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MOBILIZING CONSUMERS: THE AMERICAN CONSUMER MOVEMENT
IN THE 1960S-70S AS A SOCIAL MOVEMENT

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Abstract

This dissertation investigates the American consumer movement in its heyday, the 1960s and 1970s, from the perspective of social movement research. What explains the vibrant civic activity and political mobilization of consumers from the mid-1960s and during the 1970s, and the rapid decline of the movement in the following decade? How did the consumer movement manage to attain public popularity and political efficacy, even if short-lived, given the challenges of mobilizing such an expansive group on the basis of the all-inclusive category that is “the consumers”?

Drawing on historical research and archival documents, I argue that the answers are found in the political-economic paradigm that articulated consumers as a political constituency. More specifically, a policy regime of consumer protection, which was employed during the 1960s, brought about consumer mobilization that formed a national social movement. Thanks to this set of consumer protection and other social policies, consumer advocates were afforded with organizational and material resources that allowed them to mobilize nationally, and consumers, as a constituency, were provided with political significance as bearers of rights in the marketplace. The consumer movement mobilized, then, primarily from the top down, facilitated by policy effects that engendered the formation of a “consumer lobby” at the federal level, that is, national interest groups. They, in turn, helped to coordinate various state organizations and local civic activities and bring them together under the banner of the consumer movement, and encouraged further mobilization at the grassroots.

While the articulation of consumers as a political constituency originated in formal policies, the consumer movement’s members engaged in processes that formed and fostered a

political collective consumer identity. At the core of this collective identity was the movement's version of "consumer politics" – an adversarial worldview dividing the world into consumers against businesses. It was professed by both interest groups advocating for consumer representation in the government to countervail the interests of businesses, and grassroots organizations engaging in actions that ranged from picketing and protesting businesses to driving consumers, through public education, to voice consumer complaints. As "consumerists," movement members could themselves attain collectivity and a shared sense of commitment to the consumer cause. It was more difficult for them to impart it to the wider consumer constituency – among other things, since the rhetorical framing and tactical tools that they used to do so had emphasized consumers as individuals.

Deteriorating economic conditions since the mid-1960s initially furthered the mobilization of consumers. However, as they exacerbated and turned into a series of severe crises in the 1970s, and in the face of reinvigorated business mobilization that affected public opinion and policymakers, the consumer movement encountered growing challenges. While its leadership got more involved in partisan (Democratic) politics in the late half of the 1970s, resulting in fissures within the movement, consumer protection policies seemed no longer economically viable. Consequently, the movement lost ground. This decline intensified under the Reagan administration's economic policies. Without its political benefactors and having lost its wide public support, the consumer movement retracted into interest group politics.

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Table of Contents

LIST OF FIGURES	IX
LIST OF TABLES.....	X
CHAPTER 1. INTRODUCTION	1
A. Previous scholarly writings on the 1960-70s consumer movement.....	11
B. Analytical strategy: Case, archives, data, and methods.....	22
C. Structure of the argument and organization of the chapters ahead.....	34
Appendix 1. Brief organizational biographies of five consumer groups	39
CHAPTER 2. THEORETICAL CONSIDERATIONS: THE POLITICS OF CONSUMERS AND SOCIAL MOVEMENTS	41
A. Citizen-consumers and the politics of consumption / consumer politics.....	42
B. The 1960s-70s consumer movement in the lens of social movement scholarship	47
C. Conclusion: The politics of consumers <i>as</i> social movement politics	67
CHAPTER 3. HISTORICAL BACKGROUND OF THE POSTWAR CONSUMERS' REPUBLIC AND AN OVERVIEW OF THE 1960S-1970S CONSUMER MOVEMENT	69
A. Prologue: <i>The Consumer's Manifesto</i>	69
B. Postwar American consumer society and the consumers' republic, 1945-1960	75
C. A general overview of the emerging consumer movement in the 1960s and 1970s	85
D. An analysis of the organizational landscape: Evidence from consumer group directories	96
E. Conclusion	110
CHAPTER 4. POLITICIZING CONSUMERS: POLICY EFFECTS ON CONSUMER ORGANIZATION... 112	
A. Theoretical considerations: Social movements, political processes and policy effects... 115	
B. The interplay of governmental representation and consumer civic organization	126
C. The War on Poverty and its policy effects on organization of low-income consumers ..	136
D. Case study: The consumer campaign against the Uniform Consumer Credit Code.....	147
E. Top-down mobilization: Two examples of interest groups organizing the grassroots....	167
F. Conclusion	181
Appendix 4. Table 4-a: Consumer advocates' state appearances/contacts against the UCCC	184
CHAPTER 5. COLLECTIVIZING CONSUMERS: A MOVEMENT "LOOKING FOR ITS GRASSROOTS"	186
A. Theory: The processes underlying collective identity in social movements	190
B. Drawing boundaries in a boundary-less category.....	196
C. Fostering oppositional consciousness: Big Business versus "the little consumer"	217
D. Politicization of everyday life: The consumer complaint as a vehicle of mobilization...	226
E. Conclusion	237

CHAPTER 6. REALIGNING CONSUMERS: THE CONSUMER MOVEMENT AND FEDERAL ELECTORAL POLITICS FROM KENNEDY TO REAGAN	240
A. The Consumer Federation of America’s Voting Records, 1971-1984	244
B. The consumer movement and the CFA in relation to political parties, 1967-1985	266
C. Conclusion	292
Appendix 6. Methodological appendix to Chapter 6	297
CHAPTER 7. CONCLUSION: FROM “THE FORGOTTEN MAN” TO A FORGOTTEN MOVEMENT ...	303
REFERENCES.....	317

List of Figures

Figure 3-a-1: Consumer Price Index, 1948-1980.....	74
Figure 3-a-2: Consumer Price Index, 1948-1963.....	74
Figure 3-b-1: Personal Income and CPI, % change from previous year, 1948-1960.....	75
Figure 3-b-2: Personal Income and CPI, % change from previous year, 1948-1982.....	75
Figure 3-c-1: Organization orientation according to general/special division, Federal Dir.	103
Figure 3-c-2: Organization orientation according to general/special division, CFA Dir.	103
Figure 5-1: “The Unfriendly Green Giant,” from CFA News	224
Figure 6-a-1: Categories of “Consumer-Related” Congressional Votes, 1975-1984, Senate ...	251
Figure 6-a-2: Categories of “Consumer-Related” Congressional Votes, 1975-1984, House ...	252
Figures 6-b, 1&2: Average Congressional Voting Scores from CFA Records, 1971-1984	257
Figure 6-b-1: Senate Voting Scores, overall and by party	257
Figure 6-b-2: House Voting Scores, overall and by party	257
Figure 6-c-1: Average Congressional Voting Scores, plus freshmen, 1971-1984, Senate	259
Figure 6-c-2: Average Congressional Voting Scores, plus freshmen, 1971-1984, House	259
Figure 6-d-1: “Consumer Votes” (top and bottom 20 th percentiles), 1975-84, Senate	264
Figure 6-d-2: “Consumer Votes” (top and bottom 20 th percentiles), 1975-84, House.....	264

List of Tables

Table 1-a: The organizations selected for deeper historical research	30
Table 1-b: List of archives / oral histories	32
Table 1-c: List of interviews	34
Table 3-a: Organizations' orientation as indicated by common words in titles	103
Table 3-b: Orientations of "specialized" consumer organizations in the Federal Directory ...	105
Table 3-c: Local organizations affiliated with national groups/networks	106
Table 3-d: Number of consumer groups per state (and territories) in the Federal Directory ...	109
Table 4-a: Consumer advocates' state appearances/contacts against the UCCC	184
Table 4-a continued (notes)	185
Table 6-a: Number of "consumer-related" votes in Congress, 1971-1984	249
Table 6-b: Number of votes selected for tracking by various interest groups, 1979/80	249
Tables 6-c: CFA's Top and bottom lists of ("Heroes and Zeroes") Congress voters (according to CFA), 1971-84	262
Table 6-c-1: Top Congress voters "for consumers" (according to CFA), 1971-84	262
Table 6-c-2: Bottom Congress voters "for consumers" (according to CFA), 1971-84	262
Table 6-d: Presidential Messages to Congress on Consumer Interests/Protection	274
Table 6-e (in Appendix 6): Original CFA's Voting Records' categories / headlines	299

Chapter 1. Introduction

“ARE THE KNIGHTS REALLY HURTING THE GIANTS?”

This rhetorical question was raised by the editor of a prominent advertising trade journal in 1971. Sarcastically referring to consumer advocates as “knights,” the author entitled his angry editorial column “Pavlov’s consumers.” What triggered the editor’s ire was a new regulation requiring automobile manufacturers – the “giants” – to install a buzzer and a dashboard-indicator to induce drivers to fasten seatbelts. (The seatbelt itself became a mandatory device in manufactured cars five years earlier, in a law enacted following the publication of Ralph Nader’s best-seller, *Unsafe at Any Speed*.) The editor was further irritated by additional demands presented to the automotive industry. Reversing the usual trope about manipulated consumers, the editor argued that those making the claims “[have] been charging about under the guise of protecting consumers against manipulating, oppressive manufacturers. Now we see who wants to do the manipulating. The protectionists want to force stupid consumers, you and me, to function the way they see fit. They want to buzz us, like Pavlov’s dog, to make us do what three-quarters of us now choose not to do.” The column concluded by commenting that “the knights are merely using the giants to get to us with that buzzer. And we’re letting them do it.” This conclusion deliberately obscured the identity of that collective “we.” Was it we, the consumers, or we, the businesses, advertisers, and manufacturers?¹

Importantly, the column’s main claim conformed to a general argument – made then and later during that decade in business trade journals and similar venues – targeting the “protectionists,” who were often referred to in other terms. Such terms included also “Naderists,” “consumerists,” and “the consumer movement” – this term often appears as a positive connotation and became less used in these venues. The editorial quoted above used, alongside “protectionists” the pejorative term: “those professional consumerists.” The general charge was that the “protectionists” do not in fact represent American consumers, surely not all of them, and not even the majority, who choose not to wear seatbelts. (State-laws making wearing seatbelts mandatory came much later, starting only around the mid-1980s.) Rather, they are paternalist, self-appointed “professional consumerists,” whose motivations vary. So argued the columns, whose rhetoric was becoming more vitriolic over the 1970s, ranging from accusing

¹ Walter Joyce, “Editor’s Note: Pavlov’s Consumers,” *Marketing/Communications* 299, no. 5 (May 1971): 60.

“consumerists” of being communists, pursuing an “anti-business” and “anti-America” agenda on the one hand, to equating them with Joseph McCarthy on the other hand.

The critics used exaggerated rhetoric and their position was certainly biased. Yet, they may have had a point in charging that “professional consumerists” were paternalists – at least regarding some of the issues, some points in time. This can be echoed in the 1970 interview with “consumerist” Helen Nelson, a key figure in the movement. The former Consumer Counsel of the State of California, Nelson was at the time of the interview the President of the Illinois Federation of Consumers, and two years later she would become the president of the young national Consumer Federation of America. Drawing on her experience in California’s state capital, she observed: “Legislators feel the need for countervailing interests from consumers and that is a professional job [...] it’s not a grass roots activity.” She went on to say that “Lobbying is a professional thing. A busload of women can’t do it in one afternoon.” For this reason, she said, the consumer movement is different from most movements. “It came about because people in the government were more sensitive to the problem than people at the local level.” She noted that the movement “is still looking for its grass roots.”²

Still, while the consumer movement was looking for its grassroots, according to Nelson, the grassroots were finding the movement. A year after Nelson’s interview (and in the same year the abovementioned editorial was published), a thirty-something-year-old housewife from California started a “consumer action” group in San Francisco, and a 20-year-old student from Missouri, inspired by a recent visit of Ralph Nader to his St. Louis campus, started a student action group at his college. The former became San Francisco Consumer Action and ran a “mobile hotline” from a van to handle various consumer complaints; the student group, which later became the Missouri Public Interest Research Group, tackled a various of civic and consumer-related issues. In the following decade, both groups would become affiliated with the Consumer Federation of America, and the founders of both would serve as members of the board. Around that time and in the next few years, many others took similar paths. Around the county, consumers put on their knight’s armor – housewives and students, tenured academics and residents of low-income urban neighborhoods – and they turned to charge the giants, or more commonly, their local minions at the grocery stores and car dealerships. (They left the “real giants” for their national organizations to deal with.) Between the mid-1960s and the late 1970s, they established hundreds of consumer

² Sheila Wolfe, “Consumers Lack Organization,” *Chicago Tribune*, July 26, 1970, sec. 1.

groups and consumer-oriented civic organizations. Reporting on the new trend in 1967, a national magazine listed thirty consumer groups. Two of them were national organizations and the rest operated in states and cities – most of them had formed in the previous couple of years. In a 1970 report of the same magazine, the number on list nearly doubled although it consisted then only of the central organizations in each state. Alongside it, the report listed governmental offices designated to handle consumer issues, whose number also rose significantly.³

During the 1970s, the consumer movement continued to grow, as its sprawling grassroots network broadened and its national leadership in Washington, D.C. became more politically influential, even if the two trends did not always agree and sometimes coexisted in tension. The Consumer Federation of America (CFA) embodied and contained these tensions as a national organization charged with the dual role of spearheading the advocacy and lobbying activities in the federal government, while at the same time coordinating and serving as a clearinghouse to the mushrooming local and state groups it hoped would all come under its canopy. The growth of the national movement is evident in directories of voluntary consumer groups published by the CFA and other bodies during the 1970s. In 1972, CFA listed sixty-three state and local consumer groups or chapters on its published directory; in 1975 the list increased to 100 additional groups. Two years later the CFA directory listed more than 300 organizations. Not all of these groups managed to send representatives to the national Consumer Assembly conferences held by CFA, but most of them at least tried to. The first Consumer Assembly was held in 1966 and served as a catalyst to the establishment of the Federation. On its tenth anniversary, in January 1976, which was an election year (and the first one in which CFA and other consumer groups would endorse electoral candidates), six presidential candidates in the Democratic primaries came to speak at the conference, alongside President Ford's Secretary of Treasury. Later that year, a month before the election, the Republican-ruled White House published a directory of voluntary consumer associations that listed nearly 450 organizations.

How can this tremendous proliferation be explained? What accounts for the flurry of civic consumer activity, especially bearing in mind its almost non-existence in the 1950s, when an attempt to establish a new national association of consumers failed and older civic organizations

³ “Who Speaks for the Consumer Now?: More and More Organizations Are Forming. Who Belongs? What Do They Do?,” *Changing Times* (Washington, United States: Kiplinger, July 1967); “Got a Gripe? Here’s Where to Complain: Names and Addresses of 111 Agencies and Organizations-- All Bent on Seeing That Consumers Are Treated Right,” *Changing Times* (Washington, United States: Kiplinger, March 1970).

founded? What are the reasons for its growth and political clout in the 1970s, in stark contrast to its decline in power and popularity in the following decade? Of course, the puzzle of collective civic activity and political mobilization is not new to sociologists, nor to students of social movements in particular. It has occupied generations of social scientists, receiving an especially famous formulation in Mancur Olson's phrasing as the coordination problem of collective action. Yet, it seems that presenting it in the context of consumer mobilization makes the puzzle more pronounced, perhaps even uniquely demonstrated given the all-inclusive character of the consumer category, and the breadth and diffusion of the population and interests involved. This is manifest in the oft-expressed statement, "We are all consumers," voiced by politicians declaiming on consumers' rights; consumer activists complaining on the challenges of disorganization; and by opponents of the movements such as the ad-man editor, reminding his readers that businessmen are consumers too. In his formulation of the free-rider problem, Olson stressed its relation to the size of the group that is purported to act collectively. Decades earlier, the puzzle was presented by Georg Simmel, who emphasized the tension between collectivity and individuality. In Simmel's formulation of the problem, the larger the group, the weaker is its internal cohesiveness and integrity, and the stronger would be the tendency of its individual elements (persons or in-groups) to follow their independent logic.⁴ How, then, did the expansive and diffusive multitude of consumers coalesce to a relatively cohesive mobilized collectivity?

Furthermore, this pronounced puzzle of consumer mobilization in the 1960s-70s has received little attention in social movement literature, probably because the conventional mobilization theories that have come to constitute this literature's classical explanatory model offer relatively little help to explain this puzzle. In their original formulations – developed in the wake of the sweeping social movements of the 1960s – the mobilization theories of social movement literature envisioned pre-existing aggrieved groups and had the task of explaining why some mobilize successfully while others acquiesce to their oppression. Later theoretical developments incorporated into the models "framing processes," and these allowed the consideration of not only aggrieved groups, but of the formation of perceived grievances or even the construction of perceived groups and collectivities. Still, even with these elaborations, the mobilization of

⁴ Mancur Olson, *The Logic of Collective Action: Public Goods and the Theory of Groups*, vol. v.124, Harvard Economic Studies, (Cambridge, Massachusetts: Harvard University Press, 1965); Georg Simmel, "Group Expansion and the Development of Individuality," in *On Individuality and Social Forms: Selected Writings*, ed. Donald Nathan Levine, The Heritage of Sociology (Chicago: University of Chicago Press, 1971), 251–93.

consumers remains puzzling. Even in its developed, tripartite form – divided into mobilizing structures, political processes that structure opportunities and threats, and framing processes that affect the perception of the latter as well as of the self-perceptions of collective actors and their motivations – this conventional model is found wanting in explaining the emergence of the consumer movement in the mid- to late- 1960s.⁵ The mobilization of consumers was subsidized mostly by material and organizational resources granted by the large labor unions and the established organization, Consumers Union, both of whom had reached a powerful and resourceful status a decade earlier. The constituency of consumers as well as the critique of their problems in the marketplace was similarly foregrounded already in the late 1950s. Admittedly, the political context changed somewhat during the early 1960s, as manifest mostly in the growing recognition from politicians about consumer problems and welfare. This opened “opportunity windows” for consumer mobilization. But opportunities alone were insufficient to bring together this diverse constituency to organize – something else was needed.

At the core argument of this dissertation is the claim that this additional something was policy – or rather, a set of social and economic policies that not only provided consumers with opportunities to mobilize, but actively incentivized them and encouraged their mobilization. Indeed, thanks to these policies, consumers mobilized to become a self-realizing political constituency taking collective action for their own interests. In attributing consumer mobilization to policies, this dissertation engages with the literature on policy feedback loops, and it furthermore seeks to reinvigorate the sociological and social-movements aspects of this literature. The case of the consumer movement demonstrates that “policies make politics” – and it shows that this can occur through social and political mobilization. I argue that the emergence of the consumer movement as a nationwide, social movement should be attributed to a set of policies in favor of consumers combined into a policy regime of consumer protection, which was employed in the mid- to late-1960s both in states and at the federal level by the Democratic incumbents. Some officeholders pursued the consumer protection policy regime out of political expediency, especially the appointing of consumer representatives, sometimes as token gestures. Other parts incurred more substantive change through legislation and regulatory administration,

⁵ For an elaboration of this model, see, e.g., Doug McAdam, Sidney G. Tarrow, and Charles Tilly, *Dynamics of Contention* (New York: Cambridge University Press, 2001), see especially the figure on p. 17; see also Hank Johnston, *What Is a Social Movement?*, *What Is Sociology?* (Cambridge, UK: Polity Press, 2014), 43–71, especially the figure on p. 60.

but these were also usually perceived as cheaper and more consensual than other contemporary social policies. Still, these policies and others inspired consumer mobilization by providing mobilizing resources – organizational positions and infrastructures as well as financial resources channeled through various programs, including those originating in War of Poverty policies. Moreover, and perhaps more importantly, the consumer protection policy regime enhanced self-recognition among consumers as a political constituency with distinct interests, which allowed various advocacy groups to form coalitions and act collectively under the consumer label in pursuit of those interests.

The mobilization of consumers did not remain at the level of policy-facing interest groups, but was accompanied by grassroots mobilization, often facilitated by these more elitist advocacy organizations. But it is also important to remember that policy effects were not the only factor incentivizing consumer mobilization. Other factors existed, like the economic conditions, and especially the cost of living, which has been rising since the mid-1960s. Due to these conditions, and thanks to the growing consumer self-awareness and self-recognition, numerous groups formed and acted to advance the “consumer cause.” This cause consisted in fact of a variety of causes and aims, that included lower prices (for products as well as for credit); better quality and improved safety of products; wider and cheaper provision of services (including transportation and utilities); expanded credit and increased protection for debtors; and better information on products and prices in the marketplace. Some groups focused on specific issues, but many pursued a broad agenda, employing diverse tactics that ranged from advocacy to demonstrations and picketing and from operating “hotlines” for handling consumer-complaints to conducting price surveys and disseminating information among other consumers. Most of the activists in these groups were middle-class, educated, and predominantly white, and the consumer movement was therefore rightly seen as “middle-class,” although various organizations emphasized causes related to lower-income consumers, and some groups also organized among this population. These various grassroots groups formed a loose countrywide network through state and the national consumer interest groups, which attempted on top of their lobbying activities to coordinate grassroots activities. This variegated civic consumer activity thus assumed a form of a national movement, loosely coordinated – yet coordinated nevertheless. It contained several internal tensions, but even when those intensified to create factions, it managed to collectively advance some clearly defined goals.

