narcissism> (“The reason, it turns out, is that even thoughts of being wealthy can create a feeling of increased entitlement.”).

61. See *id.*

competition and success is what brought about exceptional American achievements during the twentieth century, instead of hard work and sound philosophy.⁶²

Americans have been facing the challenges of long-term prosperity without realizing the dangers behind it.⁶³ In the current context, it would be helpful to remember what values were the ones that made Americans assign the title of the Greatest Generation to those who overcame the fears and suffering of the Great Depression and World War II.⁶⁴ Was it because those Americans were highly educated, entitled, and devoted to the principles of “winning is the only thing” and “looking out for number one?” No, instead, as Rubén Rosario wrote in the *St. Paul Pioneer Press* recently, it was what Roosevelt’s Secretary of the Interior Harold Ickes wrote about.⁶⁵ That is, the urgent need for Americans to fight the “counter revolution against our ideas and ideals, against our sense of justice and human values,” including the ideals of “life, liberty and the pursuit of happiness.”⁶⁶ I believe we should ask Ickes’s question again: “What has happened to our vaunted idealism? . . . Where is the million-throated, democratic voice of America?”⁶⁷

It is often said today that immigrants and refugees are a detriment to the nation.⁶⁸ In contrast, Emma Lazarus’s poem at the foot of the Statue of Liberty conveyed the intriguing, almost unprecedented, formula of transforming the world’s “poor . . . huddled masses yearning to breathe free” into a creative,

62. *See id.*

63. *See id.*

64. *See, e.g.,* Brent & Kate McKay, *7 Lessons in Manliness from the Greatest Generation*, THE ART OF MANLINESS (Apr. 30, 2009), <http://www.artofmanliness.com/2009/04/30/7-lessons-in-manliness-from-the-greatest-generation/> (recounting the admirable qualities of the Greatest Generation worth emulating).

65. Rubén Rosario, Opinion, *Speech to Anxious U.S. Citizens in 1941 Rings True Today*, ST. PAUL PIONEER PRESS (Dec. 25, 2015), <http://www.twincities.com/2015/12/25/ruben-rosario-speech-to-anxious-u-s-citizens-in-1941-rings-true-today/> (quoting Harold Ickes, President Franklin Roosevelt’s Secretary of the Interior, Address at I Am an American Day (May 18, 1941)).

66. *Id.*

67. *Id.*

68. *See, e.g.,* Caroline May, *More Than 90 Percent of Middle Eastern Refugees on Food Stamps*, BREITBART (Sept. 10, 2015), <http://www.breitbart.com/big-government/2015/09/10/more-than-90-percent-of-middle-eastern-refugees-on-food-stamps/> (discussing the heavy use of welfare by immigrants and refugees).

productive, and successful predominant middle class.⁶⁹ The implication in today's society is that only those who are well educated, affluent, born in the United States, and follow current American mores are worth including in our society.

Therefore, judging by the contributions made by immigrants and refugees to the U.S. economy and U.S. culture throughout our history, if there are recent indicators of immigrants and refugees relying heavily on social services,⁷⁰ these are logically attributable to the "race" classification system. This system funnels all non-European American individuals to the social services box, whether they have experienced marginalization for generations in the United States or have recently arrived to build a better future than the one they faced in other countries.⁷¹

A current presidential candidate said Mexico is "sending people that have lots of problems" to the United States and that these people include criminals.⁷² The most intriguing aspect of the statement is the support for it manifested in the polls.⁷³ Even if this blanket generalization derived from the actions of a minute proportion of Mexican immigrants were accepted as real, it mistakenly counters the historical precedents not only of the United States, but even more pointedly, of Australia, which was indeed originally populated by British prisoners and now is among the most successful countries.⁷⁴

The question is whether there is only a certain type of group, now small even among European Americans, which should be considered as having the potential to contribute to American

69. See EMMA LAZARUS, *THE NEW COLOSSUS* (1883).

70. See *supra* note 68 and accompanying text.

71. See *supra* text accompanying notes 5, 28.

72. Michelle Ye Hee Lee, *Donald Trump's False Comments Connecting Mexican Immigrants and Crime*, WASH. POST (July 8, 2015), <https://www.washingtonpost.com/news/fact-checker/wp/2015/07/08/donald-trumps-false-comments-connecting-mexican-immigrants-and-crime/> (containing excerpts of Donald Trump quotations).

73. Seth McLaughlin, *Donald Trump's Comments Spark Poll Surge, Put 2016 Republican Hopefuls on the Spot*, WASH. TIMES (July 2, 2015), <http://www.washingtontimes.com/news/2015/jul/2/donald-trump-comments-spark-poll-surge-put-2016-re/?page=all> (reporting that Trump's popularity rose in the polls after his disparaging remarks about Mexicans).

74. See *Convicts and the British Colonies in Australia*, AUSTL. GOV'T (Jan. 20, 2016), <http://www.australia.gov.au/about-australia/australian-story/convicts-and-the-british-colonies>.

society. The opinions expressed by this candidate and his supporters are reminiscent of the European aristocracy's opinion about the inhabitants of the British colony in America. Again, it is worthwhile recalling what Ickes taught:

What constitutes an American? Not color nor race nor religion. Not the pedigree of his family or the place of his birth. Not the coincidence of his citizenship. Not his social status nor his bank account. . . . An American is one who loves justice and believes in the dignity of man.⁷⁵

What, in reality, will empower us to “make America great again” and overcome the challenges we are facing internally and around the world? Will it be the example of the Greatest Generation or demagoguery, which exploits fear and anger? It should give us pause that Russian president Vladimir Putin has expressed admiration for the candidate who has tapped into the latter.⁷⁶

Is today's support for populism and demagoguery in the United States, which has attracted negative reactions from across the world, exclusively the fault of elite politicians and the media?⁷⁷ In 1814, Thomas Jefferson wrote that “an enlightened people and an energetic public opinion . . . will control and enchain the aristocratic spirit of the government,”⁷⁸ and, “[i]f a nation expects to be ignorant and free, in a state of civilization, it expects what never was and never will be.”⁷⁹

Jefferson warned that democracy and freedom from abuse of power prevails only if citizens are educated on the issues that affect them.⁸⁰ The powerful influence of emotion-generating slogans, sound bites, and exchanges of accusations that we hear in the

75. Harold Ickes, *What Constitutes an American Speech* (May 18, 1941), in WILLIAM SAFIRE, *LEND ME YOUR EARS: GREAT SPEECHES IN HISTORY* 57, 59 (1992).