The relative cohesiveness was achieved by the cadre of consumer activists and advocates who maintained a collective identity on the movement level, as “consumerists” – even if there was always a marked numerical gap between this limited cadre and the expansive constituency they purported to represent. As “consumerists,” the consumer movement’s members possessed a distinct collective self-perception. This collective identity was imparted and facilitated by the policies that recognized consumers as a separate constituency, but also maintained and enhanced by the movement’s members themselves, which was primarily accomplished through professing a political worldview that posited consumers at large versus businesses and corporations as their adversaries. Through fostering this oppositional consciousness, consumer activists and advocates attained a distinct sense of shared collectivity, despite the challenges in drawing boundaries around the consumer constituency due to the category’s breadth and inclusivity. The adversarial worldview was discursively propagated through internal communication in the movement’s channels, but it was also reflected and bolstered through sympathetic media coverage, often portraying the consumerists as “knights” against “the giants.”

Drawing on these portrayals and using this adversarial worldview, consumerists advocated on behalf of, and attempted to engage, the wider consuming public (i.e., their constituency) through public education, recruitment, and mobilization endeavors. This, however, was successful only to a limited extent. Despite initially positive media coverage, largely sympathetic public opinion, and diverse grassroots activity, the consumer movement members had never managed to drive a mass public to rally to action around their identity as consumers. For one, it was simply impossible to recruit a critical mass of the constituency due to its enormity: the entire population of American consumers. In addition, mobilizing consumers to collective action was challenging due to the relative weakness of the consumer identity compared to other, more engaging identities. Lastly, consumerists endeavored to form a consumer collective identity that would drive consumers to collective action, but often made tactical choices that undermined these goals. In highlighting the opposition between consumers and businesses, they often resorted to portraying consumers as single and weak individuals. Furthermore, they heavily relied as a basis for collective action on the consumer complaint, which these grievances were mostly treated and solved on a case-by-case basis. Thus, these tactical choices were predicated on individualizing logics that contradicted the collectivizing endeavor.

Nevertheless, even without never attaining the designation of a mass-movement, the consumer movement enjoyed a high degree of political effectivity from its early beginnings and into the late 1970s. This efficacy was rooted in the origins of the movement, that is, in its growth out of an already-existing policy regime (to which it obviously lent its support), and in its expansion, as a social movement, out of interest groups with access and connections to political institutions. Still, the movement's political power came not only from its ties to institutional politics, but also from the apparent wide appeal of the cause, corroborated by the movement's grassroots components and its popular support in public opinion. This support only further contributed to the movement's ties with political officials who were eyeing the electorate. The movement's leadership managed to maintain this wide appeal thanks to the popularity of the cause, but also through formally assuming a nonpartisan stance, despite the proximity it had to the Democratic party. (The movement's main interest groups were financially supported by, and collaborated with, labor unions, and its leadership had ties to Democratic politicians who advanced the consumer protection policies). As long as the consumer protection policy regime was supported by both parties, even if in different versions and accentuations, the consumer movement and its leading organization, the Consumer Federation of America, could enjoy the credibility of a nonpartisan stance and the wider public appeal. Thus, the consumer protection policy regime was continued under the Nixon administration, and in a way even enhanced through the development of more elaborated consumer protection bureaucracy and through stronger emphasis on consumer protection in the states. Under Ford's presidency, the policy was not strongly supported but also not abandoned, rhetorically or otherwise.

During the last half of the 1970s, the political support in consumer protection transformed significantly, affecting also the status of the consumer movement. For a variety of reasons, some of them interrelated, consumer protection came to be viewed through partisan lens. On the backdrop of worsening economic conditions, especially the rising inflation, consumer protection policies enjoyed considerably less support from the public, and even less so from politicians. While the agenda was still rather consensual, the forms and extents of consumer protection came under debate, and the costs of such policies and their regulatory implications were being noticed and considered more seriously. In part, this was also due to mobilization among, and increasing political influence of, the business community, which affected both parties but the Republicans much more. Part of the rising political power of businesses came about due to campaign finance

reforms. These, along with other procedural reforms relating to Congress, began transforming the composition of the parties, which became more ideologically uniform. (Related to these were also underlying gradual transformations affecting the American electorate.) As part of the campaign reforms, groups like the Consumer Federation of America were able to endorse candidates. While CFA did not endorse presidential candidates, its identification with the Democrats became much more apparent, especially after the election of President Carter, who appointed key-figures of the consumer movement to his administration. While this signaled the political power that the movement had attained, it also marked the beginning of its decline. Along with its co-optation came a couple of defeats in long-fought campaigns, primarily the one for an independent consumer protection federal agency. The movement's decline intensified under the Reagan administration, with the employment of pro-business policies. With waning public support, it folded back into a much smaller network of mostly advocacy organizations.

Looking at the consumer movement's rise in the mid- to late- 1960s, its expansion in numbers and influence then and in the early 1970s, and its fast decline later that decade and during the 1980s, we can examine it from two alternative, though not mutually exclusive, theoretical perspectives: a political sociological perspective of social movement theory, and the political-economic perspective of consumer politics. With reference to social movement theory, as noted earlier, the mobilization of consumers did not precisely fit the conventional model of the literature, which takes as its paradigmatic cases the sweeping protest movements of the 1960s. For the most part, this is due to the tendency of this literature to distinguish between institutional and extra-institutional politics, and specifically to treat the former as external to mobilization – perceived as an inherently bottom-up phenomenon. For the consumer movement, institutional politics was crucial to mobilization, which was facilitated by policy effects and by consumer interest groups which sought to bring consumer organization under their direction and thus encouraged top-down mobilization. Furthermore, the social movement literature emphasizes protest, and especially the organized mass-demonstration, as a proxy for mobilization. For this reason, too, the consumer movement constitutes an “unlikely movement.” While it did see a portion of protests and other direct actions, these were, like the movement itself, decentralized and diffused. The movement's political effectivity came not so much from these protests as from its connection with, and access to, institutional policymaking processes, although its grassroots component lent credibility and support that contributed to this access. Considering the consumer

movement from a social movement perspective thus urges us to reconsider the conventional model and common assumptions of mobilization theories.

From a political-economic perspective, the consumer movement was born out of the ruling economic paradigm of the mid-twentieth century, which put at its forefront consumption and consumer spending, or in macroeconomic terms, “aggregate demand.” First implemented in policies during the New Deal period, it reached the height of its influence in the postwar period that was characterized with remarkable economic growth. The Keynesian paradigm aggregated consumers for economic indicators, and consequently, it also amassed consumers as a potential political constituency. In other words, it designated the government, and specifically the federal government, as the ultimate responsible body for consumers, for incentivizing their aggregate demand, and for answering their multiple demands and claims about the marketplace. This brought about in the 1960s the policy regime of consumer protection. Even before that, and already during the New Deal, it was manifested in a version of “consumer politics” that asked from the government to solve consumer problems vis-à-vis producers and sellers, and that sought to give voice to consumers in political and policymaking forums, namely, consumer representation. The consumer movement emerged in the late 1960s as this economic paradigm was entering a crisis, which would unfold as a full-blown inflationary crisis and be exposed in its full severity during the 1970s. On the backdrop of this crisis, some consumer groups chose to take direct actions against businesses, but these were mostly symbolic, and the overall direction of the consumer movement was to seek political influence and address the government to solve consumer problems in the marketplace. With the shifting of the political-economic paradigms in the late 1970s and during the 1980s, government was no longer seen as “the solution” to consumer problems, but rather, it was the market (or at least was said to be).

These two theoretical perspectives, that of social movements and that of the political economy, will be explored in further detail in the next chapter. The rest of the introduction proceeds as following: In the next section, I review previous scholarly writings on the consumer movement of the 1960s and 1970s. In the following section, I discuss my analytical strategy and methodology for researching the case study of the 1960s-70s consumer movement. The final section of the introduction outlines the structured argument of the dissertation by presenting the organization of the chapters.

A. Previous scholarly writings on the 1960-70s consumer movement

The decade between 1966 and 1976 constituted the heyday of the American consumer movement, when compared both to previous consumer mobilizations during the twentieth century and certainly to later decades. Although during the time it has been written about quite extensively, after the decline of its popularity and activities in the 1980s, the 1960s-70s consumer movement has received relatively little scholarly attention. Recent historical investigations started to correct this. In this section, I review the works that studied this movement. The review is organized chronologically, starting with a couple of systematic studies, written as PhD dissertations on the movement during its heyday. The subsequent works can be roughly divided into two periods. The first occurred in the two decades immediately following the movement's peak of popularity, the 1980s and 1990s, when scholarly works on the movement tended to be produced by authors who participated in the movement or observed it from up close. These works were informative and integrative, yet, with a couple of exceptions, they did not tend to be highly analytic, and, unsurprisingly, they were also often colored by a sympathetic, sometimes triumphalist, tone. The second period consists of works written in the first two decades of the twenty-first century. During these decades, scholars and especially historians turned their attention to the movement and its activities in the 1960s and 1970s, exemplifying an increased interest in "consumer politics." These studies often situated the movement within longer time-periods and broader frameworks, and thus treated the movement from a particular perspective, that fit with their larger examination. Indeed, a decade ago, historian Meg Jacobs wrote that "historians [...] have yet to produce a body of literature on the modern consumer movement."⁶ These words are also true to sociologists, and to scholars of social movements especially.

Before reviewing the literature on the "modern consumer movement," I should note that the 1960s-70s were not the first instance of consumer mobilization in American history. These earlier iterations – or "waves," according to some – received more scholarly attention from both historians and sociologists. Like in "wave"-terminology that characterizes the feminist movement, in writings that were produced by movement's participants, there is a tendency to divide the history of the movement into three eras or waves of activity. The first occurred in the

⁶ Meg Jacobs, "State of the Field: The Politics of Consumption," *Reviews in American History* 39, no. 3 (2011): 570.

early decades twentieth century, during the Progressive Era. That “wave” has been seen as part of the Progressive movement, with muckrakers’ exposés about the quality of food and market-abuses by large corporations, the advent of federal consumer protection legislation in the areas of food and drugs and antitrust legislation, and the formation of women’s consumer groups and the first national consumer organization: the National Consumers’ League. The second era/“wave” started during the 1920s with the innovative non-profit, product-testing organizations, and continued during the Great Depression with the proliferation of consumer cooperatives and with the New Deal, which established consumer representation in government forums at the local and national levels. The third era is the 1960s and 1970s – the focus of this dissertation.⁷ Some historians and scholars writing on the consumer movement embraced this three-eras typology. Others noted the consumer movement started, as a movement for consumer interests, only in the 1920s-30s, because the earlier forms of civic organizations, while mobilizing *as* consumers, promoted fairer labor conditions and similar social justice causes.⁸ Notwithstanding the importance of this historiographical debate, for the present purposes it is sufficient to note that the 1960s-70s consumer movement had predecessors and previous historical roots. In this dissertation, and in the rest of the section, I focus on the 1960s-70s iteration of the movement.

Retrospective academic writing on the 1960s-70s consumer movement has been relatively scarce, especially in comparison to the major social movements of that period (such as the civil rights and women’s movements, or the smaller but influential LGBT and Anti-War movements), and also in comparison to other secondary movements that were similarly identified with middle-class issues, such as the environmental and student movements. Why this is so warrants a separate and more thorough examination, but here I can make a few suggestions. Importantly,

⁷ For examples of such division by movements’ insiders, see Robert N. Mayer, *The Consumer Movement: Guardians of the Marketplace*, Social Movements Past and Present (Boston: Twayne Publishers, 1989), 10–33; Robert N. Mayer and Robert O. Herrmann, “U.S. Consumer Movement: History and Dynamics,” in *Encyclopedia of the Consumer Movement*, ed. Stephen Brobeck (Santa Barbara, Calif.: ABC-CLIO, 1997). See also a similar division made in a 1971 speech by Ralph Nader, mentioned in Lawrence B. Glickman, *Buying Power: A History of Consumer Activism in America* (Chicago: University of Chicago Press, 2009), 3, FN 2 on p. 319.

⁸ For an adoption of the three-eras division, applying to it a “waves” terminology, see Lizabeth Cohen, *A Consumers’ Republic: The Politics of Mass Consumption in Postwar America* (New York: Alfred A. Knopf, 2003), 13–14, 21–23, 347. For claiming that the consumer movement started in the 1920s, see Glickman, *Buying Power*, 27, 186–88, 191–93, and specifically on the “three phase” model in 259–262, FN 7 on p. 375; see also: Lucy Black Creighton, *Pretenders to the Throne: The Consumer Movement in the United States* (Lexington, Mass.: Lexington Books, 1976). Both sides to the debate have a point, as on the one hand, the emergence of the consumer interests as a recognizable interest can indeed be dated to the Progressive era, see Peter Edward Samson, “The Emergence of a Consumer Interest in America, 1870-1930” (Ph.D., Chicago, IL, University of Chicago, 1980). On the other hand, the term “consumer movement” was only began to be in use in the 1920s, and more frequently during the New Deal.

the consumer movement did not present the paradigmatic characteristics of social movements as defined by the academic field studying them. (I discuss this in more detail in the next chapter.) Scholars in other fields also tended to overlook the movement, for additional reasons. First, consumption as a subject for scholarly study was for many years sidelined and disparaged. Beyond the triviality of consumption as an issue, this is partly due to what Geroge Ritzer called “the productivist bias” in social sciences,⁹ and partly, presumably, because scholarly writings on consumption had been habitually associated on the one hand with moralistic writing, and on the other hand with applied social sciences in the fields of market research (both endeavors tend to deter academics who venerate objective research, at least as an ideal).¹⁰ Second, there has surely been a gender aspect at play. For the most part of the twentieth century, consumption was identified with women (and femininity), which probably also hindered scholarly motivations to research it, including those of second-wave feminists. The latter sought to break free, in academic pursuits as well, from the confinements of what was traditionally considered the domestic, consumption-related, woman’s sphere.¹¹

Another probable reason for the relative academic neglect of the 1960s-70s consumer movement is the fate of the movement itself, exemplified by the semantic transformations of the term “consumerism.” Regardless of whether the consumer movement “failed” in achieving its goals, nebulous as they may be (I discuss this issue of “success/failure,” and the problematic character of this terminology, in the next chapter), clearly, during the 1980s and 1990s, the consumer movement saw a dramatic decline in public appeal and political power.¹² (In this study,

⁹ Ritzer notes that the bias is especially true for American sociology. See George Ritzer, “The Sociology of Consumption: A Sub-Field in Search of Discovery,” *Footnotes: Newsletter of the American Sociological Association* 28, no. 2 (February 2000); George Ritzer and Don Slater, “Editorial,” *Journal of Consumer Culture* 1, no. 1 (March 1, 2001): 5–8.

¹⁰ See on both aspects, but especially the former Daniel Horowitz, *The Anxieties of Affluence: Critiques of American Consumer Culture, 1939-1979* (Amherst: University of Massachusetts Press, 2004). See also, Daniel Horowitz, *The Morality of Spending: Attitudes toward the Consumer Society in America, 1875-1940*, *New Studies in American Intellectual and Cultural History* (Johns Hopkins University Press, 1985); Juliet B. Schor et al., “Critical and Moral Stances in Consumer Studies,” *Journal of Consumer Culture* 10, no. 2 (2010): 274–91.

¹¹ On the relationship between gender and consumption, see, for example, Victoria De Grazia and Ellen Furlough, eds., *The Sex of Things: Gender and Consumption in Historical Perspective* (Berkeley: University of California Press, 1996), especially the general introduction by De Grazia, pp. 1–10; On the antagonism between second wave feminism and the “domestic politics” of the consumer movement, see Emily E. LB. Twarog, *Politics of the Pantry: Housewives, Food, and Consumer Protest in Twentieth-Century America* (New York, NY: Oxford University Press, 2017).

¹² See, e.g., Loree Bykerk and Ardith Maney, “Where Have All the Consumers Gone?” *Political Science Quarterly* 106, no. 4 (1991): 677–93 - while in this article the authors, in fact, aim to temper this claim, their framing of the article attests to the trend.

I argue that this trend started already in the late 1970s.) Presumably, this legacy did not add motivations for academic studies into the consumer movement. Furthermore, not only did the movement wane, on the backdrop of the profound political-economic shifts in American capitalism and the rise of pro-business policies and pro-market ideology,¹³ but as part of these shifts, consumption itself lost its previous political resonance. This transformation is evidenced foremost in the semantic transition of the ambiguous term “consumerism,” denoting at different times both consumer culture at large and promoting the consumer interests. (Both meanings could receive positive and negative connotations, depending on the speaker). During the late 1960s and 1970s, “consumerism” was undoubtedly associated with consumer interests and specifically with the movement.¹⁴ At the same time (and, according to historian Lawrence Glickman, as part of a deliberate political effort on behalf of business lobbies), the term had been “rebranded,” so that by the end of the century it was unequivocally regarded as synonymous with consumer culture. According to another historian, who equated the term with commercialism and materialism, consumerism was “the ‘ism’ that won” in the twentieth century.¹⁵ One must wonder if these terminological shifts themselves added obstacles to a historical study of the movement.¹⁶

¹³ See, e.g., Jonathan Levy, *Ages of American Capitalism: A History of the United States*, First edition. (New York: Random House, 2021), 587–634.

¹⁴ The term consumerism was coined, in fact, at least according to some accounts, to denigrate the political aspirations of consumer advocates, and equate consumerism to other “ominous” -isms, such as communism and feminism – yet some consumer advocates embraced it. The identification of “consumerism” with consumer interests, rather than a larger consumer (material) culture can be demonstrated by the many edited volumes and discussions about “consumerism” published starting in the 1970s. For example (and non-exhaustive list): *The Challenge of Consumerism: A Symposium* (The Conference Board, 1971); Ralph M. Gaedeke and Warren W. Etcheson, eds., *Consumerism: Viewpoints from Business, Government, and the Public Interest* (Canfield Press, A Department of Harper & Row, Publishers Inc., 1972); Barbara B. Murray, *Consumerism, the Eternal Triangle: Business, Government, and Consumers* (Goodyear Pub. Co., 1973); William T. Kelley, ed., *New Consumerism: Selected Readings* (Columbus, Ohio: Grid, Inc., 1973); Mary Gardiner Jones and David Morgan Gardner, eds., *Consumerism, a New Force in Society* (Lexington, Mass.: Lexington Books, 1976); and David A. Aaker and George S. Day, eds., *Consumerism: Search for the Consumer Interest*, 4th ed (New York : London: Free Press ; Collier Macmillian Publishers, 1982), which was published in four(!) editions between 1971 and 1982. As late as 1986, the editors of an edited volume predicted that “consumerism will endure,” despite threats to its survival noted by some of the authors: Paul N. Bloom and Ruth Belk Smith, eds., *The Future of Consumerism* (Lexington, MA: Lexington Books, 1986), xiii–xiv. Ironically, the term endured, but with a very different meaning.

¹⁵ Glickman, *Buying Power*, 264–65, 283, 285, 294–97. The quote: “Consumerism was the ‘ism’ that won” is from Gary S. Cross, *An All-Consuming Century: Why Commercialism Won in Modern America* (New York: Columbia University Press, 2000), 1, where the term is defined as “the belief that goods give meaning to individuals and their roles in society.” For a further discussion on the term’s ambiguity, see Mayer, *The Consumer Movement*, 3–5; and the thorough examination by Roger Swagler, “Evolution and Applications of the Term Consumerism: Theme and Variations,” *Journal of Consumer Affairs* 28, no. 2 (Winter 1994): 347–60.

¹⁶ On the importance of fixed terms and the potential difficulties that semantic shifts may create in the context of historical research, see Andrew Delano Abbott, *Digital Paper: A Manual for Research and Writing with Library and*

During its heyday in the late 1960s and 1970s, however, “consumerism” and the consumer movement were the topic of extensive writing, including academic writing. Here I chose to review two dissertations, both submitted in 1969, that treated the movement more systematically, and hence deserve special mention.¹⁷ First, a history dissertation written by Sister Jeannine Gilmartin, summarized the “growth of the national consumer movement” from 1947 to 1967, ending with the formation of the Consumer Federation of America.¹⁸ Primarily descriptive, it is noteworthy for its definition of the movement as “a strange conglomeration of activities,” listing voluntary associations alongside business organizations and institutional political initiatives. Such eclectic approach toward defining the movement would recur in further research. The second dissertation was written by economist Lucy Black Creighton under the supervision of John Kenneth Galbraith at Harvard University. In 1976, Creighton published her updated research in a book. The monograph combined a historical review of the American consumer movement from the 1920s to the 1970s, focusing on the 1960s-70s, with a critical outlook on microeconomic theory regarding consumption, and on the movement itself, due to its acceptance of this conventional disciplinary conceptualization of consumers. In short, Creighton criticized the view of consumers as rational, economical decision-makers who operate in competitive markets. She argued that both assumptions did not exist in contemporary American reality, but that the consumer movement nevertheless adhered to them in its emphases on enhancing information and improving competition through regulation.¹⁹ Like Gilmartin, Creighton too

Internet Materials, Chicago Guides to Writing, Editing, and Publishing (The University of Chicago Press, 2014), especially: 26–30, 37–41, 48, 51.

¹⁷ Obviously, parts of this contemporary extensive writing serve as historical materials that the current study draws on. I chose to bring these dissertations here, in the literature review, first because of their more systematic approach. Secondly, they both provide a unique perspective: the first one starts immediately after World War II and stops in 1967, precisely when the movement was on the verge of its national emergence and recognition. The second one is unique by examining the consumer movement not from a political lens but on the basis of economic theory. The latter was also published as a book that has served a bibliographical source for previous studies of the movement.

¹⁸ Jeanine Gilmartin, “An Historical Analysis of the Growth of the National Consumer Movement in the United States from 1947 to 1967” (Ph.D., United States -- District of Columbia, Georgetown University, 1970). During her PhD studies, Gilmartin worked as an intern to Congressman Lee Metcalf of Montana, one of the Democrat politicians who promoted consumer protection policies. She later became a board member of the Montana Consumer Affairs Council.

¹⁹ Creighton, *Pretenders to the Throne*. In her preface to the book (p. ix) Creighton writes about her original intent to write a critique of the economic theory of demand. Following some abortive attempts, the research took a turn toward the consumer movement, which “provided me the opportunity to air some of my criticisms.” Creighton elaborates her criticisms mainly in chapter 7, pp. 83–96, and she attributes to these theoretical shortcomings the failure of the movement in both succeeding to appeal widely to consumers, and in bringing about the changes in economy. Her critique also includes profoundly pointing out to the tension between accepting the principle of consumer sovereignty and the paternalism inherent in promoting means for consumer protection.

defined the consumer movement liberally, as “the sum of the efforts [...] working for promoting the consumer interests,” including government and business activity.²⁰

In the last two decades of the twentieth century, academic publications on the consumer movement were produced by former participants and close observers. Retrospective outlooks came as early as 1981, the first year of Reagan’s presidency. Michael Pertschuk, the former Chair of the Federal Trade Commission, summarized his experience as an “institutional consumer advocate” in a series of lectures published as a book. Although the term movement appears in the book’s optimistic subtitle, “the rise and pause of the consumer movement,” Pertschuk noted that he prefers the terms “impulse” and “entrepreneurial politics” to “movement” due to the weakness of an organized grassroots effort.²¹ Similarly, he considered “the not-for-profit consumer entrepreneurs,” the last among several components that constituted the “consumer entrepreneurial politics,” and highlighted within them the role of individuals, especially Ralph Nader. Pertschuk nevertheless acknowledged organizational actors, such as Consumers Union and the Consumer Federation of America (CFA), and he noted the importance of labor’s infrastructural support. The other components he listed are: congressional entrepreneurs, (i.e. Congressmembers who promoted consumer protection initiatives); entrepreneurial congressional staff (where Pertschuk started his career, which may explain why this group receives a separate category); and the media, explained as “a newly aggressive core of investigative and advocacy journalists” who shared the moral commitment to consumer initiatives.²² Pertschuk attributed to moral outrage an important role in the movement’s motivation and tactics. A different form of retrospective summary of the movement came from another key participant in the movement, this time not an official officeholder but an organizational activist. Stephen Brobeck, who earned a PhD in American Studies, was a

²⁰ Ibid., 1: “The consumer movement is defined here as the sum of the efforts of various individuals and group identified with working for and promoting the interest of the consumer [...including] not only consumer organizations and consumer advocates but government promotion of the consumer, consumer education, and even business and labor activity on behalf of the consumer.”

²¹ Michael Pertschuk, *Revolt against Regulation: The Rise and Pause of the Consumer Movement* (Berkeley: University of California Press, 1982), 10: “[I]f we understand a movement to reflect not only widely popular support but [...] an organized grassroots effort that, for its members, transcends all other political identity or involvement, it cannot be said that a consumer movement has ever existed.” See also p. 29. This dissertation shows that an organized grassroots effort did exist, although Pertschuk has a point in the caveat about transcending all other political identity or involvement, surely for the constituency. It is however reasonable that from his institutional role Pertschuk was less exposed to this organized effort, especially in his years at the FTC in the late 1970s.

²² Ibid., 20–36.

consumer activist in Cleveland during the 1970s and served as CFA's Executive Director since the early 1980s. During the 1990s and later, he published a few comprehensive reference books on the movement.²³

Another comprehensive analysis was written by an academic and former movement participant (who also assisted Brobeck in editing one of the reference books), Robert Mayer. Mayer was trained during a 1970s as a sociologist in Berkeley, where he also worked for a grassroots consumer group before taking an academic position at a newly established department of Family and Consumer Studies at the University of Utah. In 1989, he published a book focusing on the contemporary consumer movement. It remains today an authoritative source, and a unique one in that it examines the movement with the analytical tools of social movement scholarship. Against "a tendency to take the movement's existence for granted," Mayer pointed to the puzzle in the survival "for almost a century" of a movement which "consists of a loosely knit band of individuals and organizations, deriving its sustenance more from moral outrage and a desire for justice than from extensive financial resources."²⁴ He also argued against claims that consumerism should not be considered a social movement due to its low level of contentious or mass action and high level of reliance on professional organizations (citing observations from contemporary social movement scholars regarding processes of institutionalizations and professionalization in other movements as well). In discussing the structure of the consumer movement, Mayer warned against an overly inclusive definition which incorporates business actors and actors with other professional commitments, such as journalists and professional politicians. Mayer defined the movement in a more traditionally sociological manner, as consisting of only non-profit groups. These he divided into belonging to either "secondary consumerists" – groups that support consumer causes as a secondary issue (allied movements, such as labor, the elderly, environmentalists, etc.) – or the "movement's core." Among the latter, he distinguished between single-issue groups and the leading multiple-issue organizations.

Like other academics who wrote on "consumerism" and worked on, and sometimes for, consumer protection causes, Mayer inhabited the academic field of consumer studies. Promoted

²³ Stephen Brobeck, *The Modern Consumer Movement: References and Resources*, Reference Publications on American Social Movements (G.K. Hall, 1990); Stephen Brobeck, ed., Robert N. Mayer and Robert O. Herrmann, Associate eds., *Encyclopedia of the Consumer Movement* (Santa Barbara, Calif.: ABC-CLIO, 1997). See also, Stephen Brobeck and Robert N. Mayer, *Watchdogs and Whistleblowers: A Reference Guide to Consumer Activism* (Santa Barbara, California: Greenwood, An Imprint of ABC-CLIO, LLC, 2015).

²⁴ Mayer, *The Consumer Movement*, 5.

by associations like the American Council on Consumer Interests, this field flourished in the 1970s with the interest in “consumerism.” It operated in the interstices of home economics, marketing research, and public policy, and hosted a handful of representatives from sociology and political science.²⁵ Two of the latter, Loree Bykerk and Ardith Maney, conducted research on consumer interest groups, which resulted in a research monograph as well as a reference book.²⁶ In the former, the authors examined consumer protection from the theoretical perspective of interest group politics, predicating their study on quantitative analysis of congressional appearances of major consumer organizations from 1970 to 1992, and on several policy case studies. While their approach did not consider the consumer movement as a whole – they focused only on its federal advocacy representatives²⁷ – it nevertheless provided an overview and assessment of the movement’s political efficacy. Interestingly, the authors divided “consumer activism” in politics into two phases, the division year being 1977, when the movement lost its campaign for a federal consumer protection agency. The first phase, 1965-1977, was characterized by the dominance of Ralph Nader and by major achievements in consumer protection. They noted that the second phase, 1977 to the early 1990s, saw the prevailing of business and producer interest groups, though they mentioned limited successes by consumer advocates. Overall, the book argues against the common portrayal in the literature of consumer activism as declining, pointing to the persistence of consumer interest group presence on Capitol Hill. In fact, the argument agrees with the observations about professionalization and institutionalization of consumer advocacy, that moved away from grassroots mobilization.

The turn of the twenty-first century saw a growing interest in the political aspects of consumption,²⁸ and as part of that, a historiographical consideration of the 1960s-70s consumer movement, usually situated within larger themes. An important work in this regard is Lizabeth Cohen’s celebrated book, on what she termed “the consumers’ republic.”²⁹ Revisiting the

²⁵ Stephen Brobeck, “Academics and Advocates: The Role of Consumer Researchers in Public Policy-Making,” *Journal of Consumer Affairs* 22, no. 2 (Winter 1988): 187; W. Keith Bryant, “Riding the Wave: Consumer Economics and the Consumer Movement in the United States,” *Journal of Consumer Policy* 22, no. 3 (September 1, 1999): 313–30.

²⁶ Ardith Maney and Loree Gerdes Bykerk, *Consumer Politics: Protecting Public Interests on Capitol Hill* (Westport, Conn.: Greenwood Press, 1994); Loree Gerdes Bykerk and Ardith Maney, *U.S. Consumer Interest Groups: Institutional Profiles* (Westport, Conn.: Greenwood Press, 1995).

²⁷ Maney and Bykerk, *Consumer Politics*, 149.

²⁸ See next chapter.

²⁹ Cohen, *A Consumers' Republic*.

postwar decades, Cohen analyzed them through the American political economy, as well as political culture, which put mass consumption at its front and center. The 1960s-70s consumer movement is one of the protagonists of Cohen's story, and, following Mayer and others, she identified it as a "third wave" of the consumer movement.³⁰ Cohen explained the emergence of this "third wave consumerism" by the success of the Consumers' Republic and its unfulfilled promises – that is, the growing demands and raised expectations of consumers, alongside the advent of market segmentation that politicized consumers and divided them into diverse interest groups. She attributed a special place to what Pertschuk called "consumer entrepreneurs," taking after his inclusion of "committed activists, inside and outside of government".³¹ Unlike his elitist outlook, however, Cohen's rich historical narrative brings in various examples of grassroots consumer activism, such as organizations working among low-income consumers and groups of "housewives" protesting rising prices. Yet, within the various groups comprising "third wave consumerism", she indistinguishably included the aforementioned groups, advocacy consumer organizations, and student groups affiliated with Ralph Nader's network, along with second wave feminists acting for equal credit, Black activists advocating for separatist economy, and the campaign for Welfare Rights.³² In other words, Cohen listed under the consumer movement both organized consumer activity meant to advocate for consumer interests, and consumer activism that promoted other goals.

Conversely, in his 2009 extensive book on the history of American consumer activism, Lawrence Glickman drew a helpful distinction between *consumer activism*, that is, collective action on the part of consumers, and the *consumer movement*, defined as an organized effort on behalf of consumers aimed at protecting and promoting the consumer interests.³³ Glickman started his research as a study of twentieth century consumer organizations, but expanded it to survey consumer activism since the American Revolution, as he realized that this is a continuous, if contentious, American political tradition – which is the book's main argument. Within this long historical outlook, the book included a careful discussion of the postwar consumer movement, that focused empirically on an analysis of the consumer movement's defeat in its campaign for a federal consumer protection agency. Yet, Glickman sought to emphasize the

³⁰ See above, text to footnotes 7–8.

³¹ Cohen, *A Consumers' Republic*, 352–55.

³² *Ibid.*, 364–385.

³³ Glickman, *Buying Power*. For a discussion of the distinction see, especially, pp. 21–22, 86–87, 297–299.

continuity of consumer activism, against the narrative of emergence from a lull in the 1950s and decline in the 1980s. This aim caused Glickman to depreciate the unique features of the 1960s-70s movement, for example, in considering the growth of *Consumer Reports* circulation in the 1950s as evidence to the movement's spread, or in overemphasizing the political stances taken by its publisher, Consumers Union, in a period when the organization deliberately shunned overt politics.³⁴ The campaign for the Consumer Protection Agency was, as Glickman showed, the apex of the consumer movement's goals, but it was still one campaign among numerous activities carried out by multiple groups over more than a decade, all acting for "the consumer interests." These did not receive sufficient attention in Glickman's excellent analysis, which served more to highlight the campaign's adversaries, i.e., the business lobbies (Glickman attributed the roots of neo-conservatism to this consequential battle), and less to demonstrate the collective action endeavors of the movement's activists.

Glickman successfully showed that consumer activism is rooted in American political history. This phenomenon is obviously not uniquely American, and consumer organizing can, and did, occur in capitalist societies across the world. British historian Matthew Hilton argued, in his book from the same year (2009), that the globalized consumer society of the last half of the twentieth century engendered a global consumer movement.³⁵ To afford an analysis of the movement as reaching across the globe over the span of four decades, Hilton deliberately stretched the concept of social movements to include also testing organizations publishing product-review magazines and transnational networks working on single consumer issues, such as baby foods or pesticides. Central individuals and organizations in the American 1960s-70s consumer movement feature in Hilton's global history in multiple roles. First, they appear in their own rights as members of the American consumer movement, which was one of several such "movements" that emerged around the world, the West and beyond, in the postwar decades. Second, they are featured as proponents and exporters of certain features of American consumer activism worldwide. And third, as the inadvertent originators of the pro-corporation backlash,

³⁴ On this point, see also Norman Isaac Silber, *Test and Protest: The Influence of Consumers Union* (New York: Holmes & Meier, 1983), 125–27; Norman David Katz, "Consumers Union: The Movement and the Magazine, 1936-1957" (Ph.D., United States -- New Jersey, Rutgers, The State University of New Jersey - New Brunswick), 308–57. See also more detailed discussion in chapter 3.

³⁵ Matthew Hilton, *Prosperity for All: Consumer Activism in an Era of Globalization* (Ithaca: Cornell University Press, 2009). For a discussion of the definition of social movements, see especially pp. 11–12, 14; see also Matthew Hilton, "Social Activism in an Age of Consumption: The Organized Consumer Movement," *Social History* 32, no. 2 (2007): 121–43.

which was exported from the U.S. around the globe. Like Glickman, Hilton traced the pro-market backlash to the American business groups' reaction to the American consumer movement, and focused especially, in an independent and thorough historical analysis, on the battle over the Consumer Protection Agency.³⁶ Hilton's book highlighted the central place of the American consumer movement not only in the American political arena, but on the global stage. It therefore justifies a closer examination of this movement's own mobilization efforts, which was not part of his study.

Contrary to Hilton's expansive and global outlook, several studies from the last two decades concentrated on specific issues or campaigns espoused by American consumerists, such as warranty laws targeting the automotive industry or consumer credit legislation.³⁷ A specific consumer cause of particular interest for this dissertation are the protests and organizing of "housewives" against rising food prices in late 1960s and early 1970s. These protests, along with earlier protests and homemakers' consumer activism around food prices, were examined by historian Emily Twarog in her 2017 book on "domestic politics," *Politics of the Pantry*.³⁸ The 1960s-70s protests, which included two nationwide demonstrations in the fall of 1966 and spring of 1973, gave important grassroots impetus to the consumer movement. As Twarog showed in her book, these protests were not just ephemeral demonstrations, contrary to how they were portrayed in contemporary media and in subsequent research,³⁹ but rather, they were part of vibrant organizational activity that was part of the national consumer movement. Twarog's findings, therefore, support the findings in this research that the consumer movement of the 1960s-70s had, alongside its national "headquarters" in Washington, D.C. which focused on advocacy at the federal level, a nationwide organizational grassroots component, which was

³⁶ Hilton, *Prosperity for All*, 166–75.

³⁷ On the auto industry warranties, see Shauhin A. Talesh, "The Privatization of Public Legal Rights: How Manufacturers Construct the Meaning of Consumer Law," *Law & Society Review* 43, no. 3 (2009): 527–61, studying California law; and Kevin Borg, "Aggravating Autos, Gyp Mechanics, and the Limits of Consumer Advocacy," in *A Destiny of Choice? New Directions in American Consumer History*, ed. David Blanke and David Steigerwald (Lanham, Maryland: Lexington Books, 2013), 99–119, studying federal legislation. Both studies focus more on the industry's response to legislation that originated in consumer advocacy than on the advocacy itself. On consumer credit, see Mallory E. SoRelle, *Democracy Declined: The Failed Politics of Consumer Financial Protection*, Chicago Studies in American Politics (Chicago: The University of Chicago Press, 2020). This book and the issue of consumer credit are discussed in chapter 3.

³⁸ Twarog, *Politics of the Pantry*.

³⁹ cf. Monroe Friedman, "American Consumer Boycotts in Response to Rising Food Prices: Housewives' Protests at the Grassroots Level," *Journal of Consumer Policy: Consumer Issues in Law, Economics and Behavioural Sciences* 18, no. 1 (1995): 55; Monroe Friedman, *Consumer Boycotts: Effecting Change through the Marketplace and the Media* (New York: Routledge, 1999), 82–83.

coordinated, even if loosely so, and persistent (even if it was also persistent in its tensions with the national leadership). This grassroots component justifies once again the treatment and analysis of the American consumer movement in the 1960s and 70s with the analytical tools of social movement research, which is the aim of the current study.

This section showed that despite the relatively scant academic writing on the consumer movement of the 1960s-70s, scholars have studied and wrote about the subject, starting with contemporary studies and continuing to the past four decades. The earlier studies, in the 1980s-90s, were produced mainly by movement participants and close observers. Colored by this outlook, they tended to define the consumer movement rather loosely and liberally, and were often characterized by sympathetic, even triumphalist overtones. In the last two decades, students of the consumer movement treated it from a historical perspective, usually a broader one within which the American 1960s-70s movement was only one aspect. Written chiefly by historians, these studies too were not necessarily careful or analytical in their application of the social movement term to the various instantiations of activism they treated, and in other times they deliberately departed from it. As far as I know, this dissertation is the first academic research in at least three decades to concentrate on the 1960s-70s consumer movement only and not as part of a longer continuity; to study it from a holistic outlook on the movement and not from a limited perspective of a specific issue; and to do so using the theoretical and analytical tools of social movement scholarship. This literature review also pointed to the centrality of the campaign on the Consumer Protection Agency, which was thoroughly researched, and will therefore not be a subject of close study in this dissertation. Rather, I examine other important moments and aspects of consumer mobilization, by looking at the movement as a whole and concentrating on several of its key-organizations, as detailed below.

B. Analytical strategy: Case, archives, data, and methods

This dissertation is based on historical research. Its strategic approach is that of a case study. In other words, it treats the American consumer movement of the 1960s-70s as a single case of a particular social movement over a defined stretch of time. Its main methodological approach is research in found data, that is, data which is found in archival records and published materials,

alongside secondary literature.⁴⁰ To research the consumer movement as a whole, I employed a two-layered strategy. First, I conducted surface-level population “surveys” (based on existing lists) of the various organizations that composed the consumer movement during the period of interest. On the basis of these “surveys,” I constructed an organizational database of consumer groups. Second, I conducted a deeper and closer archival research on several specific organizations, which I chose using purposeful sampling to represent different facets of the movement. I complemented the organizational archival materials and the two-layered strategy with additional data sources: (a) further archival research in personal records of central figures in the consumer movement, in oral history interviews, and in contemporary newspapers following strategic focused searches on specific issues or events; (b) research based on contemporary published materials and other relevant sources (such as research reports, guides, biographies and memoirs, etc.); (c) several interviews that I conducted with former executives or activists in a few of the organizations that I focused on for the in-depth research.

The principal strategic approach of this research is a single, historical case study of the consumer movement as a whole. This approach is an established analytical strategy in the research on social movements, and it essentially means the study of a particular movement over a stretch of time as a single case. The approach has been so fundamental to the field, that some researchers have observed, “one could conclude that the case study method and the study of social movements are almost one and the same.”⁴¹ Even critics of this methodological centrality,

⁴⁰ See Abbott, *Digital Paper*, particularly pp. ix–x, 2–4, on research in found data (or, to use a different term, library research, including archival research). I also conducted several interviews for the research, or generated data, but this was a secondary methodological approach (see more below, footnote 67).

⁴¹ David A. Snow and Danny Trom, “The Case Study and the Study of Social Movements,” in *Methods of Social Movement Research*, ed. Bert Klandermans and Suzanne Staggenborg, *Social Movements, Protest, and Contention*, v. 16 (Minneapolis: University of Minnesota Press, 2002), 146; see also David A. Snow, “Case Studies and Social Movements,” in *The Wiley-Blackwell Encyclopedia of Social and Political Movements*, ed. David A. Snow et al., Wiley-Blackwell Encyclopedias in Social Science (Malden, MA: Wiley, 2013); Scott A. Hunt and Robert D. Benford, “Collective Identity, Solidarity, and Commitment,” in *The Blackwell Companion to Social Movements*, ed. David A. Snow, Sarah A. Soule, and Hanspeter Kriesi (Malden, MA: Blackwell Pub., 2004), 441–42, on the centrality of the case study methods in social movement research in general and on collective identity in particular. For a few notable examples of historical studies of single movements (far from being an exhaustive list, and only in the American context), see Doug McAdam, *Political Process and the Development of Black Insurgency, 1930-1970*, Second edition (University of Chicago Press, 1999); David S. Meyer, *A Winter of Discontent: The Nuclear Freeze and American Politics* (New York: Praeger, 1990); Suzanne Staggenborg, *The Pro-Choice Movement: Organization and Activism in the Abortion Conflict* (Oxford University Press, 1991); Elizabeth A. Armstrong, *Forging Gay Identities: Organizing Sexuality in San Francisco, 1950-1994* (University of Chicago Press, 2002); Marshall Ganz, *Why David Sometimes Wins: Leadership, Organization, and Strategy in the California Farm Worker Movement* (Oxford University Press, 2009).

pointing out to the advantages of comparative and ecological approaches, have conceded that “case-study research is better suited to provide in-depth narratives of organizational life histories [... and] historical studies of particular movements [...] may provide a more nuanced account of the changing interaction dynamics between movements, authorities, and opponents.”⁴²

Considering the research questions that guide the current study, which deal precisely with questions of the consumer movement’s rise and decline over the period in question, and given that social movement scholarship has, heretofore, scarcely turned attention to the consumer movement,⁴³ the case-study strategy seems justified, even warranted.