76. Shaun Walker, *Vladimir Putin Calls Donald Trump a 'Very Colorful and Talented Man'*, THE GUARDIAN (Dec. 17, 2015), <http://www.theguardian.com/world/2015/dec/17/vladimir-putin-donald-trump-very-bright-talented-man-russia-us-presidential-race>.

77. Margaret Warner, *President Trump? For Now, the World Recoils*, PBS NEWSHOUR (Mar. 18, 2016), <http://www.pbs.org/newshour/updates/president-trump-for-now-the-world-recoils/>.

78. Letter from Thomas Jefferson to Luis de Onis (1814), <http://founders.archives.gov/documents/Jefferson/03-07-02-0238>.

79. Letter from Thomas Jefferson to Col. Charles Yancey (Jan. 6, 1816), <http://founders.archives.gov/documents/Jefferson/03-09-02-0209>.

80. *Id.*

current presidential debates demonstrate that many of the people are not evaluating facts sufficiently.

Roosevelt reinforced the same concept stating: "Democracy cannot succeed unless those who express their choice are prepared to choose wisely. The real safeguard of democracy, therefore, is education."⁸¹

V. NATIONAL, LOCAL, AND INTERNATIONAL IMPLICATIONS

So, what do these more comprehensive scenarios in the United States have to do with disparities in Minnesota? An international Norwegian economist with offices in White Bear Lake, Minnesota, who has been knighted by the king of Norway and contributed to the dramatic improvements in the Chinese economy has done studies which provide part of the answer.⁸² Tor Dahl states that justice, safety, and freedom are key factors in generating productivity in organizations, communities, and nations.⁸³ He adds that the impact of these factors is rarely recognized.⁸⁴ The disparities experienced by minorities involve all three factors: they are unjust, they take away freedom both directly and indirectly from individuals, and they reduce safety in the affected communities.⁸⁵

Nobel Prize economist Joseph Stiglitz thinks along similar lines. He believes the perspective, not of productivity, but of weak aggregate demand, which inequality brings about, is what undermines the prosperity of the nation.⁸⁶ As Stiglitz wrote for the *Los Angeles Times*, "We can achieve the kind of shared prosperity that was the hallmark of the country in the decades after World

81. Franklin D. Roosevelt, President of the United States, Message for American Education Week (Sept. 27, 1938).

82. E-mail interview with Tor Dahl, CEO, Tor Dahl & Assoc. (May 6–8, 2016) (on file with author).

83. *Id.*

84. *Id.*

85. *Id.*

86. *Id.*

War II.”⁸⁷ The hallmark of the United States in his estimation is not “winning” but instead “shared prosperity.”⁸⁸

As the minorities’ populations have grown, so have the effects of the unfair systems which cause the disparities.⁸⁹ Yet, the systems are even now not seriously examined because the disparities they produced have appeared to do damage primarily to the minority communities. Thus, even though the disparities have attracted increasing interest, they remain a side show to the primary focus on the overall economy because they are perceived as affecting only minorities.

Nevertheless, there is an epidemic spread of the lack of justice, lack of safety, and lack of freedom among larger and larger proportions of the majority community. In addition to the above reports on the eroding levels of health⁹⁰ and education among members of the majority, inequity of income and wealth in the nation is leading us to the cliff Roosevelt warned the nation would reach within a century of his time: “we are steering a steady course toward economic oligarchy.”⁹¹

There have been multiple articles, reports, and books written about the sudden surge in the concentration of wealth and power by the top one percent and the top ten percent of the population.⁹² The potential influence of this wealth and power was recently multiplied exponentially by the Supreme Court’s decision in *Citizens United v. Federal Election Commission*.⁹³ That decision allowed

87. Joseph Stiglitz, Opinion, *America’s Prosperity Requires a Level Playing Field*, L.A. TIMES (July 22, 2012), <http://articles.latimes.com/2012/jul/22/opinion/la-oe-stiglitz-inequality-20120722>.

88. *Id.*

89. See Rakesh Kochhar & Richard Fry, *Wealth Inequality Has Widened Along Racial Ethnic Lines Since End of Great Recession*, PEW RESEARCH CTR.: FACTTANK (Dec. 12, 2014), <http://www.pewresearch.org/fact-tank/2014/12/12/racial-wealth-gaps-great-recession/> (“[T]he racial and ethnic wealth gaps in 2013 are at or about their highest levels observed in the 30 years for which we have data.”).

90. See Jane Sarasohn-Kahn, *The Decline of the White American Household Health Economy*, HEALTHPOPULI, <http://www.healthpopuli.com/2010/12/09/the-decline-of-the-white-american-household-health-economy/> (last visited Aug. 11, 2016).

91. Franklin D. Roosevelt, President of the United States, Campaign Address on Progressive Government at the Commonwealth Club in San Francisco, California (Sept. 23, 1932).

92. See, e.g., Sahil Kapur, *Corporate Profits and the Amazing Wealth Surge for the Top 0.1 Percent*, OCCUPY.COM (Apr. 11, 2015), <http://www.occupy.com/article/corporate-profits-and-amazing-wealth-surge-top-01-percent>.

93. 558 U.S. 310 (2010).

for unlimited election spending by corporations and individuals.⁹⁴ The capacity to influence elections by billionaires and millionaires in comparison to that of the average American obviously makes it possible for the already wealthy and powerful to accumulate even more wealth and power.⁹⁵

In passing, it would be worth considering a bill to create, commensurate with this new corporate right, new responsibilities for corporations. The Court's majority assigned to corporations the rights given by the First Amendment to individual persons saying, as one pundit put it, "Therefore the First Amendment protects the speech of corporations and unions, whether we consider them people or not."⁹⁶ Should not those same corporations then be held to similar responsibilities as expected of individual persons?

Corporations have had the government and taxpayers "internalize" or cover part of their "externalities" (environmental or financial system and other costs of corporate activities) by hiding behind the protection of economic theory. Consider this excerpt from an article by Milton Friedman discussing the responsibilities of corporations:⁹⁷

A corporation is an artificial person and in this sense may have artificial responsibilities, but "business" as a whole cannot be said to have responsibilities, even in this vague sense. . . . If these are "social responsibilities," they are the social responsibilities of individuals, not of business.⁹⁸

If corporations are favored with such exemptions in their responsibilities to society because they are not individual persons, why are they in contrast assigned the rights of persons to contribute to political campaigns? A combination of such economic theories, deregulation, and the repeal of the Glass-Steagall Act made possible the abuses of financial institutions, the 2008 crisis, and the

94. Nick Bentley, *What Is Citizens United? An Introduction*, RECLAIM DEMOCRACY!, <http://reclaimdemocracy.org/who-are-citizens-united/> (last visited Aug. 11, 2016).

95. John Dunbar, *The 'Citizens United' Decision and Why It Matters*, CTR. FOR PUB. INTEGRITY (Oct. 18, 2012), <http://www.publicintegrity.org/2012/10/18/11527/citizens-united-decision-and-why-it-matters>.

96. *Id.*

97. Milton Friedman, *The Social Responsibility of Business Is to Increase Its Profits*, N.Y. TIMES MAG. (Sept. 13, 1970), <http://www.colorado.edu/studentgroups/libertarians/issues/friedman-soc-resp-business.html>.

98. *Id.*

subsequent transfer of wealth from the middle and lower classes to the very wealthy.⁹⁹

Nobel Prize American economist Paul Krugman wrote, in regards to a recently republished study done by French economists Piketty and Saez, the following comments:

The picture that emerged was startling to those who still clung to the notion of America as a middle-class society, or who thought of rising inequality as mainly a tale of divergence between blue-collar workers and a fairly broad elite, like college-educated workers. Mr. Piketty and Mr. Saez showed that the actual story of rising inequality since 1980 or so was dominated not by the modestly rising salaries of skilled workers but by gigantic gains at the very top—a doubling of inflation-adjusted income for the top 1 percent, a quadrupling for the top 0.1 percent, and so on. They also showed that these surging top incomes had more or less reversed earlier movements toward equality, that the concentration of income in the hands of a small minority was back to “Great Gatsby” levels.¹⁰⁰

The World Economic Forum alerted us on inequality:

Inequality is one of the key challenges of our time. Income inequality specifically is one of the most visible aspects of a broader and more complex issue, one that entails inequality of opportunity and extends to gender, ethnicity, disability, and age, among others. Ranking second in last year’s Outlook, it was identified as the most significant trend of 2015 by our Network’s experts.¹⁰¹

The World Economic Forum presented a 2013 chart entitled, “The World Top Incomes Database,” which showed that from 2008 to 2012 the percentage share of national income of the richest one percent in the United States more than doubled that of 1980.¹⁰² The World Economic Forum Agenda adds:

99. See James Richards, *Repeal of Glass-Steagall Caused the Financial Crisis*, US NEWS: ECONOMIC INTELLIGENCE (Aug. 27, 2012), <http://www.usnews.com/opinion/blogs/economic-intelligence/2012/08/27/repeal-of-glass-steagall-caused-the-financial-crisis>.

100. Paul Krugman, *Review: ‘The Economics of Inequality,’ by Thomas Piketty*, N.Y. TIMES (Aug. 2, 2015), http://www.nytimes.com/2015/08/03/books/review-the-economics-of-inequality-by-thomas-piketty.html?_r=1.

101. Amina Mohammed, *Deepening Income Inequality, Reports*, WORLD ECON. FORUM (2015), <http://reports.weforum.org/outlook-global-agenda-2015/top-10-trends-of-2015/1-deepening-income-inequality/>.

102. *Id.*

The inherent dangers of neglecting inequality are obvious. People, especially young people, who are excluded from the mainstream end up feeling disenfranchised and become easy fodder of conflict. This, in turn, reduces the sustainability of economic growth, weakens social cohesion and security, encourages inequitable access to and use of global commons, undermines our democracies, and cripples our hopes for sustainable development and peaceful societies.¹⁰³

The reality lived by minority communities for decades is now becoming the reality of nations, especially our own.

VI. THE DWINDLING NUMBERS OF AFFLUENT AMERICANS

The mistreatment of American Indians, African Americans, Latinos, the poor, the immigrants, and refugees is not new; nor is the fact that this injustice contradicts American ideals. The distinctive difference in today's perilous situation is that these marginalized and disenfranchised groups are becoming the majority of the population.¹⁰⁴ The formula for America's exceptional success worked well in spite of historical and repeated injustice because these groups' populations were so small that they were inconsequential to those who benefited from the system. Yet, now, even the number of the entitled are becoming fewer and fewer.

Constructive action and thought have coexisted with dysfunctional action and thought throughout our history, but the former prevailed and dictated the overall results. Today, the violation of American values is so broad and persistent that it is turning the tide towards the formula for failure in our country. This is so much the case that influential business and legislative leaders, as well as many average Americans, at this very moment seem to indicate that they believe that only a strongman can pull the United States out of its downward spiral.¹⁰⁵

The current trend in thought by many politicians and economists is to continue eliminating the checks and balances that

103. *Id.*

104. *See* Sanburn, *supra* note 10.