Of course, treating the consumer movement of the 1960s-70s as the subject of a single case study does not mean treating it as a single entity. Like other national social movements, it was composed of multiple individuals embedded in various informal and formal interpersonal and organizational networks. Moreover, and probably in a more pronounced way than regarding other social movements, there is a question as to how the movement should be defined and operationalized given previous treatments of the movement that, as seen in the previous section, either questioned its “social movement” status, or treated it as “a strange conglomeration of activities” and encompassed within it the “sum of the efforts [...] working for promoting the consumer interests.” The social movement literature does not have one authoritative definition of a social movement, although there seems to be a consensus upon the main components of the phenomenon. Taking a historically oriented research strategy, this dissertation takes after Sidney Tarrow’s and Charles Tilly’s assertion that “social movements are a *historical*, and not universal category,”⁴⁴ and it also takes inspiration from the approach of historian E. P. Thompson in regard to a different, yet related, historical phenomenon, that of class. Thompson’s relational and processual approach insists that class does not “exist” but rather “happens.” And in his words:

“If we stop history at a given point, then there are no classes but simply a multitude of individuals with a multitude of experiences. But if we watch these men over an adequate period of social change, we observe patterns in their relationships, their ideas, and their institutions.

⁴² Debra C. Minkoff, “Macro-Organizational Analysis,” in *Methods of Social Movement Research*, ed. Bert Klandermans and Suzanne Staggenborg, Social Movements, Protest, and Contention, v. 16 (Minneapolis: University of Minnesota Press, 2002), 280.

⁴³ I am referring to the 1960s-70s iteration of the consumer movement. See more on this point in the previous section and then in chapter 2, the section about social movement literature.

⁴⁴ Charles Tilly and Sidney G. Tarrow, *Contentious Politics*, Second edition, fully revised and updated. (New York, NY: Oxford University Press, 2015), 11, emphasis in the origin. See in more detail the discussion of a social movement’s definition in chapter 2.

Class is defined by men as they live their own history, and, in the end, this is its only definition.”⁴⁵

The consumer movement of the 1960s-1970s (or to be more accurate, a-la Thompson: the consumer movement that happened in the 1960s-70s) was defined as a “movement” by the historical actors of the period: by the movement members, both individuals and organizations; by their observers in the public, in the media, and in political institutions; and, not less importantly, by their perceived and self-defined opponents in the business community. Still, a sociologist seeking to study the consumer movement is left with definitional and operational challenges. As seen in the previous section, both the movement’s participants and its students applied liberal definitions that included elected politicians, bureaucratic officeholders, journalists, and sometimes business officials as part of the movement. The historical documents add further potential candidates to be included in the movement, as they attest to the many and diverse passionate adherents of the cause of consumerism. Are academics studying and advocating for consumer interests should be considered part of the social movement? What about individual citizens who establish for-profit publishing companies, and produce “Consumer Guides” comparing products and services a-la *Consumer Reports*, out of a social mission to help consumers? (The guides were sold for-profit, but did not take advertising, and its publishers identified as “the Ralph Naders of their day”.) Did the consumer movement include a conservative consumer organization that promoted the view that consumer protection should be sought by adhering to free market principles?⁴⁶

Considering these and similar challenges, the dissertation’s research strategy is predicated on the more conventional approach in the social movement literature that focuses on non-profit organizations. For both theoretical and methodological reasons, this dissertation follows this approach, and considers the consumer movement as consisted of non-profit consumer organizations (and individuals in these organizations or those working with them; but *not*

⁴⁵ E. P. Thompson, *The Making of the English Working Class* (New York: Pantheon Books, 1964), 11.

⁴⁶ An example for an academic/educational organization for consumer interests is the American Council of Consumer Interests (founded in 1953 as the Council for Consumer Information), which will be discussed in chapter 3. The “Consumer Guide” example and many other similar examples for consumer information publications (e.g., “Consumer Index,” “Consumer Digest,” “Consumer News”) can be found at the Consumer Educational Research Network (CERN) Records, (specifically Box 5, folder 4, for “Consumer Guide”); “the Ralph Naders of their day” is quoted, in relation to the Consumer Guide publishers, from Melita Marie Garza, “Estelle Weber, 64, Exec at Publishing Company (Obituary),” *Chicago Tribune*, December 20, 1989. On the conservative organization Consumer Alerts see in chapter 5.

governmental offices, for-profit corporations or academic units within educational institutions), working independently and collaboratively toward shared goals of social change. The empirical operationalization of this view focuses on what the literature refers to as social movement organizations, including advocacy organizations.⁴⁷

This organizational approach still leaves a broad consumer movement as an object of study. To capture the breadth and diversity of the consumer movement as a whole, I deployed a twofold analytical strategy: first, I conducted surface-level “population” surveys of the numerous consumer organizations; second, and based on preliminary results of these, I identified a sample of five organizations for an in-depth historical research, predicated mainly on indigenously-generated archival sources, which I triangulated with further historical data that I gathered or generated in interviews. While I identified candidates for in-depth research based on surveying the organizations’ population, these two strategies were not simply sequential stages. Each was a continued process that informed the other one. Preliminary survey findings brought up candidates for in-depth and archival research. Some organizational archival research generated further surveys of the population of consumer groups (especially given the federated structure of one of the organizations researched in depth, the Consumer Federation of America). These additional lists confirmed the choice of the selected organizations to research in-depth and brought up other candidates.⁴⁸ Specifically, the first “layer” of conducting surface-level population surveys was an iterative one: I constructed lists and databases of consumer organizations in several rounds. For the first round I used reference books on the consumer movement.⁴⁹ In subsequent rounds I broadened the surveyed population and constructed fuller

⁴⁷ John D. McCarthy and Mayer N. Zald, “Resource Mobilization and Social Movements: A Partial Theory,” *American Journal of Sociology* 82, no. 6 (May 1, 1977): 1212–41; Kenneth T. Andrews and Bob Edwards, “Advocacy Organizations in the U.S. Political Process,” *Annual Review of Sociology* 30 (2004): 479–506. See also the collected volumes Mayer N. Zald and John D. McCarthy, eds., *Social Movements in an Organizational Society: Collected Essays* (New Brunswick, N.J.: Transaction Publishers, 1987); Gerald F. Davis et al., eds., *Social Movements and Organization Theory*, Cambridge Studies in Contentious Politics (New York, N.Y.: Cambridge University Press, 2005).

⁴⁸ On the iterative process of developing a research design in historical research, see Elisabeth S. Clemens and Martin D. Hughes, “Recovering Past Protest: Historical Research on Social Movements,” in *Methods of Social Movement Research*, ed. Bert Klandermans and Suzanne Staggenborg, *Social Movements, Protest, and Contention*, v. 16 (Minneapolis: University of Minnesota Press, 2002), 209. More generally, on the recursive and nonlinear character of library research, see Abbott, *Digital Paper*, 2–6, 219–21, 245. See also Ashley T. Rubin, *Rocking Qualitative Social Science: An Irreverent Guide to Rigorous Research* (Redwood City: Stanford University Press, 2021), 103–4.

⁴⁹ The main reference tool I used was Brobeck, *Encyclopedia of the Consumer Movement*. I also consulted the following sources: Brobeck, *The Modern Consumer Movement*; Brobeck and Mayer, *Watchdogs and Whistleblowers*; Bykerk and Maney, *U.S. Consumer Interest Groups*; (see above footnote 23.) For an example of

lists, based on contemporary published governmental, other directories of consumer groups and organizations,⁵⁰ and more organizational directories, lists, and further materials that I obtained through the archival research.⁵¹ These multiple rounds and various lists produced several “snapshots” of the national consumer movement and its organizational landscape during the period of research, and allowed for observing and tracing general trends within the organizations’ population.⁵²

The utility of the population “snapshots” analysis notwithstanding, given that the case-study approach calls for “detailed, thick, contextualized and holistic elaborations,”⁵³ and considering the research questions I was interested in, my research could not be sufficed by surface-level

using reference tools to construct movement organizational database, see Minkoff, “Macro-Organizational Analysis,” 266–67; and an example in Debra C. Minkoff, *Organizing for Equality: The Evolution of Women’s and Racial-Ethnic Organizations in America, 1955-1985* (Rutgers University Press, 1995). More broadly, on the importance of reference works for library research, see Abbott, *Digital Paper*, 33–34, 72–75, 100, 122–23, 254.

⁵⁰ The main source was the comprehensive directory of voluntary organizations, published in 1976 by the White House’s Office of Consumer Affairs: *Voluntary Consumer Organizations: A Selected Listing of Nongovernmental Organizations at Local, State and National Levels* (Department of Health, Education, and Welfare; Office of Consumer Affairs, 1976). (See an analysis in chapter 5 below). I also constructed an additional list based on Paul Wasserman, *Consumer Sourcebook; a Directory and Guide to Government Organizations; Associations, Centers and Institutes; Media Services; Company and Trademark Information; and Bibliographic Material Relating to Consumer Topics, Sources of Recourse, and Advisory Information*. (Gale Research Co., 1974); and further consulted with: *Consumer Reference Handbook, Prepared by the Consumerism and The Law Committee of The Young Lawyers Section* (The Chicago Bar Association, 1974); *Directory, Federal, State and Local Government Consumer Offices*. (Dept. of Health, Education, and Welfare, Office of Consumer Affairs, State and Local Programs, 1977). On the use of published directories to construct organizational movement databases, see Minkoff, “Macro-Organizational Analysis,” 268–71; Clemens and Hughes, “Recovering Past Protest: Historical Research on Social Movements,” 204; compare also with the database construction of movement organizations based on published guides, see methodological discussion in Armstrong, *Forging Gay Identities*, 205–11.

⁵¹ One of the organizations I chose for deeper archival analysis, the Consumer Federation of America, has a federated structure and thus its archival materials contain different membership lists, and it also published several Directories of local and state consumer groups. Furthermore, the Consumer Movement Archives contain also the records of a governmental organization, the Consumer Education Research Network (CERN), which collected materials from various non-profit groups as well as governmental offices and companies in its years of existence, between 1978 and 1981. Therefore, the CERN records themselves constitute a list-of-sort of consumer organizations. Further and earlier organizational lists found during the archival research include: a Consumer Protection Roster, published by Consumers Union in 1966 (found in the Helen Nelson Papers), and two articles published by Kiplinger’s *Changing Times* magazine that contain lists of consumer organizations (from July 1967 issue: “Who speaks for the consumer now?” pp. 41–44, and March 1970 issue: “Got a gripe? Here’s where to complain,” pp. 31–34).

⁵² The analyses based on these lists generally informed, and in some cases are embedded within, the narratives presented in the following chapters. More specifically, a detailed movement-organizational analysis based on a few of these lists appears in chapter 3. While it is possible to construct a full organizational database on the basis of these lists, the different provenances of the lists and the relative short time-span of their production would not make this database amenable for a longitudinal statistical analysis of the type presented in Minkoff’s *Organizing for Equality* and Armstrong’s *Forging Gay Identities*. Furthermore, taking the entire consumer movement as the unit of analysis and considering the research questions asked, the research required a methodological approach that prioritized deeper analyses and more nuanced accounts, hence the prioritizing of the second “layer” for analytical research.

⁵³ Snow and Trom, “The Case Study and the Study of Social Movements,” 151.

research. The second and central research strategy consisted of a deeper dive into the history of the movement and specific organizations in it. Based on the preliminary surveys' findings, I identified organizations suitable for closer historical research using purposeful sampling – selecting information-rich archives for in-depth study.⁵⁴ Specifically, I first used a defined set of criteria to screen specific candidates from the entire consumer organizations population.⁵⁵ These criteria necessitated that the organizations selected: (1) dedicated most or all of their resources and activities to consumer protection and advancing consumer interests; (2) attained national prominence (these were either national organizations, or local ones that attracted national media coverage or played a central role within the national movement); (3) were founded within the period in question (i.e., 1960s-70s);⁵⁶ (4) had available and accessible archival resources. Next, I used another set of criteria to ensure that the sample encapsulates the great diversity of the consumer movement. In other words, I deliberately selected organizations that represented different facets of the movement – a qualitative version of maximum-variation (heterogeneity) sampling.⁵⁷ These criteria included organizations: at both national and local levels; representing both middle-class and lower-income consumers; composed of professionals as well as lay activists; representing diversity regarding the contentious/tactical repertoire used by the organizations; representing geographical/regional diversity; and, due to its centrality, at least one group affiliated with the organizational network of Ralph Nader.⁵⁸

⁵⁴ On purposeful/purposive sampling in qualitative research, see Michael Quinn Patton, *Qualitative Research & Evaluation Methods: Integrating Theory and Practice* (SAGE, 2015), 264–722, including the various sub-types of purposeful sampling; Stephen Gentles et al., “Sampling in Qualitative Research: Insights from an Overview of the Methods Literature,” *The Qualitative Report* 20, no. 11 (November 9, 2015): 1772–89; and also Rubin, *Rocking Qualitative Social Science*, 139–41.

⁵⁵ See Patton, *Qualitative Research & Evaluation Methods*, 182, on criterion-based purposeful sampling selection.

⁵⁶ This precluded nationally prominent organizations in the movement established in previous periods, like the National Consumers' League (est. 1899) or Consumers Union (est. 1936).

⁵⁷ See Patton, *Qualitative Research & Evaluation Methods*, 283.

⁵⁸ I should note here two limitations of the sampled organizations, in relation to the underrepresentation of rural consumer groups and of the Ralph Nader network. One dimension of diversity that my sample did not capture is between rural and urban organizations. My sample consists only of local urban consumer groups. This is justified, however, on the grounds that the consumer movement was a highly urban phenomenon, as shown in the organizational population analysis in chapter 3. (Rural consumer groups existed but were relatively few.) Moreover, rural communities were involved in the consumer movement mainly through the high representation of electric rural cooperatives as members in the CFA, one of the organizations I researched in-depth. On rural electric cooperatives, see Erma Angevine and National Rural Electric Cooperative Association, *People--Their Power: The Rural Electric Fact Book* (Washington, D.C. (1800 Massachusetts Ave., N.W., Washington, D.C. 20036): National Rural Electric Cooperative Association, 1980). A second limitation relates to Ralph Nader. Nader was considered the face of the consumer movement in national media and in public opinion. While his importance cannot be understated for the movement's successes and popularity, my research shows (see in the following chapters) that consumer groups had an ambivalent relationship toward Nader, who did not tend to operate within conventional organizational practices,

Based on the purposeful sampling processes, I composed a list of organizations suitable for deeper historical research, and I pursued archival and further historical research on the following five organizations (in alphabetical order): (a) the *Consumer Education and Protective Association* (CEPA, est. 1966) – a grassroots, Philadelphia-based, community organization working initially among low-income and mostly Black consumers, and prioritizing the use of confrontational tactics; (b) the *Consumer Federation of America* (CFA, est. 1968) – a national umbrella organization that has served as a clearinghouse for consumer groups around the country, and as the main advocacy consumer organization using primarily lobbying; (c) the *Missouri Public Interest Research Group* (MoPIRG, est. 1971) – a student group, affiliated with the national network of campus-based organizations (PIRGs) initiated by Ralph Nader, employing mostly tactics of research, lobbying, and public education. Although belonging to a nationwide network, each PIRG was independent in deciding on its own agenda. A few among them, including MoPIRG, were particularly focused on consumer issues; (d) the National Consumer Law Center (NCLC, est. 1969) – as part of the Legal Services program of the Office of Economic Opportunity, this center served as an expert “backup center” for legal services field offices in the area of consumer law, and promoted legal reforms focusing on consumer credit and utilities; (e) the *San-Francisco Consumer Action* (SFCA, est. 1971) – a grassroots organization, working initially among mostly middle-class consumers in San-Francisco, and utilizing both confrontational tactics and public education. Table 1-a details the different dimensions and diversity criteria among these organizations (presented in alphabetical order). The introduction’s appendix provides a brief organizational biography for each of these organizations.

and toward his network. This was partly due to Nader’s personality, and partly due to the scope of activities of his public engagement, which could not be confined to consumer interests alone. In this, there is in my research also some correction to the bias of previous studies of the consumer movement that tended to give Nader a too central place. I included one of the PIRGs in the sample of organizations for in-depth research, and I also used secondary literature on Nader and his Washington, D.C. organizations as part of my historical research.

Table 1-a: The organizations selected for deeper historical research (in alphabetical order)

Organization	Year established	Year dissolved	National / Local	Affiliation with a wider network	Location	Main constituency	Activists	Tactical repertoire
CEPA Consumer Education and Protective Association	1966	Late 1990s	Local	No (However, it included several chapters within Philadelphia, and in the 1970s, several chapters were formed in other cities. Yet they did not mature into a network.)	Philadelphia	Low-income, inner-city mostly Black consumers. (In the mid-1970s middle-class issues were added.)	Lay activists, community organizers	Mostly confrontational: complaint-handling, picketing, demonstration. Also: public education, law suits.
CFA Consumer Federation of America	1967-68	Still active	National	The organization itself has a federated structure and only accepts organizations as members	Washington, D.C.	All consumers	Professional lobbyists	Mostly lobbying, some lawsuits and public education
MoPIRG Missouri Public Interest Research Group	1971	Still active	Local	Yes – part of the national PIRGs “network” (and more broadly, the Nader organizational network), although each group is independent.	St. Louis, Missouri (Later in the 1970s also Columbia, Kansas City)	Diverse, but mostly deals with issues of middle-class consumers	Students, young professionals	Research and lobbying, public education.
NCLC National Consumer Law Center	1969	Still active	National	The Center was part of the Legal Services (national) program, and one of several program’s “backup centers”, and later the Legal Services Corporation. In the 1990s, it became independent.	Boston (Washington, D.C. office since 1980)	Mostly low-income consumers	Lawyers	Advice to Legal Aid/Services lawyers, promoting legal reforms through ind. lawsuits & class-actions, and lobbying.
SFCA (San Francisco) Consumer Action	1971	Still active	Local	No	San Francisco / California (Washington, D.C. office since 2004)	Middle-class (but in the 1980s shifted to immigrant/ low-income consumers)	Lay activists	Confrontational, complaint-handling, picketing and protest, public education. Later: lobbying.

Diversifying the in-depth, historical research to include multiple nationally prominent organizations, I was able to capture the many aspects of the national consumer movement as a whole and avoid the pitfalls of a case study of a particular movement that is based only on one or two central organizations. Furthermore, the variation in terms of organizational structure, constituencies, and tactical repertoire afforded a comparative perspective on different dimensions of consumer mobilization. Importantly, these organizations are not treated as multiple cases, nor as a subset of cases embedded within the larger case study of the movement.⁵⁹ Rather, taking after Clemens' historical research on American voluntarism, these organizations and their organizational archives "do not represent cases for analytic comparison, but are analogous to key informants in an ethnographic study." In other words, the in-depth research of these various organizations enabled me to elaborate "particularly dense nodes in the network" of the consumer movement during its heyday.⁶⁰ In addition, following the abovementioned population surveys of organizational lists, as well as further archival materials on other organizations (drawn from the records of the Consumer Federation of America with its federated structure and from the Consumer Education Research Network), I brought further consumer groups into the narrative when considering particular research questions or specific historical episodes within the movement. Repeated and juxtaposed cross-references from different archival sources to the same issues, persons, and episodes confirmed the viability of this methodological approach and indicated data saturation.⁶¹

I pursued the historical research based primarily on the organizational archives and used further archival and other sources for triangulation. The organizational archival sources included mostly indigenously produced materials – such as correspondence, meeting minutes, newsletters, press releases, pamphlets, published materials, etc. – but occasionally also external newspaper articles on the organization, materials from other organizations, etc. For four of the five organizations I researched, I accessed the organizational archives, stored at public institutions.⁶²

⁵⁹ Cf. Snow and Trom, "The Case Study and the Study of Social Movements," 160; and see also Rubin, *Rocking Qualitative Social Science*, 118–20.

⁶⁰ Elisabeth Stephanie Clemens, *Civic Gifts: Voluntarism and the Making of the American Nation-State* (The University of Chicago Press, 2020), 305 (footnote 100), 20.

⁶¹ See Benjamin Saunders et al., "Saturation in Qualitative Research: Exploring Its Conceptualization and Operationalization," *Quality & Quantity* 52, no. 4 (July 1, 2018): 1893–1907.

⁶² CEPA records are stored at the Max Weiner collection on Consumer Education and Protective Association records at the Historical Society of Pennsylvania. CFA and NCLC records are stored at the Consumer Movement

At least two among them have been hitherto unexplored – the records of CFA and MoPIRG.⁶³ For SFCA, I was not able to obtain access to the original organizational records, yet I found significant organizational materials in other archival collections.⁶⁴ Table 1-b presents a list of the archives used in the research, including oral history and digital archives.