105. Trudy Rubin, Opinion, *Americans Shouldn't Fall for 'Strongman' Donald Trump*, Wis. St. J. (Feb. 29, 2016), http://host.madison.com/wsj/opinion/column/trudy-rubin-americans-shouldn-t-fall-for-strongman-donald-trump/article_fdd8b888-0f73-5bab-910c-c3d746521ceb.html.

the founders of the nation put in place to prevent abuse of power.¹⁰⁶ Did we not learn a lesson from the financial crisis launched by the leaders of government and finance in the United States, which cost taxpayers trillions of dollars?¹⁰⁷ By deregulating financial institutions, by repealing the Glass Steagall Act (which had maintained a separation between commercial banks and securities firms), and by ignoring deceptive and disproportionate derivatives, our government allowed those institutions to create havoc and to nearly collapse the global financial system.¹⁰⁸ Are we proposing that the solution to the aftermath we are now living is to do more of the same?

The connection between inequity at the national and international level with the inequity experienced by minority communities, might not be obvious to those whose minds are fragmented by labels and compartments of “race” and national origin. Yet as Roosevelt stated: “The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have too little.”¹⁰⁹

While considering his statement, we must also consider that the limits to justice, security, and freedom, with which we apply and design our systems, know of no such boundaries. A system will produce that which it is designed to produce regardless of whom it impacts; once a system is designed for a group in society, it will eventually spread to others in that same society and beyond.

Communication between the culture of poverty, whether within minority communities or among an increasing number of people in the majority communities, and the culture of affluence within the elite in the United States is becoming increasingly dysfunctional. Aided by the media, which feeds on confrontation and controversy, the two sides of American society have developed an unfortunate proficiency in playing their different roles.¹¹⁰ This

106. See Richards, *supra* note 99.

107. See *id.*

108. *Id.*; 25 *People to Blame for the Financial Crisis: Bill Clinton*, TIME, http://content.time.com/time/specials/packages/article/0,28804,1877351_1877350_1877322,00.html (last visited Aug. 11, 2016) (discussing the repeal of regulatory acts during the Clinton administration).

109. Franklin D. Roosevelt, Second Inaugural Address (Jan. 20, 1937).

110. See, e.g., Stephen Balkaran, *Mass Media and Racism*, 21 YALE POL. Q. 10 (Oct. 1999), <http://elischolar.library.yale.edu/cgi/viewcontent.cgi?article=1043&context=politic> (“[T]he media have fostered a distorted and pernicious public perception of African Americans.”).

takes time, effort, and money, and does not solve the dilemma of disparity and inequity.¹¹¹ One side acts as if it is enough to enact laws and voice democratic principles; the other acts as the perpetual activist, litigant, and protester. In spite of this business and the money to fund it, the roots of the dilemma in question remain alive and well.

VII. THE NEW AMERICANS

In the context of the *either/or* and the partisan *win/lose* mindset that prevails in our society, conservatives primarily identify minorities, American Indians, and the poor as “the problem.”¹¹² The New Americans (immigrants, refugees, the poor, the descendants of the first nation, and the descendants of the slaves) are consequently not empowered to pioneer and to build their lives in the true spirit of our nation’s history. Instead, they become the bone of contention in the endless game to win elections between liberals and conservatives. Ultimately, the New Americans are ignored, rejected, or condescendingly pacified.

There is a growing imbalance brought about by the citizen who has been focusing more on being a consumer than on being “a public-spirited agent in problem solving and common work,” two of the aspects highlighted in the definition of civic engagement quoted at the beginning of this article.¹¹³

Can we recall that we flippantly celebrated the Me Generation?¹¹⁴ Did we honestly expect that we could indulge honoring such a mindset without any consequences? Consumerism has had an insidious effect on our way of thinking since it was engineered after World War II by public relations and marketing gurus.¹¹⁵

111. *See id.*

112. *See* Manny Schewitz, *Republicans Are Failing Horrible at Attracting Minority Voters*, FORWARD PROGRESSIVES (Dec. 4, 2015), <http://www.forwardprogressives.com/republicans-failing-horribly-attracting-minority-voters/> (“As long as the Republican Party continues to treat minorities like idiots and attempts to appeal to them with politicians who insult them, their slide toward irrelevance will continue.”).

113. Symposium, *Working Definitions*, *supra* note 3.

114. *See, e.g.*, Joel Stein, *Millennials: The Me Me Me Generation: Why Millennials Will Save Us All*, TIME (May 20, 2013), <http://time.com/247/millennials-the-me-me-me-generation/> (celebrating the qualities of the Millennials).

115. VANCE PACKARD, *THE HIDDEN PERSUADERS* 42 (Ig Pub. 2007); *see generally*

Why is this pertinent to civic engagement and not only to the products and services Americans compulsively buy? It is because the communication between elected officials and the people has been increasingly defined by that engineering. The people are not being educated, as Jefferson recommended, instead our minds and emotions are being manipulated so that political parties and their candidates will win elections.¹¹⁶ Sound bites and scare tactics should not be replacing facts and reflection over the long-term effects of law and decision making.

It is public knowledge that what many influential individuals in government say publicly is based on what their communications advisers write in order to help them gain votes.¹¹⁷ Decisions are made based on polls instead of on the reality behind the issues.¹¹⁸ We have been aware of these misleading practices for so long that they seem totally normal to us.¹¹⁹

Does this not represent a gradual loss of the freedom—which in my opinion is the most important of all freedoms—the freedom to think?

VIII. IMPROVED PUBLIC ENGAGEMENT THROUGH A RENAISSANCE OF AMERICAN DEMOCRATIC VALUES

What might lead Minnesota to a true engagement of people and to overcoming polarization and dysfunction in this international and national context? I propose that they will come about by believing again in the alchemy of the American formula for success, namely through a renaissance of American democratic values. After all, “the great privilege of the Americans is the ability to make errors that can be corrected.”¹²⁰ As de Tocqueville urged, we must return to the task of making progress in the quality of our associations with each other:

Nothing, in my view, is more worthy of our attention than America's intellectual and moral associations. . . . In

VANCE PACKARD, *THE WASTE MAKERS* (2011).