Table 1-b: List of archives / oral histories

Archive	Location	Records / Oral Histories consulted	Dates of visit
Morse Department of Special Collections, Consumer Movement Archives	Kansas State University, Manhattan, KS	NCLC Records; CFA Records; CERN Records; <u>Personal Records</u> : Thomas Brooks Papers, Roy Kiesling, Jr. Papers, Louis Meyer Papers, Helen Nelson Papers	February-March 2020 July-August 2021
State Historical Society of Missouri	T. Jefferson Library, University of Missouri-St. Louis, MO	MoPIRG Records	January 2020, August 2021
Historical Society of Pennsylvania	Philadelphia, PA	Max Weiner Records of Consumer Education and Protective Association (CEPA)	September 2021
Boston College University Archives	Burns Library, Boston College, Chestnut Hill, MA	Robert J. McEwen, SJ Papers	November 2019
Schlesinger Library, Radcliff Harvard Institute	Cambridge, MA	Esther Peterson Papers	November 2019
Oral History Archives, Columbia University	New York City, NY	Colston Warne oral history interviews Esther Peterson oral history interviews	October 2019
Bancroft Library, UC Berkeley	Published in: <i>Pat Brown: Friends and Campaigners</i> (1982), avail. online	Helen Ewing Nelson oral history interviews	N/A (online)
ACCI online archive	<i>The American Council on Consumer Interests, An Oral History, 1954-1984</i> (1987), avail. online	20 interviews conducted by Norman Silber (Edited by Marjorie M. Merchant), including with: Richard L. D. Morse, Robert J. McEwen	N/A (online)

Archives in the Richard D. and Marjorie J. Morse Special Collections Library at Kansas State University. MoPIRG records are stored at the State Historical Society of Missouri.

⁶³ The records of CFA were processed only in 2017. However, due to a fire that occurred in the Consumer Movement Archives in 2018 (and later on the pandemic that began in March 2020), I was, to my best knowledge, the first researcher to consult them. The records of MoPIRG were available since the early 1980s, but according to the archivist at SHS-MO, upon checking the archival records of the collection, I was the first to retrieve them.

⁶⁴ At the Consumer Movement Archives, the CERN records contain two folders related to Consumer Action, including published issues of the organization’s newsletter from 1979 to 1984; the personal papers of Roy Kiesling, a Californian consumer activist, contain many materials about SFCA, including a folder dedicated to its founder. Further archival materials on SFCA were found in the CFA Records and online.

Given the biases and limitations of organizational records,⁶⁵ and considering the importance of triangulation, especially in a case-study approach,⁶⁶ I complemented the organizational-archival research with other historical data sources. First, I conducted archival research in the personal papers of prominent activists and other central figures in the consumer movement. Second, I researched oral history interviews with important consumer advocates. (For both of these, see table 1-b.) Third, to gain other perspectives, different from the organizational one, I conducted strategic searches on specific issues or historical episodes in archives of newspapers and media outlets, especially the *New York Times*. Fourth, to complement the archival resources, and in line with the methodological approach of Library Research, I relied heavily on contemporary publications and secondary literature, including, but not limited to, research reports, biographies, memoirs, and published lectures. Lastly, I conducted semi-structured interviews with former activists and executives (or persons related to them) at two of the organizations that my research focused on. The list of interviews is presented in Table 1-c.⁶⁷

⁶⁵ See Clemens and Hughes, “Recovering Past Protest: Historical Research on Social Movements,” 207–9; Lorenzo Bosi and Herbert Reiter, “Historical Methodologies: Archival Research and Oral History in Social Movement Research,” in *Methodological Practices in Social Movement Research*, ed. Donatella Della Porta (Oxford: Oxford University Press, 2014), 123–25; and more broadly about biases and limitations of documentary sources, see Abbott, *Digital Paper*, 143–48; Rubin, *Rocking Qualitative Social Science*, 153–56.

⁶⁶ Snow and Trom, “The Case Study and the Study of Social Movements,” 150–51; Phillip M. Ayoub, Sophia J. Wallace, and Chris Zepeda-Millán, “Triangulation in Social Movement Research,” in *Methodological Practices in Social Movement Research*, ed. Donatella Della Porta (Oxford: Oxford University Press, 2014), 67–96.

⁶⁷ The interviews followed a combination of the oral history and life history approaches. They tended to be on the longer side and included questions about the interviewee’s involvement with the organization, initially and later in their life, about the organization’s activities and its relations to other consumer groups and the consumer movement as a whole, and about the interviewee’s opinions regarding these issues. While only a small portion of the interview answers is featured in the dissertation (as “data”), the interviews were important in guiding and enriching the research generally and the archival research specifically. They informed me about trends and key events in the organizations’ histories, about the attitudes and involvement of the advocates, and occasionally also about the organization of archives. On interviewing as a method for social movement research, see Kathleen M. Blee and Verta Taylor, “Semi-Structured Interviewing in Social Movement Research,” in *Methods of Social Movement Research*, ed. Bert Klandermans and Suzanne Staggenborg, *Social Movements, Protest, and Contention*, v. 16 (Minneapolis: University of Minnesota Press, 2002), 92–117; Catherine Corrigan-Brown and Mabel Ho, “Life History Research and Social Movements,” in *The Wiley-Blackwell Encyclopedia of Social and Political Movements*, ed. David A. Snow et al., *Wiley-Blackwell Encyclopedias in Social Science* (Malden, MA: Wiley, 2013); Donatella della Porta, “In-Depth Interviews,” in *Methodological Practices in Social Movement Research*, ed. Donatella della Porta (Oxford: Oxford University Press, 2014), 228–61.

Table 1-c: List of interviews

Interviewee Name	Related Organization	Interviewee Organizational Role	Interview date and location	Interview duration
Anonymous	NCLC	Attorney, Deputy Director	Nov. 15, 2019, Boston*	100 mins
Mark Budnitz	NCLC	Attorney 1972-75, Executive Dir. 1975-79	Jan. 27, 2020, via phone	100 mins
Richard Hesse	NCLC	Litigation Dir. 1970-72 Executive Dir. 1972-74	Feb. 23, 2020, via phone	90 mins
Will Ogburn	NCLC	Attorney since 1975 Executive Dir., 1987-2016	Nov. 15, 2019, Boston*	50 mins
			Sep. 22, 2021, via Zoom	90 mins
Lance Haver and Lisa Haver	CEPA	Both: Activists, since 1978 Lance: various formal roles + Exec. Dir., 1989-2000	Nov. 11, 2021, via Zoom	90 mins
Lee Frissell	CEPA	Activist and organizer, Exec. Dir., 1974-1984	Nov. 22-23, 2021, via phone	170 mins (in two parts)
Judy Canahuaty	CEPA	Daughter of Max Weiner (co-founder and driving organizer, 1966-1989)	Nov. 24, 2021, vis Zoom	80 mins

* Interview conducted during NCLC 50th anniversary conference.

C. Structure of the argument and organization of the chapters ahead

The following chapters are organized as following: the next chapter (Chapter 2) presents theoretical considerations, and the chapter that follows (Chapter 3) provides a historical background from the postwar period until the 1970s and an overview of the movement as a whole. The following three chapters (Chapters 4–6) each deal with a different theoretical aspect of social movements and mobilization within and by the consumer movement.

Chapter 2 situates the study of the 1960s-70s consumer movement theoretically, by looking at the movement from two perspectives, drawing on two bodies of literature: a political-economic perspective informed by the literature on consumer politics or politics of consumption; and a political sociological perspective through the lens of social movement research. The study of the politics of consumers and consumption has not been a defined academic field, but rather a growing body of literature since the turn of the twenty-first century, spanning the disciplines of history, sociology, political science, and business administration. This literature has been interested in the relationship between consumers and politics and between consumption and citizenship. In the chapter, I survey this literature and identify two main strands in it – historical research on economic policies that consider consumers or consumption, and research on

consumer activism or political and ethical motivations behind consumer decisions. I propose that studying the consumer movement of the 1960s-70s can bridge these strands. In contrast to this young realm of study, the research on social movements has been an established and expansive academic field in sociology and other disciplines. I review in the chapter some of its main themes and debates, especially regarding mobilization, and I address the challenges of applying this theoretical perspective to the consumer movement.

Chapter 3 presents the historical background for, and an overview of, the consumer movement and its emergence. It describes “the consumers’ republic” in the postwar decades, which constituted the historical backdrop for the rise of consumer mobilization. It then presents an overview of the movement from a holistic perspective, and an analysis of the organizational landscape of the movement during the 1970s, based on the organizational population surveys I conducted. Thus, this chapter establishes the empirical puzzle, as it demonstrates the considerable growth of the movement from being almost non-existing (or dormant at best) in the 1950s, into a vibrant civic network of activists and organizations a decade and a half later. The organizational analysis in the chapter also shows that this network included both advocacy organizations – that is, interest groups – and a significant grassroots component, justifying the theoretical treatment of the movement with the conceptual tools of social movement research. The next three analytical chapters use this theoretical lens to answer the puzzle of the growth and subsequent decline of the movement, and to address the theoretical question: how did such a diffuse and all-embracing category serve as a basis for political mobilization? They do so by employing different conceptual tools: policy effects on mobilization (Ch. 4), collective identity in movements (Ch. 5), and the relationship between movements and electoral politics (Ch. 6).

In chapter 4, I trace the emergence of the movement out of the policy regime of consumer protection and specific policies that were implemented beginning in the mid-1960s. Using the theoretical lens of policy feedback loops, this chapter shows how local and state consumer organizations grew parallel to, and out of, consumer protection policies. Thanks to these policies and the bureaucracies they involved, the consumer category was conferred with a political meaning that motivated civic action. Additionally, these and other social policies also afforded resources for organization and mobilization of consumers and on their behalf. Consequently, these policy effects resulted in the coalescence of the consumer movement as a national movement. This argument is exemplified in the chapter with the case study of the movement’s

campaign in the area of consumer credit legislation, when consumer groups across the country joined forces in a national campaign surrounding this legislation. The empirical materials of this chapter anchor the argument about the development of the consumer movement through top-down mobilization, as a popular social movement that grew out of institutional politics in the form of state bureaucracy and legislatures, and out of the endeavors of elite national interest group based in Washington, D.C. that mobilized the grassroots and established local groups around the country.

Chapter 5 takes a closer look at the grassroots, both the efforts of fostering them from above and the activities of the grassroots organizations that formed spontaneously at the local and state levels. The chapter examines these through the theoretical lens of the concept of collective identity. The chapter is organized around three underlying processes of collective identity formation and maintenance – boundary-work, oppositional consciousness, and politicization of the self and everyday life. I argue that the activists and advocates of the consumer movement achieved a collective identity on the movement level, as “consumerists,” by the boundary-work of exercising gatekeeping about who can legitimately speak for consumers, and by drawing on other identities, professional and semi-professional, to substantiate their own authority to speak on the behalf of the category. At the same time, they faced greater challenges translating these processes to construct an effective collective identity at the level of the constituency (i.e., a consumer collective identity). This was both due to inherent difficulties of drawing boundaries within this all-embracing category, and due to the movement’s tactical choices, especially the focus on complaints as basis of consumer grievances, which worked according to individualizing logics. An important process in the formation of the consumer collective identity was developing an oppositional consciousness that posited an adversarial distinction between “consumerists” and consumers on the one hand, and businesses and corporations on the other. Explaining this adversarial view, the chapter anchors the argument about conceptualizing “consumer politics” not merely in terms of exercising politics in marketplace choices, nor in terms of considering consumption in economic policies, but in a political worldview that cuts across both versions of consumer politics – the adversarial worldview espoused by the consumer movement.

Chapter 6 focuses on one specific arena in which this adversarial “consumer politics” took place: electoral politics, examined through congressional voting and presidential electoral campaigns. The chapter focuses on relationship of the movement and its leadership with

institutional politics in the form of the two party-system, from the late 1960s until the early 1980s. Relying on an analysis of Congressional voting records produced by the Consumer Federation of America, and tracing the relationships between the movement's leadership and the Democratic and Republican parties, this chapter shows how the consumer movement shifted from assuming a nonpartisan stance to be identified with the Democrats. In the late 1960s and early 1970s, despite the movement's close affinity with the Democratic party since its inception, the movement publicly maintained a nonpartisan stance, which added to its claims about representing all American consumers and provided it with legitimacy. This stance and the legitimacy it brought had been held so long as the Congress and the presidential administrations adhered to the policy regime of consumer protection (even in ways that the movement's leadership disagreed with). Yet, due to major socio-economic shifts and inflation of the 1970s, and following an increase in the political organization and influence of businesses and their lobbies, legal reforms in political campaign finance, and the realignment of the American electorate – the wide appeal of the consumer movement weakened. During Carter's presidency, the political influence of the movement on the Democratic Party reached its peak, as did the identification of the movement with the party. Yet this marked the beginning of the movement's decline, on the backdrop of the absorption of many of the movement's key figures in government, and the high expectations and disappointments of consumerists from the administration. The movement's decline was exacerbated during Reagan's presidency.

Each of the three analytical chapters focuses on a distinct theoretical aspect: policy effects, collective identity, and party-movement relationships. The chapters are not organized chronologically – all three chapters cover the same overlapping period, roughly from the mid-1960s to the early 1980s. Nevertheless, their organization has a chronological logic, as they follow the movement's dynamics of coalescence, spread, and weakening over time. Chapter 4 explains the movement's emergence out of the consumer protection policy regime, and thus leans more heavily on the earlier period in the movement's heyday, namely, the mid- to late-1960s and early 1970s (and it starts, in fact, in earlier precursors to the national movement). Concentrating on collective identity, chapter 5 examines the movement's spread. It covers the entire period of the movement's activity based on the activities of the different organizations from the 1960s up to the early 1980s, but centering on the decade of 1970s. Chapter 6 focuses on the relationship of the movement's leadership with Congress and electoral politics, and it, too,

covers the entire period. Yet it carries the narrative over to the 1980s and highlights the movement's decline – as a social movement, since the advocacy activities continued on – under the Reagan administration. The chapters' organization demonstrates the consumer movement's dynamic: Starting from the top down, influenced by institutional politics that motivated the movement's growth and spread from interest groups to form a nationwide movement; tracing the grassroots mobilization efforts, with an emphasis on forming a collective identity that could bind together the assorted activities under the consumer banner; and ending back at the interaction of the movement with institutional politics, as consumerism folded back from a popular social movement to persist in the level of interest groups and advocacy activities.

Appendix 1. Brief organizational biographies of five consumer groups

The Consumer Education and Protective Association (CEPA)

CEPA was a community organization based in Philadelphia. Initially, it was active mostly among Black, low-income consumers, and chiefly through direct and confrontational actions against businesses. It additionally engaged in electoral politics and established a Consumer Party. Founded in 1966, CEPA's driving forces were two of its co-founders, Max Weiner and Gerald Dempsey, who organized among low-income neighborhood residents, primarily Blacks, against various common market abuses. The group's tactic often involved picketing businesses to help aggrieved consumers. The organization expanded to several branches in Philadelphia, and its success and unique tactics brought it national attention. In the late 1960s and early 1970s, branches formed in other U.S. cities, though most either did not last or continued independently. In the course of the 1970s, CEPA's membership expanded to include white, young, and college-educated activists who were attracted to become involved in social justice campaigns. The group then also engaged in wider campaigns regarding municipal and state issues, such as utilities. One of CEPA's unique features was its engagement in third-party electoral politics, through the Consumer Party that it established. It ran in city and state elections and got a formal ballot status in Pennsylvania in the late 1970s. Never succeeding to have its candidates elected, it nevertheless remained on the ballot until the end of the 1980s. It reduced its range of activities in the late 1980s but continued to operate until roughly 2000.

The Consumer Federation of America (CFA)

CFA was established in 1967-1968 to advocate for consumers in the Congress and federal regulatory agencies, and to serve as a clearinghouse and umbrella organization for consumer organizations around the country. It evolved out of the Consumer Assembly, a forum first gathered in 1966. Esther Peterson, Special Assistant to the President on Consumer Affairs, urged the Assembly participants to form a lobbying organization for consumers. During its founding processes, CFA brought together two camps: a coalition of local and state consumer organizations, and representatives of national interest groups such as labor unions and the cooperative movement. From its inception the organization then balanced national representatives of existing movements, who prioritized lobbying and interest group activities, and a coalition of consumer organizations on local and national levels. Its funding initially came largely from the labor unions and from Consumers Union. To ensure the prioritization of consumer interests, the organizational structure granted voting priorities to consumer organizations (including cooperatives) over the non-consumer organizations (labor unions). During the 1970s the Federation made efforts to increase such membership and mobilize further grassroots organizations. Still, its main activity has been focused on advocacy, especially at the federal level. The Consumer Federation of America is still active.

Missouri Public Interest Research Group (MoPIRG)

MoPIRG was one group among the Public Interest Research Groups, that were a loose network of organizations established on university and college campuses across the country during the 1970s. These groups followed a model that was laid out by Ralph Nader, but each group was

formed by students as an independent organization. The student groups engaged in research and lobbying on local and national issues of public concern – relating to consumer protection, as well as to other issues such as the environment. According to the model, the funding came from voluntary and refundable student fees, and the student organizations employed full-time professionals to coordinate the activities year-round. In 1971, MoPIRG was one of the first groups to be established, and it focused to a high degree on issues of consumer rights and consumer protection, at the municipal, state and federal levels. MoPIRG is still active.

The National Consumer Law Center (NCLC)

The National Consumer Law Center was established in 1969 as part of the Legal Services program that was under the Office of Economic Opportunity (OEO). NCLC was created as one of several of the program's "backup centers," intended to give expert advice to the lawyers of Legal Services/Aid in field offices in their respective areas of expertise, and also to promote legislative reforms in these areas. NCLC's area of focus was consumer law and consumer protection. Originally founded as part of Boston College's Law School, in 1972 the Center moved outside of the academic institution and attained an independent status as a non-profit corporation. It was funded through OEO grants and later became part of the Legal Services Corporation (LSC). It continued to be funded as part of the Corporation until the 1990s, when the LSC ceased to fund the "backup centers" due to budget cuts. NCLC then transitioned to fund itself through selling its consumer law manuals and materials, through donations and *cy pres* awards (monies stemming from class actions that are awarded by court orders to legal aid and similar organizations). Designated to cater to the needs of low-income consumers, NCLC has focused over the years on issues of financial services and credit regulation. It promoted several legislative initiatives for strengthening debtors' rights and their stance in credit transactions. Other reforms introduced constraints and limits in the realm of collection practices. Starting in the late 1970s, it also focused on energy utilities. NCLC still operates and is based in Boston.

(San Francisco) Consumer Action (SFCA)

SFCA (known as: Consumer Action, but for the purposes of this dissertation is identified as San Francisco Consumer Action, to avoid confusion with other groups) was founded in 1971 by Kay Pachtner, a housewife and a student, with a group of local volunteers. It initially concentrated on handling consumer complaints through a "hotline" and later a mobile complaint unit. Early on, it engaged in direct action tactics including picketing businesses, which brought to it local and national media attention. It later started to conduct and publicize price surveys on financial services, prescription drugs and other products and services. Starting in the mid-1970s, it engaged also in lobbying at the local and state levels, but retained its tactics of direct action, including demonstrations. In the 1980s, under new leadership, the organization turned toward public education and advocacy activity among low-income and non-English speaking consumer populations. With this new mission, the organization expanded nationally during the 1990s and opened a Washington, D.C. office in 2004. Consumer Action is still active in California.

Chapter 2. Theoretical considerations: The politics of consumers and social movements

This chapter seeks to examine the case study of the American consumer movement in the 1960s-70s from the perspectives of two distinct bodies of literature: writings on “consumer politics” and the social movement scholarship. The first, while not an established academic field, is a growing body of literature, coming from a variety of disciplines – political and economic sociology, history, political science, and marketing research/business administration – dealing with the “politics of consumption” or “consumer politics.” In contrast, the second perspective is the established and developed sociological field of social movement scholarship. In the first section, I briefly review the literature on consumer politics and situate within it the study of the consumer movement. I argue that two different meanings of “the politics of consumption” can be found in this literature – depending mainly on the period at the center of the study. The first meaning relates to the political and ethical goals of consumers, especially, but not only, as they exercise their choice in the marketplace. The second meaning relates to state policies that are aimed at consumers qua consumers, whether fiscal or regulatory consumer protection policies, and to the political attempts to influence such policymaking. These two meanings overlap in a term often invoked in this literature, the “citizen-consumer,” a term that highlights the linkages between consumers as targets of policymaking and as engaged in civic activity. I argue that the members of the consumer movement of the 1960s-70s personified the “citizen-consumer” and fit both of these meanings of consumer politics, and that studying them can offer us a new definition of “consumer politics.” Based on the movement’s members own understanding, this definition cuts across both meanings. It is rooted in the adversarial positioning, professed by the movement’s members, of consumers against businesses.

In the second section I examine the 1960s-70s consumer movement from the perspective of social movement theory. As noted in the introductory chapter, and as indicated by previous students of the consumer movement who defined it liberally (or even the few who examined it from a social movement lens), the consumer movement does not neatly fit within this scholarship’s conventional model of mobilization. This model takes other social movements from the 1960s, characterized by definitive mass protests, as its paradigmatic cases. In this section, I explore this challenge of “fit”, and specifically: the consumer movement’s reliance on institutional channels and advocacy activity; its mobilization from top-down, facilitated by

policy effects and interest groups; the outcomes – both successful and failed – of its mobilization and its almost-absent legacy; and the decentralized and diffused character of its activities. I argue that rather than compromising the “fit” of the movement to be analyzed from a social movement perspective, these challenges should encourage us to question and reconsider fundamental assumptions and tenets of the social movement scholarship, such as the separation of institutional from extra-institutional politics and the emphasis on the mass-protest as proxy for mobilization. I end this section by suggesting that the study of the consumer movement as a social movement calls us to reorient social movement research from focusing on the rational-choice (Olsonian) problem of coordination of interests, to the more sociological (Simmelian) problem of the formation and maintenance of collectivity. In the conclusion of this chapter, I bring the two literatures closer together, and call for better incorporation of political-economic considerations into social movement scholarship.

A. Citizen-consumers and the politics of consumption / consumer politics

For many years, the study of consumption and consumers was relegated by social scientists to applied academic research, or conversely to moralist discussions. This changed in the last couple of decades of the twentieth century, when, with the cultural turn, consumption became a subject of extensive academic research, especially in its relation to culture.¹ Another development came a couple of decades later, at the turn of the twenty-first century, as social scientists “discovered” the political aspects of consumption, and “consumer politics” was made the topic of an increasing number of studies by historians, political scientists, sociologists and others. These various scholars held different views about what this newfound politics of consumption means. For some, inspired by late twentieth century campaigns such as the anti-sweatshop and fair trade, the politics of consumption meant the political and ethical goals sought after by consumers at the point of purchase. For others, looking back at the twentieth century that ended with the triumph of capitalism, this meant economic policies that put consumers and their needs at the center of

¹ On this trend in sociology, see Sharon Zukin and Jennifer Smith Maguire, “Consumers and Consumption,” *Annual Review of Sociology* 30 (2004): 173–97; Viviana Zelizer, “Culture and Consumption,” in *The Handbook of Economic Sociology*, ed. Neil J. Smelser and Richard Swedberg, 2nd ed (Princeton, N.J.: New York: Princeton University Press; Russell Sage Foundation, 2005), 331–54; Alan Warde, “The Sociology of Consumption: Its Recent Development,” *Annual Review of Sociology* 41 (2015): 117–34.

political decision-making. Both views of “consumer politics” stressed the intricate knots that were tied during the twentieth century between economic activity and civic life, that is, the intertwinement of consumption and citizenship. Focusing on the activists and advocates of the consumer movement in the 1960s-70s, who personified a certain ideal of the “citizen-consumer” highlighted by the literature on consumer politics, this dissertation proposes to understand the politics of consumption in a new way that cuts across both views: as an adversarial positioning of consumers and businesses.

For long decades of social critique, from Werner Sombart’s oft-quoted “roast beef and apple pie” reference, through the Frankfurt School’s critical analysis of popular culture, and unto postwar jeremiads, intellectuals have attributed to consumers the traits of civic apathy and lack of political consciousness. However, at the turn of the twenty-first century, looking back at the ending “all-consuming century,”² especially, though not only, in the context of American history, scholars excitedly turned their attention to the political dimensions of consumption and to the civic identities and activities of consumers. Historians and other social scientists sought – to quote the authors of a 2001 edited volume, aptly titled *The Politics of Consumption* – to “reconceptualize the relationship between material culture [read: consumption] and citizenship.”³ Indeed, U.S. historians redefined the citizenship-consumption relationship and redrew the twentieth century in its light. Meg Jacobs argued that in the transition from the nineteenth to twentieth century, “consumption was replacing production as the foundation of American civic identity.” Jacobs resurrected from historian and consumer advocate Caroline Ware the term “economic citizenship,” in her narration of the relationship between consumers and the state

² The phrase refers to the title of Cross’s book: Gary S. Cross, *An All-Consuming Century: Why Commercialism Won in Modern America* (New York: Columbia University Press, 2000). This book was not yet part of the trend described here but can be seen as foreshadowing it. It did not use political categories as part of its narrative, and it can rather be seen as summarizing the cultural approach to consumption (including the rejection of the political elitist critiques – “The view that the consuming crowd was passive was essentially wrong,” p. 237). Yet, its framework implicitly applies a political analysis on consumption in comparing “consumerism” to other political ideologies, arguing that “it won” over them, since it “concretely expressed cardinal political ideals of the century – liberty and democracy” (p. 2).

³ Matthew Hilton and Martin Daunton, “Material Politics: An Introduction,” in *The Politics of Consumption: Material Culture and Citizenship in Europe and America*, ed. Martin Daunton and Matthew Hilton, Leisure, Consumption and Culture (Oxford: Berg, 2001), 3. See also in the introduction to another and earlier comprehensive edited volume of historical articles (although not necessarily focusing on politics): “Consumption and democratic citizenship became increasingly intertwined in official and popular ideologies,” Susan Strasser, Charles McGovern, and Matthias Judd, “Introduction,” in *Getting and Spending: European and American Consumer Societies in the Twentieth Century*, ed. Susan Strasser, Charles McGovern, and Matthias Judd, Publications of the German Historical Institute (Cambridge, England ; New York: Cambridge University Press, 1998), 5.

during the century.⁴ Charles McGovern saw in the turn of the twentieth century the period when “Americans came to understand spending as a form of citizenship,” and followed groups of professionals that probed this link and strengthened it over the half century that followed.⁵ Sealing this linkage was the term “citizen-consumer,” offered by Lizabeth Cohen in her influential book (mentioned in the previous chapter). According to Cohen, the “citizen-consumer” was one of several shifting ideals of the relationships between the “consumer” and “citizen” categories, from the New Deal and World War II period, when the “citizen-consumer” ideal was forged, and up to the end of the century.⁶ Sociologists followed suit by examining the tensions and links of this hybrid character.⁷

Thus, the “citizen-consumer” entered the stage as a new subject of study by social scientists, the result of increasing scholarly attention in the early 2000s to “the politics of consumption” or “consumer politics.”⁸ But the literature that has used these terms referred to several different things. At times, “the politics of consumption” meant to the politics of consumers themselves, as they make purchase decisions and engage in other activities in relation to the marketplace. Among the early scholars to discuss this phenomenon, political scientists Micheletti, Føllesdal and Stolle defined it as “consumer choice of producers and products with the goal of changing objectionable institutional or market practices.”⁹ They called it “political consumerism,” yet in subsequent discussions in the sundry literature on the topic, often in relation to global markets, it has also been interchangeably referred to as “political,” “ethical,” “conscious,” “conscientious,”

⁴ Meg Jacobs, *Pocketbook Politics: Economic Citizenship in Twentieth-Century America* (Princeton, N.J.: Princeton University Press, 2005), 2.

⁵ Charles F. McGovern, *Sold American: Consumption and Citizenship, 1890-1945* (Chapel Hill: The University of North Carolina Press, 2006), 3.

⁶ Lizabeth Cohen, *A Consumers' Republic: The Politics of Mass Consumption in Postwar America* (New York: Alfred A. Knopf, 2003), see especially 8–9.

⁷ See, e.g., Josée Johnston, “The Citizen-Consumer Hybrid: Ideological Tensions and the Case of Whole Foods Market,” *Theory and Society* 37, no. 3 (2008): 229–70; John Clarke, “Citizen-Consumers: Hyphenation, Identification, Depoliticization?,” in *The Voice of the Citizen Consumer: A History of Market Research, Consumer Movements, and the Political Public Sphere*, ed. Kerstin Brückweh, Studies of the German Historical Institute London (Oxford ; New York : London: Oxford University Press ; German Historical Institute, 2011), 225–42; Jeffrey Haydu, “Consumer Citizenship and Cross-Class Activism: The Case of the National Consumers’ League, 1899-1918,” *Sociological Forum* 29, no. 3 (2014): 628–49; Bryan S. Turner, “Contemporary Citizenship: Four Types,” *Journal of Citizenship and Globalisation Studies* 1, no. 1 (2017): 10–23.

⁸ See, e.g., Dhavan V. Shah et al., “Introduction: The Politics of Consumption/The Consumption of Politics,” *The Annals of the American Academy of Political and Social Science* 611 (2007): 6–15, and the rest of the articles in that special issue.

⁹ Michele Micheletti, Andreas Føllesdal, and Dietlind Stolle, eds., *Politics, Products, and Markets: Exploring Political Consumerism Past and Present* (International Seminar on Political Consumerism, New Brunswick, N.J.: Transaction Publishers, 2004), xiv, in the introduction to their edited collection on the topic.

as well as “critical” consumption.¹⁰ Scholars have emphasized that this “politics of consumption” is exercised by individual consumers. Stolle and Micheletti explained this phenomenon as “individualized responsibility-taking”.) One of the lively debates in this regard is whether or not practicing “political consumption” is likely to indicate a higher level of political involvement overall.¹¹ At the same time, even as an individual choice, it should be remembered that this practice is encouraged by social movements and involves local and global networks and institutional arrangements of organizations and firms. This is true to the recent phenomenon as to previous historical examples of such campaigns of “ethical consumption.”¹² Depending on the specific definition, these practices are sometimes distinguished from, and sometimes listed with, “consumer activism” – a term which emphasizes collective action rather than “life-style decisions” (and can include various political goals beyond the realm of the market).¹³

With or without the collective action aspect of consumer activism, those various practices of “consumer politics” are practiced by civic actors. A different meaning of “the politics of consumption” points to the state in its relation to consumption, that is, to political institutional arrangements designed to regulate consumption and cater to, or at least influence, consumers in their market choices.¹⁴ This meaning of “the politics of consumption” can be phrased as a

¹⁰ See, for example, Craig J. Thompson, “Understanding Consumption as Political and Moral Practice: Introduction to the Special Issue,” *Journal of Consumer Culture* 11, no. 2 (2011): 139–44, and the rest of the article in that issue; Shyon Baumann, Athena Engman, and Josée Johnston, “Political Consumption, Conventional Politics, and High Cultural Capital,” *International Journal of Consumer Studies* 39, no. 5 (2015): 413–21.

¹¹ Dietlind Stolle and Michele Micheletti, *Political Consumerism: Global Responsibility in Action* (Cambridge University Press, 2013), 21; Margaret M. Willis and Juliet B. Schor, “Does Changing a Light Bulb Lead to Changing the World? Political Action and the Conscious Consumer,” *Annals of the American Academy of Political and Social Science* 644 (November 2012): 160–90; Jörg Rössel and Patrick Henri Schenk, “How Political Is Political Consumption? The Case of Activism for the Global South and Fair Trade,” *Social Problems* 65, no. 2 (2018): 266–84.

¹² Paolo Parigi and Rachel Gong, “From Grassroots to Digital Ties: A Case Study of a Political Consumerism Movement,” *Journal of Consumer Culture* 14, no. 2 (2014): 236–53; Tim Bartley et al., *Looking behind the Label: Global Industries and the Conscientious Consumer*, Global Research Studies (Bloomington, Indiana: Indiana University Press, 2015). For historical examples, including anti-slavery campaigns and campaigns for improving labor conditions, see Kathryn Kish Sklar, “The Consumers’ White Lable Campaign of the National Consumers’ League, 1898-1918,” in *Getting and Spending: European and American Consumer Societies in the Twentieth Century*, ed. Susan Strasser, Charles McGovern, and Matthias Judt, Publications of the German Historical Institute (Cambridge, England ; New York: Cambridge University Press, 1998), 17–36; Lawrence B. Glickman, *Buying Power: A History of Consumer Activism in America* (Chicago: University of Chicago Press, 2009), 61–89, 174–84; Haydu, “Consumer Citizenship and Cross-Class Activism,” 2014; Tad Skotnicki, *The Sympathetic Consumer: Moral Critique in Capitalist Culture*, Culture and Economic Life (Stanford University Press, 2021).

¹³ Glickman, *Buying Power*, especially pp. 2–3, 11–16; Caroline Heldman, *Protest Politics in the Marketplace: Consumer Activism in the Corporate Age* (Cornell University Press, 2017).

¹⁴ Meg Jacobs, “State of the Field: The Politics of Consumption,” *Reviews in American History* 39, no. 3 (2011): 561–573.

“demand-side theory of political economy.” This term was offered by Monica Prasad, in her novel explanation of American exceptionalism as rooted in the early twentieth century, stemming from the agrarian over-productivity and political power. These factors, Prasad claimed, had influenced economic policies that stressed the state management of demand, especially regarding taxation and financial regulation over provision of consumer credit, setting the course of American economy for decades to come.¹⁵ Managing demand is an essential aspect of Keynes’s economic theory. Indeed, during the New Deal, the U.S. embraced Keynesian policies, and this continued to be the ruling paradigm for the next three-four decades.¹⁶ Furthermore, as Prasad as well as Meg Jacobs showed, the “purchasing power” paradigm had guided economic policies to employ credit provision, consumer protection, and others policies, well before the 1936 publication of *The General Theory of Employment, Interest and Money*.¹⁷ As other scholars showed, even in the “post-Keynesian” decades, policymakers have continued to take consumers into consideration, especially in the further expansion of consumer credit – a deliberate policy.¹⁸ In this sense of the term, “consumer politics” had characterized the twentieth century from the establishment of the Food and Drug Administration in 1906, in response to public outcry about food quality, and until President Bush’s call on the nation to “go shopping” in the wake of the 9/11 terror attacks in 2001.¹⁹

Examined through the eyes of the members and activists of the consumer movement studied in this dissertation, we may conceptualize differently the politics of consumption, in a way that brings together the two meanings of “consumer politics” found in the literature: positing an

¹⁵ Monica Prasad, *The Land of Too Much: American Abundance and the Paradox of Poverty* (Harvard University Press, 2012), see ch. 3 and especially pp. 89–93.

¹⁶ Cohen, *A Consumers' Republic*, 54–57, 351–52; Jacobs, *Pocketbook Politics*, 165–66, 248; Jonathan Levy, *Ages of American Capitalism: A History of the United States*, First edition. (New York: Random House, 2021), 432–35, 490–91.

¹⁷ Prasad, *The Land of Too Much*; Jacobs, *Pocketbook Politics*.

¹⁸ Greta R. Krippner, *Capitalizing on Crisis: The Political Origins of the Rise of Finance* (Harvard University Press, 2011), esp. chapter 3, pp. 58–85; Mallory E. SoRelle, *Democracy Declined: The Failed Politics of Consumer Financial Protection*, Chicago Studies in American Politics (Chicago: The University of Chicago Press, 2020). On politician considering consumer interests in policies identified as “neoliberal,” see Monica Prasad, *Starving the Beast: Ronald Reagan and the Tax Cut Revolution* (New York, New York: Russell Sage Foundation, 2018), especially pp. 93–107, on the 1980s tax cuts; and on free trade agreements like NAFTA, see Mark E. Rupert, “(Re)Politicizing the Global Economy: Liberal Common Sense and Ideological Struggle in the U.S. NAFTA Debate,” *Review of International Political Economy* 2, no. 4 (1995): 658–92, especially on p. 666; and William P. Avery, “Domestic Interests in NAFTA Bargaining,” *Political Science Quarterly* 113, no. 2 (1998): 281–305.

¹⁹ Lorine Swainston Goodwin, *The Pure Food, Drink, and Drug Crusaders, 1879-1914* (Jefferson, N.C.: McFarland, 1999); Robert H Zieger, “‘Uncle Sam Wants You. .. to Go Shopping’: A Consumer Society Responds to National Crisis, 1957-2001,” *Canadian Review of American Studies* 34, no. 1 (2004): 83–103.

adversarial position between consumers and businesses. The consumer advocates and activists of the consumer movement engaged politically *as* consumers, similarly to those political/ethical/critical consumers of the first meaning. Acting as and for consumers, their primary goals were to benefit consumers at the “point of purchase.” At the same time, the main targets of the consumer movement and its advocates were the state and its policies. They sought to advance the consumers’ situation in the market through laws and governmental agencies, just as in the second meaning of politics of consumption discussed above. The overlap is not surprising, since these movement members personified a certain ideal of the “citizen-consumer”: Defining consumers as bearers of defined rights in the marketplace and, for the movement’s activists at least, as engaging in civic collective action to ensure and protect these rights. Seen from their own point of view, consumer politics takes its meaning from the fundamental understanding of politics as the distinction between friend and enemy, or between consumers on one side and businesses and corporations – producers, distributors, marketers and sellers – on the opposite side. As this dissertation shows, the movement members practiced and employed this distinction (or, in the conceptual language of social movement theory, fostered this political oppositional consciousness), while acknowledging that “everybody [including businessmen] is a consumer” in our society. Thus, this dissertation offers a theoretical contribution that draws on the 1960s-70s consumer movement to better understand and redefine “the politics on consumption” as the adversarial positioning of consumers against businesses.

B. The 1960s-70s consumer movement in the lens of social movement scholarship

The field of social movement research grew, in the United States at least, out of the sweeping protest movements of the 1960s, such as the civil rights movement, the anti-war movement and the women’s liberation movement. These prominent social movements constituted the field’s paradigmatic cases. As Hank Johnston noted, in an introductory guide to the field: “The movements of that decade kindled widespread research attention to collective action, protests, social-change groups and their organization, and inspired a generation of scholars to systematically and empirically study these phenomena. Researchers sought to explain the black civil rights movement, the movement against the war in Vietnam, the women’s movement, environmentalism, the Chicano movement, the new age movement, the hippie movement,

student political radicalism, and political violence.”²⁰ Note that the consumer movement is not on this list. Some protest-anthologies or retrospective narratives of the period do list the consumer movement among the various contemporary social movements,²¹ but from the social movement literature, it is glaringly absent. Admittedly, the narrative above roots the social movements’ field – the academic field as well as the historical phenomenon – in the decade of the 1960s. While that decade saw the emergence of a consumer protection policy agenda, and the consumer movement that evolved from it, it is fair to say that the movement started to grow only toward the end of that decade and reached its apex in the 1970s. But in this, it resembled the environmental and the gay and lesbian movements, and still – both are regularly included in the social movements studied in the literature, while the consumer movement is not.²² This section explores possible explanations to this absence, while tackling the connections and tensions between the consumer movement and social movement theory.

The social movement scholarship has not, however, ignored consumers completely. Scholars have paid attention to other historical instances of the American consumer movement and to American consumer activism in other contexts. First, researchers engaged with the comparative historical method explored the early twentieth century Progressive campaigns around consumer issues, such as the mobilization for food purity and safety of the National Consumers’ League and other actors.²³ Second, organizational sociologists applied conceptual tools from social movement theory to analyze the emergence of product-testing organizations as part of the wave

²⁰ Hank Johnston, *What Is a Social Movement?*, *What Is Sociology?* (Cambridge, UK: Polity Press, 2014), 26.

²¹ See, e.g., in Anderson’s kaleidoscopic book Terry H. Anderson, *The Movement and the Sixties: Protest in America from Greensboro to Wounded Knee* (New York: Oxford University Press, 1995), 345–48, 383–85, on the consumer movement; also Heather Ann Thompson, ed., *Speaking Out: Activism and Protest in the 1960’s and 1970’s*, 1st edition (Boston: Pearson Higher Education, 2009), 104–14, listing “consumer rights activism” as one among its 22 chapters.

²² The latter also does not appear on Johnston’s list, but does feature in the book (e.g., p. 16) and regularly appears among the movements studied in the field. The former does appear on Johnston’s list and also in many collected volumes and compendiums of the social movement literature, e.g., as one of the cases/examples of “major social movements” in Part VI of the *Blackwell Companion to Social Movements* (Snow, Soule and Kriesi eds., 1st edition, 2004), 608–640.

²³ Jeffrey Haydu, “Frame Brokerage in the Pure Food Movement, 1879–1906,” *Social Movement Studies* 11, no. 1 (January 2012): 97–112; “Consumer Citizenship and Cross-Class Activism”; Jeffrey Haydu and Tad Skotnicki, “Three Layers of History in Recurrent Social Movements: The Case of Food Reform,” *Social Movement Studies* 15, no. 4 (July 2016): 345–60; Skotnicki, *The Sympathetic Consumer*; see also Heather A. Haveman, Hayagreeva Rao, and Srikanth Paruchuri, “The Winds of Change: The Progressive Movement and the Bureaucratization of Thrift,” *American Sociological Review* 72, no. 1 (February 2007): 117–42.

of consumer activism in the 1920s-1930s.²⁴ Lastly, the new forms of “consumer politics” and activism at the turn of the twenty-first century have engendered an abundance of studies from researchers who span social movements, organizational sociology and the business research fields. These latter studies ask how consumer activists and other social movements’ actors influence corporations and their regulation and reputation, and how do market actors respond to such activists’ challenges. Their topics range from local protests against national chain-stores, to targeting multinational corporations invoking their social responsibility, and unto consumer campaigns aspiring to reduce environmental harm.²⁵

And yet, no researcher of social movements has turned to look at the American consumer movement in its heyday, at the heights of consumer civic activity for the interests of consumers qua consumers. Consequently, a sociologist who wishes to study this issue applying this lens is required to provide justifications for such a project, often in the form of questions that challenge the premise of the pursuit itself: Can the consumer movement be considered a social movement at all? Even if so, was it an effective or a failed social movement? Perhaps it was not a true social movement, but only a political one? The following three subsections deal with these questions, respectively, followed by a concluding reflection.

“An Unlikely Social Movement” – but is it a movement?

Robert Mayer was mentioned in the previous chapter as one of the few sociologists who looked at the 1960s-70s American consumer movement (having participated himself as an activist during the 1970s), and who did so using social movement theory. Mayer called the consumer

²⁴ Hayagreeva Rao, “Caveat Emptor: The Construction of Nonprofit Consumer Watchdog Organizations,” *American Journal of Sociology* 103, no. 4 (1998): 912–61.