116. Jefferson, *supra* note 78.

117. See Adam Nagourney, *Strategists as Stars*, N.Y. TIMES (July 15, 2007), http://www.nytimes.com/2007/07/15/weekinreview/15nagourney.html?_r=0 (discussing the role of political consultants and strategists in U.S. elections).

118. See *id.*

119. See *id.*

120. ALEXIS DE TOCQUEVILLE, *DEMOCRACY IN AMERICA* 266 (Penguin Putnam 2004) (1835).

democratic countries, the science of association is the fundamental science. Progress in all the other sciences depends on progress in this one. Of all the laws that govern human societies, one seems more precise and clear than all the rest. If men are to remain civilized, or to become so, they must develop and perfect the art of associating to the same degree that equality of conditions increases among them.¹²¹

It might seem to many that competition and self-interest are core American values but history shows us that the distinctive ability to cooperate and communicate in pursuit of enlightened self-interest are the true roots of the success of the nation. The wonderful “ability to repair her faults” needs to be taken advantage of by our nation.¹²² This will be impossible if Americans, guided by pride and fear, make the New Americans the scapegoat for all that is wrong in society. Acknowledging one’s faults requires humility and courage followed by teamwork to envision and carry out effective solutions.

In relation to “racial classification,” I am certain that we can design a more thoughtful and effective system to address the very real consequences of “racism” without having to pay the price of perpetuating it in the process. For example, could we not wean society away from this tragic situation by retaining the “race” classification to address urgent problems such as health, housing, and incarceration among adult citizens (while committing to an increasing improvement in these), but eliminate the classification from defining the young, immigrants, and refugees?¹²³ Thus, we could do away with the myth of “race” before youth and foreign born are branded for life at a time in which their strength, resiliency, and optimism will allow them (within a level-playing field) to overcome whatever handicaps their parents have endured.¹²⁴

Another and perhaps easier option could be to replace “race” with ethnicity.¹²⁵ Ethnicity identifies groups of people by ancestry, homeland, cultural heritage, language, religion, art, cuisine and

121. *Id.* at 599.

122. *Id.*

123. *See* Sussman, *supra* note 34.

124. *See id.*

125. *Id.*

dress.¹²⁶ More than other classifications, ethnicity is an inherited status.¹²⁷ Thus, it would be (1) real so that we can get away from the myth of “race,” and (2) able to address the legacy of oppression, exploitation, and marginalization generated by “racism.”¹²⁸

Further, I believe the example of forgiveness and clarification of apartheid events in South Africa, which took place through the Truth and Reconciliation process, is a superb example to follow.¹²⁹ It would dispel much of the resentment and misunderstanding that obscures the communication between groups who have experienced unjust prejudice and those who enacted it.¹³⁰ Of course some would fear the legal consequences of such a process. But, should we not value functional communication in public engagement and in so many other important areas in our society enough to put aside some of our proneness to litigation?

Apartheid is the state of being apart, which, under a different name, happens in the United States through explicit discrimination and marginalization or implicitly through the classification of “races.”¹³¹ The erroneous patterns of interaction we establish over time lead to confusion in designing solutions; for instance, it was popular among anti-racists to propose changing the original American melting pot metaphor in the case of “race” to a new one of “the salad bowl.”¹³² Yet, this reinforced separateness. I recommended in a *St. Paul Pioneer Press* article that the metaphor of “potluck gathering” be used because it reflects an intentionality of

126. *Id.*

127. *Id.*

128. *Id.*

129. See Promotion of National Unity and Reconciliation Act 34 of 1995 (S. Afr.) [hereinafter Reconciliation Act], <http://www.justice.gov.za/legislation/acts/1995-034.pdf>.

130. See *Welcome to the Official Truth and Reconciliation Commission Website*, JUSTICE.GOV.ZA, <http://www.justice.gov.za/trc/> (last visited Aug. 11, 2016) (providing help from the South African Truth and Reconciliation Commission to deal with the aftermath of apartheid); Reconciliation Act, *supra* note 129.

131. See *Apartheid*, OXFORD DICTIONARIES, http://www.oxforddictionaries.com/us/definition/american_english/apartheid (last visited Aug. 11, 2016) (“(In South Africa) a policy or system of segregation or discrimination on grounds of race.”). “[In] Afrikaans, [apartheid] literally [means] ‘separateness.’” *Id.*

132. See generally Timothy Taylor, *Analogies for America: Beyond the Melting Pot*, STAR TRIB. (June 29, 2013), <http://www.startribune.com/analogies-for-america-beyond-the-melting-pot/213593491/> (comparing and contrasting the salad bowl and melting pot metaphors).

individual contribution towards common goals.¹³³ It also would motivate minorities, immigrants, and refugees to bring about the synergism and creativity that are so much a part of American democracy.¹³⁴

Specialists in each field of disparity can propose other systems or complement to the ones I suggest here. This is a challenge that we must all contribute to in order to address our system. I only submit that the condition sine qua non be that the proposed new system clearly lead society towards pulling itself gradually out of the mire of the myth of “race” and not sinking further into it.

After all, revolutionary as it might be to us, Austria and Finland have already done away with the use of the term “race” in their legislation.¹³⁵ Sweden is planning to also eliminate the concept of “race” from all legislation because the law should not encourage a social construct.¹³⁶ Swedish Integration Minister Erik Ullenhag stated, “We know that there aren’t really different human races. We also know that the fundamental grounds of racism are based on the belief that there are different races, that belonging to a race makes people behave in a certain way, and that some races are superior to others.”¹³⁷

Albert Einstein said, “We can’t solve problems by using the same kind of thinking we used when we created them.”¹³⁸ Systemic, deep, clear thinking needs to replace the fragmented and superficial way of thinking that has gained ground in the United States over the past few decades. The massive supportive reaction to the demagoguery of leading candidates, who aspire to become the nation’s commander-in-chief, attests to the latter way of thinking.¹³⁹

133. Hector Garcia, Opinion, *Hector Garcia: Turning ‘Potluck’ into Prosperity*, ST. PAUL PIONEER PRESS (June 9, 2014) [hereinafter Garcia, *Potluck’ into Prosperity*], <http://www.twincities.com/2014/06/09/hector-garcia-turning-potluck-into-prosperity/>.

134. *See id.*

135. Kayla Ruble, *Sweden Plans to Thwart Racism by Eliminating the Mention of Race from Its Laws*, VICE NEWS (Aug. 11, 2014), <https://news.vice.com/article/sweden-plans-to-thwart-racism-by-eliminating-the-mention-of-race-from-its-laws>.

136. *Id.*

137. *Id.*

138. David Mielach, *5 Business Tips from Albert Einstein*, BUS. NEWS DAILY (Apr. 18, 2012), <http://www.businessnewsdaily.com/2381-albert-einstein-business-tips.html>.

139. *See* Ye Hee Lee, *supra* note 72.

Ways of thinking, worldviews, mindsets, and paradigms are very difficult to change. Fortunately, there are two sets of circumstances that might make it easier in our time. One is that most of American history has demonstrated the correct problem-solving way of thinking and how to implement it; it is not an unknown. The fact that the wrong one, which has caused the dilemma we live in, prevails only because of current consensus and the habit of the past few decades. To put it simply, we must move from expecting exceptional results from voicing pseudo-American values, to expecting them—as we did in the past—from the integrity of words and actions embodying the original American values.¹⁴⁰

The second set of circumstances is described by Thomas Kuhn in his book, *The Structure of Scientific Revolutions*.¹⁴¹ Kuhn pointed out that a new paradigm will be introduced and accepted when the system in place repeatedly experiences inconsistencies.¹⁴²

Life in Minnesota and in the United States is overwhelming us with such inconsistencies; they lead to confrontation and elitism as I have described above. Therefore, we should be quite motivated to change and pursue clear goals.

What process could implement a renaissance of American democratic values? Fortunately, there are major examples of overcoming dysfunctional relationships with minorities and the poor.

For example, domestic and international corporations located in Minnesota and the country have recently shifted from meeting quotas and being humanitarian, to the realization that minority employees can bring added value to the new reality of the globalized economy.¹⁴³ The realization came about because both national and international markets conveyed, to these corporations, the need to use a different language and cultural

140. See *supra* Part IV.

141. See generally THOMAS KUHN, *THE STRUCTURE OF SCIENTIFIC REVOLUTIONS* (3d ed. 1996).

142. *Id.* at 92.

143. See generally Bruce P. Corrie & Sarah Radosevich, *The Economic Contributions of Immigrants in Minnesota*, MINN. CHAMBER COM. (Sept. 2013), http://cdn2.hubspot.net/hub/172912/file-371412567-pdf/Economic_Contributions_of_Immigrants_in_Minnesota_2013.pdf (detailing the economic contributions of immigrants to the state of Minnesota).

approach in order to successfully penetrate and expand the markets.

We can also learn from the example of the momentous paradigm shift that took place in the World Bank. For decades this international financial institution, with assets of hundreds of billions of dollars, had failed to significantly make progress in its mission of reducing global poverty.¹⁴⁴ Stiglitz was hired as head economist for the World Bank, and observed that there was dysfunctional communication between their poor clients and the teams of experts sent by the bank to poverty-stricken towns in which they lived.¹⁴⁵ Though these teams designed elaborate and sophisticated programs and granted loans in billions of dollars to carry them out, the bank failed for decades to engage the poor.¹⁴⁶ The critique and recommendations given by Stiglitz to the bank led to his dismissal.¹⁴⁷

Eventually and fortunately, the World Bank realized Stiglitz was right; today, the bank's website highlights the partnership between itself and its clients: "The World Bank is a vital source of financial and technical assistance to developing countries around the world. We are not a bank in the ordinary sense but a unique partnership to reduce poverty and support development."¹⁴⁸ The bank also has published documents that emphasize the philosophy of collaboration instead of patronizing charity.¹⁴⁹

In other words, to bring about dialogue and understanding in public engagement, lawmakers and decision-makers in Minnesota need to (1) see through the veils of the recent past to see the original and unique American ability to engage citizens; (2) acknowledge the potential of the poor, the minorities, American Indians, and all Americans to contribute as partners to solve the

144. *World Bank's Stiglitz Dismissed from Post of Advisor to Chief*, WALL ST. J. (Apr. 28, 2000), <http://www.wsj.com/articles/SB956872641509953487>.

145. *Id.*

146. *Id.*

147. *Id.*

148. *About: What We Do*, WORLD BANK, <http://www.worldbank.org/en/about/what-we-do> (last visited Aug. 11, 2016).

149. *See, e.g., Investing in Communities: A Dialogue on Local Development and the Private Sector*, WORLD BANK INST. (Feb. 17, 2005), http://info.worldbank.org/etools/docs/library/118045/dialogue_paper.pdf. "Investing in Communities Program at the World Bank Institute fosters the idea that communities are not subjects, they are not recipients of aid, they are the architects of their own destinies." *Id.* at 2.

disparities, inequity, and eroding freedoms we are experiencing; and (3) co-create programs based on these recovered visions and values, and implement these programs in partnership with citizens, private and nonprofit sectors, and the media.

Recently, I had the opportunity to read a letter to the editor that supported the need for the educational and the business sectors to coordinate efforts to address demographic changes and future workforce needs.¹⁵⁰ The letter commented on an editorial piece that had quoted business leaders who suggested that closing the educational gap is necessary to maintain the workforce, which is at risk because of Minnesota's aging population.¹⁵¹ Those leaders recommend that "a better and more consistent and persistent conversation between the higher education system and businesses" is indeed essential to all stakeholders in our economy.¹⁵²

IX. CONCLUSION: POSSIBLE CONCRETE RESULTS OF THESE PROCESSES

The paradigm shifts of international corporations and the World Bank might seem abstract and too complex to implement, especially when considering new laws and when attempting to engage voters more effectively. These two paradigm shifts are meant to be only a guideline; their application need not be complicated.