²⁵ See Brayden G. King and Nicholas A. Pearce, “The Contentiousness of Markets: Politics, Social Movements, and Institutional Change in Markets,” *Annual Review of Sociology* 36 (2010): 249–69; Marco Giugni and Maria T. Grasso, “Economic Outcomes of Social Movements,” in *The Wiley Blackwell Companion to Social Movements* (John Wiley & Sons, Ltd, 2018), 466–81, for two reviews of the literature; the articles in a special issue of an organizational market research journal on social movements Gerald F. Davis et al., “Introduction: Social Movements in Organizations and Markets,” *Administrative Science Quarterly* 53, no. 3 (2008): 389–94; and a few representative examples Robert V. Kozinets and Jay M. Handelman, “Adversaries of Consumption: Consumer Movements, Activism, and Ideology,” *Journal of Consumer Research* 31, no. 3 (2004): 691–704; Paul Ingram, Lori Qingyuan Yue, and Hayagreeva Rao, “Trouble in Store: Probes, Protests, and Store Openings by Wal-Mart, 1998–2007,” *American Journal of Sociology* 116, no. 1 (2010): 53–92; Ion Bogdan Vasi and Brayden G. King, “Social Movements, Risk Perceptions, and Economic Outcomes: The Effect of Primary and Secondary Stakeholder Activism on Firms’ Perceived Environmental Risk and Financial Performance,” *American Sociological Review* 77, no. 4 (2012): 573–96; Mary-Hunter McDonnell, Brayden G King, and Sarah A. Soule, “A Dynamic Process Model of Private Politics: Activist Targeting and Corporate Receptivity to Social Challenges,” *American Sociological Review* 80, no. 3 (2015): 654–78.

movement “an unlikely social movement,” mentioning that “consumer groups attempt to mobilize an inchoate mass of countless individuals, each of whom has only a limited economic stake in the outcome.” Herer, Mayer alludes to the free-rider problem, which underlies all collective action discussions, but is all the more pronounced regarding consumers as a massive constituency whose interests are widely dispersed. “Consequently,” Mayer concluded, “the mere existence of a consumer movement is noteworthy.” But the question is raised: does it qualify as a social movement? Mayer answered in the affirmative. Sticking to a conservative definition of a social movement, he rejected, on the one hand, the applications of some observers that included in it politicians, bureaucrats, business professionals and journalists (arguing that while these actors may promote the interests of consumers, they are contrasted to activists in having a different chief professional commitments, which would likely prevail in the case of a conflict). On the other hand, Mayer insisted that the consumer movement is a social movement, against claims that it is “too politically tame” or reformist, that it is “not marked by sufficient mass actions,” or “lacking in widespread, passionate, and spontaneous outpourings of grassroots consumer discontent.” He noted in response the tendencies of institutionalization and professionalization among other social movements as well. Mayer’s discussion was written in 1989, while social movement scholarship was still young, and it is worth revisiting in light of the conceptual developments of the academic field.²⁶

There is no authoritative definition of a social movement. Indeed, there is a degree of definitional heterogeneity, but also a shared agreement about the concept’s central elements. There are various reasons for the heterogeneity, starting with the fact that the term “social movement” itself is used self-referentially by social actors and not just by the analysts. Moreover, as Charles Tilly and Sidney Tarrow noted, it is “a historical, and not universal, category,” meaning that the category receives its varying contents from changing historical developments that may expand the term’s application.²⁷ Consequently, as others commented in

²⁶ Robert N. Mayer, *The Consumer Movement: Guardians of the Marketplace*, Social Movements Past and Present (Boston: Twayne Publishers, 1989), 4–5. Another reason that this discussion warrants a revisit is that Mayer, not a social movement scholar, drew in part on relatively marginal sources in the field.

²⁷ Charles Tilly and Sidney G. Tarrow, *Contentious Politics*, Second edition, fully revised and updated. (New York, NY: Oxford University Press, 2015), 11. For an early criticism about the lack of unity in definition (emphasizing the debate about extra-institutional versus institutional tactics), see, e.g., Stanley Wenocur, review of *Review of Social Movements in an Organizational Society: Collected Essays*, by Mayer N. Zald and John D. McCarthy, *Social Service Review* 63, no. 2 (1989): 324–27. Another definitional debate is between political-oriented and non-politically oriented movements. Elizabeth Armstrong rightly claimed, “While scholars have redefined the concept to

frustration, researchers may fit into the category, sometimes indiscriminately, various historical phenomena that they seek to study. Nevertheless, sociologists have reached a high level of consensus on the core elements required for a historical phenomenon to be considered a social movement, as well as on a rough agreement about the lines of disagreement, that is, on the components that are central to some definitions but not to others. The following discussion is based on several definitional debates, but for start, I will cite only two definitions from central texts in the field. Their juxtaposition will highlight the shared as well as divergent definitional aspects. Tilly and Tarrow “define a [social] movement as a sustained campaign of claim making, using repeated performances that advertise the claim, based on organizations, networks, traditions and solidarities that sustain these activities.”²⁸ The editors of *the Blackwell Companion to Social Movements* define social movements as “collectivities acting with some degree of organization and continuity outside of institutional or organizational channels for the purpose of challenging or defending extant authority, whether it is institutionally or culturally based, in the group, organization, society, culture, or world order of which they are a part.”²⁹

We can see that there are three shared definitional elements, and a fourth element that appears in only one of the definitions. The shared elements are: (1) collectivities or collective actors (“organizations, networks, traditions and solidarities”); (2) some degree of continuity (“a *sustained* campaign ... using *repeated* performances... that *sustain* these activities”) – this component distinguishes social movements from other ephemeral collective actions such as spontaneous protests or a gathering crowd; (3) claim making, or some conflictual context, relating to “challenging or defending extant authority” – this conflictual context and political purpose (implicit in Tilly and Tarrow’s definition that is set within the context of contentious politics) helps distinguish social movements from economic enterprises, religious ceremonies or social activities like a monthly book club. The fourth and controversial element is subject to the most debates within social movement literature: whether or not there needs to be (4) an “extra-institutional” definitive element in social movement activities. Indeed, on this issue of

refer to all collective efforts to accomplish social change, the term still evokes the sense that the more directly a movement seeks to change state policy, the more legitimate it is as an object of study.” *Forging Gay Identities: Organizing Sexuality in San Francisco, 1950-1994* (University of Chicago Press, 2002), 8.

²⁸ Tilly and Tarrow, *Contentious Politics*, 11. It should be noted that Tilly and Tarrow discuss social movements as nested within their broader study of “contentious politics” which includes various other political phenomena.

²⁹ David A. Snow, Sarah A. Soule, and Hanspeter Kriesi, “Mapping the Terrain,” in *The Blackwell Companion to Social Movements*, ed. David A. Snow, Sarah A. Soule, and Hanspeter Kriesi, 1st edition (Malden, MA: Wiley-Blackwell, 2004), 11.

institutional versus non-institutional character – referring primarily to the repertoire of action – the social movement scholarship is split. On the one hand, some view the insistence on including a “disruptive” element as too exclusive. Thus, Tilly and Tarrow included both disruptive and non-disruptive examples in their explication of “performances”.³⁰ Similarly, in his endeavor to propose a definition of social movements that synthesize North-American and Continental scholarships, Mario Diani considered, and deliberately excluded from it, the requirement for extra-institutional action.³¹ Likewise, in focusing on political social movements and their consequences, Amenta et al. contended, after presenting their definition: “We include all the political collective action of movements: not only extrainstitutional action such as protest marches and civil disobedience, but also lobbying, lawsuits, and press conferences.”³²

In contrast, other social movements’ scholars emphasize the extra-institutional and protest character of social movements as one of its defining characters. In their introduction to the first edition of *the Blackwell Companion to Social Movements*, editors Snow, Soule and Kriesi included as part of the definition “the use of noninstitutionalized means of action, such as appropriating and using public and quasipublic places for purposes other than those for which they are designed or intended” (under the headline: “Social movements as a form of collective

³⁰ Tilly and Tarrow, *Contentious Politics*, 11: “An array of public performances including marches, rallies, demonstrations, creation of specialized associations, public meetings, public statements, petitions, letter writing, and lobbying.”

³¹ Mario Diani, “The Concept of Social Movement,” *Sociological Review (Keele)* 40, no. 1 (1992): 1–25. Diani wished to synthesize the North American social movements’ tradition of resource mobilization/political process theory, with the Continental scholarship about New Social Movements. He finds four components shared in both traditions: (1) networks of informal interactions; (2) shared beliefs and solidarity; (3) collective action on conflictual issues; (4) action which displays largely outside the institutional sphere and the routine procedures of life. However, the last component he found lacking both in New Social Movements’ literature, which attends to cultural and lifestyle movements, and in the North American literature, which emphasizes institutionalization, and that “the choice between a grassroots organization or a bureaucratic lobby appears more and more frequently dependent on tactical calculations by social movements actors” (12). He therefore concluded that “features such as the extra-institutional nature of social movements, the prevalence of violent or disruptive political protest and the loose structure of social movement organizations cannot really be taken as fundamental characteristics of a social movement” (12-13).

³² Edwin Amenta et al., “The Political Consequences of Social Movements,” *Annual Review of Sociology* 36, no. 1 (2010): 288. The definition related only to *political* social movements, as opposed to cultural ones. “We define political social movements as actors and organizations seeking to alter power deficits and to effect social transformations through the state by mobilizing regular citizens for sustained political action.” (288) Yet, in a more recent review article about cultural consequences of social movements, Amenta and Polletta use a different definition which nevertheless similarly include extra-institutional alongside institutional activities: “We define social movements as sustained and organized collective actions to effect change in institutions by citizens or members of institutions who are excluded from routine decision-making. This definition includes the efforts of many advocacy organizations but not those of interest groups made up of trade associations or professional organizations.” Edwin Amenta and Francesca Polletta, “The Cultural Impacts of Social Movements,” *Annual Review of Sociology* 45, no. 1 (2019): 281.

action *outside of institutional channels*”).³³ In the second edition, the latter (emphasized) words were omitted from the subtitle, as the authors acknowledged that social movement actors “sometimes agitate inside institutional settings,” such as inside the government or corporations. Yet, they retained the previous definition and the importance of the extra-institutional aspect as characteristic of social movements, among other things, to distinguish the latter from interest groups and parties, and they insisted that “social movements pursue their collective ends mainly via the use of non-institutional means, such as conducting marches, boycotts, and sit-ins.”³⁴ The examples mentioned remind us that social movement research evolved in the U.S. out of observing the sweeping protest movements of the 1960s, and they implicitly continue to serve as the paradigmatic cases of the field. Consequently, social movement research sees protest, in the meaning of “takin’ it to the streets,” as the epitome activity of social movements.³⁵ The importance of the extra-institutional aspect, however, is not rooted only in nostalgic reminiscing about the repertoire of counterculture. According to Doug McAdam, “social movements typically derive their effectiveness from their willingness to disrupt established institutional routines,” and the danger of institutionalization is cooptation.³⁶

This debate is raised here not to determine which view is correct, but to clarify the application of the definition on the consumer movement. According to both views of the debate, including the definition that insists on non-institutional means, the consumer movement fits to be considered a social movement. As the chapters ahead will show, it contained a grassroots component and some of its organizations engaged in extra-institutional and disruptive tactics, including protests and picketing. Yet, the definitional debate also sheds light on the problematic

³³ Snow, Soule, and Kriesi, “Mapping the Terrain,” 6–7.

³⁴ David A. Snow, Sarah A. Soule, Hanspeter Kriesi, and Holly J. McCammon, eds., “Introduction: Mapping and Opening Up the Terrain,” in *The Wiley Blackwell Companion to Social Movements*, 2nd edition (Hoboken: Wiley-Blackwell, 2018), 5–6, see also the (unchanged) definition on p. 10.

³⁵ Snow et al., “Introduction: Mapping and Opening Up the Terrain,” p. 2 about the legacy of the 1960s, and footnote 1 on the literal and metaphoric use of “the streets” as the site of protest. The centrality of protest is evidenced also in the titles of foundational works and central textbooks in the field, e.g., William A. Gamson, *The Strategy of Social Protest*, The Dorsey Series in Sociology; Variation: Dorsey Series in Sociology (Homewood, Ill.: Dorsey Press, 1975); Sidney G. Tarrow, *Democracy and Disorder: Protest and Politics in Italy, 1965-1975* (New York: Oxford University Press, 1989); David S. Meyer, *The Politics of Protest: Social Movements in America* (Oxford University Press, 2007).

³⁶ Doug McAdam, “Social Movement Theory and the Prospects for Climate Change Activism in the United States,” *Annual Review of Political Science* 20 (2017): 198. “[M]any movement scholars would restrict the term to those grassroots organizations and informal networks that are essentially free from elite control: free spaces within which truly oppositional movements can develop. This positive stress on the facilitative effects of free spaces is coupled with a decidedly negative view of the coopting effects of top-down formal organizations on the fate of movements.”

aspects of the consumer movement as a social movement. The disruptive actions were not a central feature of the movement, and like the movement itself, they were decentralized and diffused, never coalescing to a mass protest activity. In this respect, it was indeed an “unlikely social movement.” This was partly because the consumer identity was not a sufficiently strong collective identity to solicit from the masses the level of commitment required to participate regularly in disruptive collective actions. Such commitment characterized, probably, the members of the movement, the “consumerists,” but they had a hard time imparting it to their wider constituency. These were also not the usual types of actions that were practiced by most consumer groups, who generally tended to engage in more institutional or educational activities. Additionally, this was due to the emphasis of the central, national leadership of the movement (whose lobbying activities will be discussed below), which was often ambivalent toward extra-institutional actions, resulting in constant tensions with the decentralized grassroots. Such tensions are in fact a common phenomenon in social movements and ultimately, they too attest to the fit of the definition.

In one of its most well-participated actions, that exemplified the ingenuity of the movement’s leadership but at the same time its political conformity, about forty thousand citizens sent letters with nickels to their Congressmembers, to try and convince the hesitant ones among them to vote for a federal Consumer Protection Agency. This action occurred over the course of the summer of 1977, in one of the high points of the campaign to establish the Agency. The point was to demonstrate that the agency’s cost – touted by the opponents as one of the main reasons against it – is only five cents per citizen annually. The “nickel campaign” was not received well among the legislators. Some opponents addressed it (for public relation purposes) as an attempt to bribe lawmakers. Most just treated it as an unnecessary annoyance. It is tempting to conjecture what would have been the outcomes in the hypothetical case that the consumer movement had attempted to organize a march or a mass-demonstration in Washington, D.C.: what would have been the turnout, and what would have been the effect on congressmembers and their vote. In any case, the Consumer Protection Agency campaign did not succeed. Rather, it failed spectacularly, with the eventual congressional vote, in early 1978, ending overwhelmingly against the agency proposal. This brings us to the consider the following question.

A social movement, perhaps; but was it a successful movement?

Having established that the consumer movement meets the definition of a social movement (if perhaps in an atypical manner), or at least can be perceived as such for the purposes of this study, we need to consider the possibility that it was overlooked by social movement scholarship because it was nevertheless an unsuccessful movement. In other words, we should consider that it maybe failed to reach its goals and fulfill its aims as a movement for social change. This failure is exemplified most concretely in the abovementioned defeat in 1978 of the decade-long campaign on behalf of the movement to establish a federal agency for consumer protection. (It can also be shown in a few other, more specific yet widely publicized, campaigns that ended with resounding failures in the next couple of years, such as promoting regulation on television advertising aimed at children.³⁷) The purported failure can be seen more broadly, especially in light of the definition of consumer politics presented in the previous section. The consumer movement should clearly not be seen as successful on the backdrop of the victorious rise of pro-business approaches during the 1980s, which affected public policies first and foremost, but also public opinion. Thus, these failures of the movement can explain the lack of scholarly attention to it from social movements' researchers. Notwithstanding the merits of comparative research on successful and unsuccessful movements, who wants to study the losers?

How success is conceived in the context of social movements is a fraught question, which is why the literature in this field tends to frame it in terms of “consequences,” “outcomes,” or at most “influence.” However, earlier and definitive social movement studies did consider the question of social movements' success. Mainly, these studies asked of whether the groups of challengers and protest movements in question managed to yield acceptance of themselves or their demands, or alternately were met with repression and delegitimization.³⁸ These studies contributed to the tendency of social movement research to focus on mobilization as the explanandum, and on protest (primarily mass-protests) as the main proxy of mobilization, as

³⁷ On this issue, see Michael Pertschuk, *Revolt against Regulation: The Rise and Pause of the Consumer Movement* (Berkeley: University of California Press, 1982), 69–71; Peggy Charren, “Children’s Advertising: Whose Hand Rocks the Cradle? in: Symposium - Commercial Speech and the First Amendment,” *University of Cincinnati Law Review* 56, no. 4 (1987-88): 1251–58; Heather Hendershot, *Saturday Morning Censors: Television Regulation Before the V-Chip* (Duke University Press, 1998), ch. 3, “Action for (and against) Children’s Television: ‘Militant Mothers’ and the Tactics of Television Reform,” pp. 61–94; Rick Perlstein, *Reaganland: America’s Right Turn, 1976-1980* (New York: Simon & Schuster, 2020), 244–49.

³⁸ Gamson, *The Strategy of Social Protest*; Frances Fox Piven and Richard A. Cloward, *Poor People’s Movements: Why They Succeed, How They Fail* (New York: Pantheon Books, 1977).

discussed above.³⁹ Consequently, much of the research on social movements has operated according to the underlying assumptions – often implicit, sometimes acknowledged, but rarely debated – that effective mobilization (operationalized as protest) is in itself considered success for a social movement, or alternately (or sometimes additionally), that there is a correlation between such effective mobilization and the success of a social movement to influence other outcomes. Mobilization itself is thus considered both a cause and an outcome, and researchers sometimes separate a movement’s mobilization from mobilization beyond the movement itself, as in forming coalitions or influencing the movement’s wider field.⁴⁰ When outcomes beyond mobilization have been considered, these outcomes were especially those relating to institutional politics, chiefly the ability of movements to affect policies – in setting agendas, influencing legislation and administrative actions, or obtaining favorable judicial decisions.⁴¹ Beyond the political consequences, the literature has considered cultural outcomes, in the form of ideations, identities, and frames that influenced the movement’s constituencies and society at large. These cultural outcomes can, of course, mediate and interact with political outcomes.⁴²

Even if we stick to the more conservative and palpable measure of affecting public policy (as in the case of the federal consumer protection agency example), it is clear that “how much of policy change is directly attributable to a protest group’s actions, as opposed to circumstances, or

³⁹ For a profound critique on the tendency of the field to focus narrowly on mobilization, see Andrew G. Walder, “Political Sociology and Social Movements,” *Annual Review of Sociology* 35 (January 1, 2009): 393–412.

⁴⁰ See, e.g., Nella Van Dyke and Bryan Amos, “Social Movement Coalitions: Formation, Longevity, and Success,” *Sociology Compass* 11, no. 7 (2017); Catherine Corrigan-Brown, “Indivisible against Trump: Coalition Strategies and Movement Success across City Contexts,” *Mobilization: An International Quarterly* 26, no. 2 (2021): 157–78; Bert Useem and Jack A. Goldstone, “The Paradox of Victory: Social Movement Fields, Adverse Outcomes, and Social Movement Success,” *Theory & Society* 51, no. 1 (January 2022): 31–60.

⁴¹ See Edwin Amenta et al., “The Political Consequences of Social Movements,” *Annual Review of Sociology* 36, no. 1 (2010): 287–307; Edwin Amenta, Kenneth T. Andrews, and Neal Caren, “The Political Institutions, Processes, and Outcomes Movements Seek to Influence,” in *The Wiley Blackwell Companion to Social Movements* (John Wiley & Sons, Ltd, 2018), 447–65, for reviews of the literature. See also the collected volume *How Social Movements Matter*, vol. 10, Social Movements, Protest and Contention (University of Minnesota Press, 1999), spanning various outcomes, including in terms of mobilization and biographical, but focusing on institutional politics.

⁴² See Nella Van Dyke and Verta Taylor, “The Cultural Outcomes of Social Movements,” in *The Wiley Blackwell Companion to Social Movements* (John Wiley & Sons, Ltd, 2018), 482–98, for review of cultural outcomes. For examples of interactions that enhance success, see John D. Skrentny, “Policy□Elite Perceptions and Social Movement Success: Understanding Variations in Group Inclusion in Affirmative Action,” *American Journal of Sociology* 111, no. 6 (2006): 1762–1815; Holly J. McCammon, Courtney Sanders Muse, and Harmony D. Newman, “Movement Framing and Discursive Opportunity Structures: The Political Successes of the U.S. Women’s Jury Movements,” *American Sociological Review* 72, no. 5 (2007): 725–49. For an example of more complicated relationship between political and cultural outcomes see Mary Bernstein, “Nothing Ventured, Nothing Gained? Conceptualizing Social Movement ‘Success’ in the Lesbian and Gay Movement,” *Sociological Perspectives* 46, no. 3 (2003): 353–79.

other social actors, or broader cultural or political shifts, is often difficult to trace.”⁴³ This is even more difficult in regard to questions of influence on the wider cultural-political realm. Rather than attempting to determine the level of “success” of the consumer movement, here I will make a few comments – two comments regarding specific policy outcomes, and two of wider considerations. First, just as consumption itself is trivial and ubiquitous, so are the effects of the consumer movement. While its chief goal of establishing a federal agency was defeated, like others that failed or were rolled back later, the movement nevertheless left mundane but lasting, “successful” legacies – from the seatbelts and airbags in cars and safety caps on medication packaging, through the inclusion of Annual Percentage Rate in every credit contract, to the customized complaint forms available at any corporate Customer Relations offices. Second, the host of consumer protection policies implemented since the mid-1960s in legislation and through administration were, very much conducive to consumer mobilization, rather than merely its outcome. (As a reminder, this is a main argument of this dissertation.) This does not mean, however, that the policies were not themselves influenced by the movement. Rather, it provided political backing and expert assistance to some initiatives, pushed forward others, and mobilized public support for them and for the consumer protection agenda more generally. Furthermore, since this mobilization targeted market practices, it should be noted that some consequences did not come through policies, but were rather achieved through direct influence on corporations.