The partnership that both paradigm shifts above exemplify could be applied at state and local community levels. Below are a few examples which might help lawmakers and voters envision a light at the end of the tunnel:

1) COMMUNITY BANKS

The marginalized communities in question could be empowered through the creation of their own community banks, either in partnership with each other or individually. Financial self-reliance is essential for these communities. There is a historical precedent of

150. See Anita Alexander, Letter to the Editor, ST. PAUL PIONEER PRESS (Jan. 16, 2016), <http://www.twincities.com/2016/01/16/letters-to-the-editor-for-january-18-2016/>.

151. *Id.*

152. *Id.*; Editorial, *Minnesota: Staggering Demographic Shifts Require Spending Restraint and Ambition*, ST. PAUL PIONEER PRESS (Jan. 8, 2016), <http://www.twincities.com/2016/01/08/minnesota-staggering-demographic-shifts-require-spending-restraint-and-ambition-pioneer-press-editorial/>.

Italian immigrants doing this, including creating what became Bank of America.¹⁵³ Indeed, there have been initiatives to carry out projects of this type in Minnesota, but the existing system of “helping” minorities and immigrants is so ingrained because of reasons mentioned above that the initiatives have been undermined.¹⁵⁴

2) LOCAL SUPPLIERS COULD PARTNER WITH INTERNATIONAL CORPORATIONS

International corporations could partner with small businesses in the marginalized communities and offer them opportunities as local suppliers. This would not only empower the communities, but it would also benefit the corporations that are under attack by many Americans for their lack of loyalty and the pursuit of their own exclusive interests in other countries.

3) INTERNATIONAL CORPORATIONS COULD USE THE EXPERIENCE OF IMMIGRANTS AND REFUGEES

International corporations could also utilize the intercultural and international resources that exist in the immigrant and refugee communities, to pursue their goals in foreign markets. The immigrant and refugee communities' resources are not utilized because, under the existing mindset, immigrants and refugees are automatically put into the “minorities” social services box. Society, to a significant degree, does not consider them able to contribute.

4) RECOGNITION THAT ALL HUMAN GROUPS HAVE A FEW “BAD APPLES”

Similarly, many immigrants and refugees have higher-education degrees, skills, and cross-cultural resources that are very valuable in today's changing and challenging global economy.¹⁵⁵ These resources are

153. *Amandeo Peter “A.P.” Giannini: The “Little Fellow’s” Banker*, ENTREPRENEUR MAG. (Oct. 10, 2008), <https://www.entrepreneur.com/article/197632> (narrating the history of the founder of Bank of America).

154. *See Ann Brown, Minority Banks Are Failing: Do They Still Matter?*, MADAMENOIRE.COM (Nov. 27, 2012), <http://madamenoire.com/236792/minority-banks-are-failing-do-they-still-matter/>.

155. *Ibrahim Hirsi, Why Do Many Highly Educated Immigrants Face Underemployment?*, MINNPOST (Oct. 28, 2015), <https://www.minnpost.com/new-americans/2015/10/why-do-many-highly-educated-immigrants-face-underemployment> (examining the factors contributing to underemployment rates).

frequently overlooked because the majority often focuses on immigrants and refugees with anti-social behavior. All human groups have both constructive and destructive members; the latter are consistently less in number than the former. Society can choose to focus on one or on the other. The mistake of focusing on the “bad apples” in immigrant communities has led to dire consequences in American history, but those consequences will be insignificant in comparison to what we can expect now that these communities are going to be a more significant part of the population.

5) CREATE SPECIAL “REMITTANCE” FUNDS

“Immigrants and refugees send billions of dollars to their family members who remain in their countries of origin in remittances.”¹⁵⁶ Americans have mostly complained about this money being lost to our nation’s economy.¹⁵⁷ However, it is lost because we have not made any serious attempts to channel it towards useful purposes in the economy of the United States. For example, special “remittance” funds could be developed by American and foreign banks so that remittances could help create companies and jobs in those countries. This would lead to a gradual decrease of undocumented immigrants as well as increase trade with those nations.

6) CREATE THINK TANKS TO FIND OPPORTUNITIES IN THE GLOBAL ECONOMY

Think tanks to identify opportunities in the new global economy are common and benefit those who have the resources to tap into opportunities. The think tanks are designed to continue operating in the same format, which mainly benefits those who already have resources. Though it would require more engagement by all partners in a new social partnership, it would be possible and profitable to create think tanks that would

for highly educated immigrants).

156. Natalie Kitroeff, *Immigrants Pay Lower Fees to Send Money Home, Helping to Ease Poverty*, N.Y. TIMES (Apr. 27, 2013), http://www.nytimes.com/2013/04/28/us/politics/immigrants-find-it-cheaper-to-send-money-home.html?_r=0

157. See, e.g., *Remittances—A Massive Transfer of Wealth Out of America*, COLO. ALLIANCE IMMIGR. REFORM (CAIRCO), <http://www.cairco.org/issues/remittances> (last visited Aug. 11, 2016) (providing example of an organization that complains about remittances).

identify opportunities in the global economy, especially for the communities that are currently being ignored and marginalized.

7) RECOGNIZE THE REALITY OF THE “DELIVERY GAP”

Education and health disparities attract a great deal of attention because the future that they project is so dire as to create a sense of urgency. Both of these areas will be positively impacted by an improvement in the business and employment opportunities, which will develop from the projects proposed above. Equally important, especially in education, are the opportunities disclosed by a new way of looking at the minorities, American Indians, and the poor. Low expectations of students from these communities and a system that makes it impossible for them to forget that they are not meeting expectations do not allow for effective widespread solutions. The term education “achievement gap” is in itself a self-fulfilling prophecy. Retired president of Metropolitan State University Sue Hammersmith and I wrote an article presenting the historical sources of this challenge, and argued that it should instead be termed an education “delivery gap.”¹⁵⁸

Another example: in healthcare, Obamacare will improve considerably in the context of teamwork among government, medical providers, insurance companies, and community members in need.¹⁵⁹ As it stands now, the win or lose mindset limited this program’s benefits and increased its costs. The same mindset now threatens to destroy the progress attained.

8) HOST DIALOGUES BETWEEN LAW ENFORCEMENT AND THE LARGER COMMUNITY

In the area of criminal justice, events like the shooting of Michael Brown in Ferguson, Missouri, have sparked

158. Hector Garcia & Sue Hammersmith, Opinion, *Garcia, Hammersmith: Let's Talk About the 'Delivery Gap,' Rather Than the Achievement Gap*, ST. PAUL PIONEER PRESS (Sept. 15, 2015), <http://www.twincities.com/2015/09/15/garcia-hammersmith-lets-talk-about-the-delivery-gap-rather-than-the-achievement-gap/>.

159. See *Affordable Care Act Implementation: How Is It Affecting the Health Care Workforce?*, ROBERT WOOD JOHNSON FOUND. (Apr. 7, 2011), <http://www.rwjf.org/en/library/articles-and-news/2011/04/affordable-care-act-implementation-how-is-it-affecting-the-health.html> (“There’s going to be a much greater emphasis on teamwork going forward with the ACA,” Garber says. ‘Accountable Care Organizations, for instance, are structured so that there are incentives for doctors and nurses to work together in a more integrated way.’”).

concern.¹⁶⁰ This has brought to the forefront the historical disparity in treatment of African Americans, other minorities, and American Indians. More collaborative options will surface when an objective mindset is applied to the situation. For instance, retired African American police officer Melvin Carter Sr. and I, as members of the Minnesota Violent Crime Coordinating Council (VCCC), proposed a roundtable dialogue process to build trust and cooperation between law enforcement and the community.¹⁶¹ With VCCC support, we and other council members have proposed this conflict-prevention option to others in Minnesota's law enforcement departments.¹⁶²

It is surprising how much influence our way of looking at reality has to do with how we frame a situation and the judgments we make on that basis. The positive side is that, once our mindset or worldview expands, positive opportunities jump into our scope of vision. An open mindset will create improvements in business, education, health, and other areas of disparity.

Specific proposals and plans to accomplish the examples listed above have largely been ignored for decades by the private and the public sectors, as well as the media. Many more practical and concrete examples can be made visible through the new way of thinking suggested in this article.

The prevailing mindset does not allow decision makers and lawmakers to see these connections. Only a paradigm shift will allow them to see that the new world we have created needs to not only benefit the rich and the powerful, but to also help the marginalized and the poor. The sine qua non conditions are: (1) that we listen to the marginalized and poor, (2) that we credit them with the potential to contribute sufficiently, and (3) that we partner with them.

The ability to specialize and put what we see into compartments and classifications has greatly benefitted humanity.

160. *Tracking the Events in the Wake of Michael Brown's Shooting*, N.Y. TIMES (NOV. 24, 2014), <http://www.nytimes.com/interactive/2014/11/09/us/10ferguson-michael-brown-shooting-grand-jury-darren-wilson.html>.

161. Letter from Violent Crime Coordinating Council to Minnesota Department of Public Safety (Oct. 25, 2012), <https://dps.mn.gov/divisions/ojp/forms-documents/Documents/Gang%20Criteria/approval%20package%20for%20criteria.pdf>.

162. *Id.*

But when we are challenged by the larger reality our nation and the West have created, Americans must develop a broader vision and connect the dots in order to manage the forces we have unleashed. It is not a case of either/or but both/and, as Jim Collins wrote regarding great business leaders who are able to practice this mode of “seeing” in his book, *From Good to Great*.¹⁶³

The task ahead will not be simple because the change required will generate pain and anxiety. But as Roosevelt warned, being afraid in desperate situations will only make those situations worse.¹⁶⁴ Many are currently swayed by the empty repetitions of “winning is the only thing,” doing away with “the bad guys,” and “making America great again.” These are appealing slogans in a time of anxiety, but alone, slogans lack substance, reflection, and wisdom. The dangers of succumbing to fear and anger far outweigh the pain of constructive change. I close below with excerpts from two articles I wrote for the *St. Paul Pioneer Press*, which I hope will instill hope based on American history:

TURNING ‘POTLUCK’ INTO PROSPERITY

[T]he new playbook of globalization—a “story of we,” a narrative to inspire the committed contribution of all communities. This moment in history calls not for a vision of a “melting pot,” nor a “salad bowl,” but one of a “potluck gathering” in a new type of association—one of cultural and national complementarity under globalization’s mindset of interdependence. In the process, Minnesota can become a learning global state, pointing the nation toward true north.¹⁶⁵

IMMIGRANTS WILL DEFINE THE FUTURE

“Prosperity is the severest test that can come to a people.”—John Foster Dulles.

. . . At this time of unprecedented challenges, all of us Americans cannot afford to become fearful of the future and vainly try to hold on to a romanticized and insular past. The alchemy that this nation throughout its history has distilled from the world’s “poor . . . huddled masses yearning to breathe free” can be re-enacted. But such

163. JIM COLLINS, GOOD TO GREAT: WHY SOME COMPANIES MAKE THE LEAP . . . AND OTHERS DON’T 198–201 (2001).

164. Roosevelt, First Inaugural Address, *supra* note 59.

165. Garcia, *Potluck’ into Prosperity*, *supra* note 134

alchemy does not surface naturally across the world; it is an exceptional characteristic of “the home of the brave,” who have been so defined by facing the future as part of a dynamic and evolving union, with hope and “with malice toward none.”

Democracy, democratic institutions, constitutional law, the opportunity to take risks, and an immigrants-welcoming mindset made possible this nation's exceptional results during the last century. We will bring about a renaissance with similar results in this century only if we believe anew in the American principles that created the unique conditions for the alchemy in our past.¹⁶⁶

166. Garcia, *Immigrants Will Define the Future*, *supra* note 20.

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