The next two comments reflect on the notions of success and consequences more broadly: on the notion of outcome, and on the outcome of countermobilization. The notion of outcome can be conceptualized in sociology in several ways. The relevant way, regarding the question of social movements’ outcomes or “successes,” is contingent on a particular temporal perspective – what Andrew Abbott called “outcome-at-a-point.”⁴⁴ This is a conception of outcome as final; however, an outcome can be alternatively conceived as an endless process. Moreover, temporal perspectives can transform even what was perceived as final at an earlier given point in time. To make this clearer: Presented with the question of whether the consumer movement was successful (in reaching its goals/influencing policies), a common observer in 1977 would likely answer in the affirmative, but the same common observer, if asked in the middle of the following

⁴³ Useem and Goldstone, “The Paradox of Victory,” 32.

⁴⁴ Andrew Delano Abbott, *Processual Sociology* (Chicago: The University of Chicago Press, 2016), 172–74 (particularly in regard to social movements).

decade, would likely give the complete opposite answer. (Presented with this question in the early 2000s, a common observer would likely respond by asking what does a consumer movement even mean.) Lastly, and relatedly, we should consider the “outcome” of countermobilization. The social movement literature has paid relatively little attention to counter-movements,⁴⁵ and has seldom considered countermobilization as one of the consequences of mobilization. The 1970s saw, especially later in the decade, reinvigorated mobilization of business lobbies to increase their political influence. The current study has not focused on that side of the story, and it cannot positively establish causal links to this business mobilization (these were suggested by others, who did study the business community⁴⁶). However, whether or not the consumer movement enjoyed success in achieving its goals, clearly it was consequential in at least contributing to this business countermobilization, which brought about the subsequent policy setbacks and significantly transformed American politics.

A political or a social movement?

Earlier it was mentioned that the social movement scholarship has been split regarding the place of extra-institutional channels and means of action as a central characteristic of social movements. On one level, this debate relates to the fundamental definitional question of social movement research. That the field has remained undecided on this question is not coincidental, as on a broader level, the debate reflects a deep-rooted tension among scholars of social

⁴⁵ For a few important exceptions, see David S. Meyer and Suzanne Staggenborg, “Movements, Countermovements, and the Structure of Political Opportunity,” *American Journal of Sociology* 101, no. 6 (1996): 1628–60; “Countermovement Dynamics in Federal Systems: A Comparison of Abortion Politics in Canada and the United States,” *Research in Political Sociology* 8 (1998): 209–40; Marc Dixon, “Movements, Countermovements and Policy Adoption: The Case of Right-to-Work Activism,” *Social Forces* 87, no. 1 (September 2008): 473–500; Michael C. Dorf and Sidney Tarrow, “Strange Bedfellows: How an Anticipatory Countermovement Brought Same-Sex Marriage into the Public Arena,” *Law & Social Inquiry* 39, no. 2 (2014): 449–73.

⁴⁶ The danger in studying a social movement is in viewing countermobilization – specifically here, the business mobilization in the 1970s – solely from the perspective of the movement or of the battle between the two movements, rather than seeing “countermobilization” as a development influenced by various historical factors. [See, for example: Glickman, *Buying Power*, 284–94, and cf. Glickman’s *Free Enterprise: An American History* (New York: Yale University Press, 2019).] I do not wish to commit this fallacy by attributing too much influence to the overall powerless consumer movement. It is also difficult to attribute direct causality as the consumer movement (or the general cause of consumerism) was part of a wider “liberal public interest politics” during the 1960s-70s. Nevertheless, it is noteworthy that the significance of the consumer movement and consumer advocacy for 1970s business mobilization was noticed by researchers who focused on the side of business. See David Vogel, *Fluctuating Fortunes: The Political Power of Business in America* (Basic Books, 1989), especially 37–58; Mark S. Mizruchi, *The Fracturing of the American Corporate Elite* (Harvard University Press, 2013), 160–61; Adam Winkler, *We the Corporations: How American Businesses Won Their Civil Rights*, (W. W. Norton & Company, 2018), 279–300.

movements regarding the relationship between movements and aspects of institutional politics. Two other manifestations of this tension are in relation to interest groups and the role of the institutional political field in mobilization. As for the former, debates among scholars continue as to the distinction between social movement organizations and interest groups; whether there are such differences remaining; and what is the usefulness of the distinction. As for the latter, the role of institutional politics has been formalized and incorporated into the theory of mobilization with the theoretical approach known as political opportunity structures/process. Early on, another theoretical approach considered the potential active role of institutional politics in mobilizing constituencies – the policy feedback loops theory. However, due to the disciplinary division of labor between sociologists and political scientists, it has largely neglected the study of social movements. Both of these issues are considered in the following paragraphs in relation to the topic of this dissertation. The consideration illuminates why social movements' scholars may feel uneasy treating the consumer movement as a social movement – and indeed, may tend to treat it as “merely” or “more of” a political movement; but it also shows what the social movement scholarship can gain from treating the consumer movement as a social movement.

Just as the study of social movements is rooted, in the American context, in sociologists' reactions to collective behavior theories, the study of interest groups, in the American context, was originated in political science debates over the pluralist character of American politics. (And just as sociologists have debated over the proper definition of social movements, so have political scientists been arguing over the proper definition of interest groups.) These stories of intellectual origins explain, no less than the disciplinary divide, the consequences of the later convergence of terminology and the resulting nuanced discussions about similarities and distinctions. In the 1970s sociologists started conceptualizing social movements as rational collective actors that calculate their use of means in pursuing political ends, rather than unruly mobs engaged in crowd behavior. At the same time, political scientists turned their attention from the perpetuated debates between pluralists and their challengers to the growing universe of public interest groups in American politics. While the pursuit of interest group politics by popular movements originated in the transformation of American political and partisan system at the turn of the twentieth century, as shown by Elisabeth Clemens,⁴⁷ the 1970s saw a significant

⁴⁷ Elisabeth S. Clemens, “Organizational Repertoires and Institutional Change: Women’s Groups and the Transformation of U.S. Politics, 1890-1920,” *American Journal of Sociology* 98, no. 4 (1993): 755–98; *The People’s*

explosion of public interest lobbying, that grabbed the renewed attention of political scientists.⁴⁸ Scholars working in the intersection of these two fields have been reflecting on the distinctions between social movement organizations and interest groups. Some argued that for lack of real differences, it is preferable to replace the focus of inquiry – e.g., from individual interest groups or organizations to sectors – or even the terminology, suggesting advocacy organizations or interest organizations. Others insisted that in contrast to interest groups, social movement organizations are part of broader *movements* (characterized also by the use of extra-institutional means), are embedded in interorganizational networks, and have a broader popular base.⁴⁹

For the purposes of this study, it is less important to determine whether conceptually, social movement organizations and interest groups differ or are similar, and it is more important to note the unique position that the 1960s-70s consumer movement occupied historically in the relationship between interest groups and social movements, and consequently, the theoretical contribution its study can offer. In his posthumously-published book, Jack Walker innovatively offered a theory of three modes of interest groups formation: (1) the first, and most prevalent, is the “straightforward mobilization” of relatively small groups with common economic or professional interests, such as trade associations and labor unions; (2) the second mode is of sweeping social movements that beget interest groups in the form of tangible associations that purport to represent these movements; (3) the third, and “least well understood” mode, is of interest groups that are mobilized for others, usually less privileged, vulnerable or less able to mobilize. This latter form of mobilization is usually “initiated from above with social service

Lobby: Organizational Innovation and the Rise of Interest Group Politics in the United States, 1890-1925 (Chicago, IL: University of Chicago Press, 1997).

⁴⁸ E.g., Jeffrey M. Berry, *Lobbying for the People: The Political Behavior of Public Interest Groups* (Princeton, N.J.: Princeton University Press, 1977); Andrew S. McFarland, *Public Interest Lobbies: Decision-Making on Energy* (Washington: American Enterprise Institute for Public Policy Research, 1976); *Common Cause: Lobbying in the Public Interest*, Chatham House Series on Change in American Politics (Chatham, N.J.: Chatham House Publishers, Inc., 1984); Graham K. Wilson, *Interest Groups in the United States* (New York: Oxford University Press, 1981), 83–106.

⁴⁹ Examples for the former approach emphasizing similarities or similar approaches of inquiry, see, e.g., David S. Meyer and Douglas R. Imig, “Political Opportunity and the Rise and Decline of Interest Group Sectors,” *Social Science Journal* 30, no. 3 (July 1993): 253; Paul Burstein, “Interest Organizations, Political Parties, and the Study of Democratic Politics,” in *Social Movements and American Political Institutions*, ed. Anne N. Costain and Andrew S. McFarland, *People, Passions, and Power* (Lanham, Md.: Rowman & Littlefield, 1998), 39–56; Kenneth T. Andrews and Bob Edwards, “Advocacy Organizations in the U.S. Political Process,” *Annual Review of Sociology* 30 (2004): 479–506. Examples for approaches highlighting the distinctions, see, e.g., Snow et al., “Introduction: Mapping and Opening Up the Terrain”, as mentioned above; and Ondřej Císař, “Interest Groups and Social Movements,” in *The Wiley-Blackwell Encyclopedia of Social and Political Movements*, ed. David A. Snow et al. (Malden: Wiley-Blackwell a John Wiley & Sons, Ltd., Publication, 2013).

professionals in the lead,” often only after legislation and creation of government bureaucracy that supports the patronage system.⁵⁰ As the following chapters will show, especially Chapter 4, the consumer movement offers a different mode of mobilization, which can be seen as a combination of the two latter modes. The formation of the interest group (or “consumer lobby”) for consumers preceded the popular mobilization of consumers in a social movement. The latter mobilization was facilitated by this former “consumer lobby,” consisting of mostly professional lobbyists or academics (the equivalents of “social service professionals”) who worked with government bureaucrats dedicated to the consumer interest.

Social movement scholarship has heretofore rarely considered this form of popular mobilization facilitated by elite interest group and political officeholders. While this oversight can be explained by the unique empirical case of the consumer movement, it is also due to theoretical shortcomings of the literature in relation to the separation of institutional from extra-institutional politics. In the literature’s conventional model for explaining mobilization, institutional politics is perceived as extraneous to social movements. Consequently, the components of institutional politics – such as laws, parties, officeholders, bureaucratic mechanisms, policies, etc. – are seen as external factors in relation to mobilization. The institutional political arena is viewed as precisely that – an arena and a platform, a context and backdrop – on which social movement actors operate and mobilize outside institutional politics. One of the prominent scholars representing this theoretical view, Doug McAdam, wrote in his critical remarks to the introduction to the second edition of his book, *Political Process and the Development of Black Insurgency, 1930-1970*, in which he developed this theory: “[I]t is ironic that a perspective – political process – that sought to theorize the intersection of institutionalized and non-institutionalized politics should have come, in its consensual embodiment, to focus almost exclusively on processes internal to movements.”⁵¹ Douglas called for adopting a more interactionist approach to mobilization. Yet such an interactionist approach remains impossible as long as institutional politics is relegated to the backdrop of mobilization and its components are viewed as only a passive, if dynamic and processual, context that provides opportunity structures and threats for mobilization.

⁵⁰ Jack L. Walker, *Mobilizing Interest Groups in America: Patrons, Professions, and Social Movements* (Ann Arbor: University of Michigan Press, 1991), see especially pp. 9–14.

⁵¹ Doug McAdam, *Political Process and the Development of Black Insurgency, 1930-1970*, Second edition (University of Chicago Press, 1999), p. xiv in: Introduction to the Second Edition.

In contrast to this view, political sociologists working in the traditions of historical institutionalism and American political development have considered assigning a more active role to political institutions in influencing social movements and facilitating mobilization. In particular, in her book about the forms of American welfare policies in late nineteenth- and early twentieth-century, Theda Skocpol formulated a theory about the consequences of governmental policies for both political institutions themselves and for society at large. Regarding the latter, the policy effects / policy feedback loops theory postulates that political institutional arrangements bear effects on social groups, providing them with material resources and structural positions as well as with self-referential, meaning-making frames that may contribute to mobilization and coalition-formation.⁵² Skocpol's theory has been elaborated and developed mainly by political scientists, and consequently, this relevant literature has paid little attention to questions of group mobilization in general, and of social movements especially. The case study of the consumer movement demonstrates how policies facilitated mobilization, in this case not only specific policies of social provision, but rather a broader policy regime of consumer protection that had both intended and unintended consequences, conducive to the political mobilization of consumers. As will be shown in Chapter 4, this policy regime afforded resources to consumer groups by providing organizational niches to advocacy organizations and financial means for the organization of consumers, especially low-income consumers through programs of the War on Poverty. More fundamentally, by acknowledging consumers as a political constituency deserving of separate recognition and protection, these policies helped to induce a consumer collective identity on the part of the population at large, and especially the consumer advocates and activists that sought to represent consumers. (This argument will be developed in far more detail in chapter 4 and is therefore brought here only concisely.)

If the consumer movement has been seen, then, as “more political” than a conventional social movement, it is possibly since its origins as a social movement are rooted in institutional policies and interest group politics. This is how it started, and this is also how its story ended, at least so far. The consumer protection policies that facilitated consumer mobilization were instituted originally by Democratic politicians, especially in the latter half of the 1960s, but they continued

⁵² Theda Skocpol, *Protecting Soldiers and Mothers: The Political Origins of Social Policy in the United States* (Cambridge, Mass.: Belknap Press of Harvard University Press, 1992), 41–60; see also Elisabeth Stephanie Clemens, *What Is Political Sociology?*, *What Is Sociology?* (Malden, MA: Polity Press, 2016), 96–108, for an overview of related literature.

under the administration of President Nixon, and to some extent also under President Ford. During this time, and despite the affinity of its national leadership with Democratic politicians, the consumer movement assumed a nonpartisan stance, which helped the movement's appeal to its conceived wide constituency, and also in its claims to represent this wide constituency and its interests as consumers. This changed, as will be shown in Chapter 6, in the mid-1970s, following several disparate developments, including a change in campaign finance rules which allowed endorsement of candidates, and the shifting terrain of the relationship between the American electorate and the two-parties system. But mostly, this changed due to the eventual identification of the movement's leadership with the Democrats during Carter's electoral campaign in 1976 and during his presidency, in which many of the movement's key-figures assumed official positions in the administration. The result was not so much the co-optation of the movement as the intensification of the tensions between the interest groups that constituted the national leadership and the movement's grassroots, who, following these events either dispersed or concentrated more and more on advocacy activities regarding specific issues or at the local level. Loosely coordinated to begin with, the grassroots, "social" element of the movement dissipated.

What is collective in collective action? Lessons for social movement theory

I return now to the theoretical puzzle that motivates this study: Why did "consumers" as a category become the basis of politically-oriented collective action? How and why did such a diffused constituency as consumers – such a massive disparate multitude of individuals – come together to mobilize and form a social movement? The first two subsections above established the legitimacy of the question and the method of inquiry. The consumer movement *was* a social movement, including a popular base, (i.e., a grassroots component), which engaged in collective action, mostly civic activities but sometimes (and some parts of it) also utilizing disruptive tactics. It saw both successes and failures in its endeavors to mobilize and in the pursuit of its goals. It therefore deserves to be analyzed with the analytical tools of social movement research. At the same time, these subsections tempered the statement somewhat: The consumer movement was a social movement, but its grassroots component had always been rather loosely coordinated by the national leadership (with which it often experienced tensions), and there clearly existed a significant gap between the number of engaged activists and the expansive constituency (the

“millions of consumers”) on behalf of whom the movement claimed to speak and act. The movement was thus a weak collective, even if it existed as one.

The third subsection adumbrated the solution to the puzzle of the movement’s existence, rooted in the relationship between institutional politics and social movements: the mobilization of consumers as a collective occurred thanks to a set of policies – a policy regime – of consumer protection that recognized consumers as a political constituency, and therefore facilitated its mobilization. Thanks to this policy regime, a cadre of committed activists were afforded with means and institutional access that allowed them to act collectively on behalf of consumers – some at the national level and some at the grassroots level. Motivated by this policy regime and incentivized by this cadre of activists, consumers around the country could recognize themselves, in their role as consumers, as political subjects; that is, they could attain political “consumer consciousness,” and lend popular support and legitimacy to (and at times participate in the activities of) the consumer movement. This political collectivity of consumers and their collective action, in the social movement sense, had held so long as the consumer protection policy was set in place. During that period, it manifested the recognition of consumers as constituency by political institutional arrangements. It started falling apart, and the consumer movement started losing its social, popular base, as the consumer protection policy regime faded and its policies shifted, with the more profound political-economic shifts in the late 1970s and 1980s that also transformed the meaning of “consumer politics” as discussed above. The redress for aggrieved consumers was no longer the government and political institutions, but the market.

In indicating this solution to the puzzle, I mentioned one of the shortcomings of the conventional social movement theory, which is highlighted by focusing on the consumer movement as a case study – namely, the imposed separation between institutional and extra-institutional politics. Focusing on the consumer movement from this theoretical lens further elucidates some of the biases that hinder social movement theory, stemming from the emphasis on mobilization and from the treatment of protest as a proxy for mobilization. The fact that the consumer movement does not conform to this literature’s paradigmatic exemplars points to more urgent areas of potential theoretical development for social movement research. First, in the last decade, with the advent of social media technologies that allow for an easier coordination of protests, the emphasis on street protest as a proxy for mobilization has been shown as problematic. The link between the “social movement base” and protest has been challenged,

given the efficacy in bringing about social change by movements that are not marked by mass-demonstrations and marches (for example, the MeToo “movement”), and on the other hand, the relatively modest institutional influence and relative quick dissipation of protests that sprang quickly (such as Occupy Wall-Street or the January 2017 Women’s March). The 1960s-70s consumer movement reminds us that “the power and fragility of [loosely] networked protest” are not necessarily new characteristics, brought about by digital platforms.⁵³ These recent protests/movements share structural and phenomenological similarities with the mobilization of consumers, specifically with “housewives” protests and the meat boycotts over rising food prices – definitive steps in building the grassroots components of the consumer movement.

Second, studying the consumer movement as a social movement emphasizes the necessity to reorient the basic question regarding social movements back to its sociological foundations. Social movement research evolved out of implicit polemics against two influential academic interlocutors. First, it was a reaction to crowd behavior theories that viewed collective behavior as irrational. Second, it developed in response to the Olsonian problem of the free-rider dilemma, which conceptualized collective action in terms of complementary or conflicting interests. The attention to both of these interlocutors resulted in explanations of collective action and mobilization as a rational, organized endeavor.⁵⁴ Yet, this postulates the problem of collective action, especially in the case of large groups such as the constituency of consumers, as primarily an economic problem of coordination and obtaining shared interests. It therefore leads the field to concentrate on the *action* dimension of the collective action problem, rather than on orienting it to the sociological dimension of explaining its *collective* dimension. In the words of social movement theorist Alberto Melucci: “the *collective dimension* of social behaviour is taken as a

⁵³ Zeynep Tufekci, *Twitter and Tear Gas: The Power and Fragility of Networked Protest* (New Haven; London: Yale University Press, 2017). I am deliberately paraphrasing here the title’s meaning: in her book, Tufekci noted that she used “networked protest” as a shorthand for “digitally networked,” that is, based on digital platforms. I contend that the “power and fragility” of such protests do not stem from the digital platforms (this is, in fact, in line with the book’s argument), as they only allow, enhance, and expose characteristics of the social movements (to the extent that there are such) that organized these protests. (My claim is that despite predating these digital platforms, the 1960s-70s consumer movements can be analyzed in similar terms.)

⁵⁴ Mancur Olson, *The Logic of Collective Action: Public Goods and the Theory of Groups*, vol. v.124, Harvard Economic Studies, (Cambridge, Massachusetts: Harvard University Press, 1965). On the origins of social movement theory, see Carol McClurg Mueller, “Building Social Movement Theory,” in *Frontiers in Social Movement Theory*, ed. Aldon D. Morris and Carol McClurg Mueller (New Haven, Conn.: Yale University Press, 1992), 3–25; Doug McAdam, John D. McCarthy, and Mayer N. Zald, “Introduction: Opportunities Mobilizing Structures and Framing Processes,” in *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures, and Cultural Framings* (New York: Cambridge University Press, 1996), 1–20; Johnston, *What Is a Social Movement?*, 26–48.

given [...] How people actually manage acting together and becoming a ‘we’ evades the problematic as it is taken for granted.”⁵⁵ In a similar manner, and from a Simmelian perspective, the problem of collective action in the consumer movement can be rephrased in light of Simmel’s discussion on the expansion of groups, which, according to Simmel, strengthens the individuality of each of the group members but weakens the groups’ collective elements. In other words, rather than asking the economic question – how the free-rider dilemma is overcome – we are to ask the fundamental sociological (Simmelian) question: How is society possible?⁵⁶

Admittedly, developments in the last three decades have pushed the theoretical limits of the field to gravitate toward the explanation of the collective dimension more than before. In particular, these theoretical developments were influenced by the consideration of cultural-ideational aspects of collective action, such as framing processes, and incorporating them into the explanation of mobilization. More specifically, and inspired by Melucci’s writing, scholars of social movements turned their attention to the collective identity of, and within, social movements.⁵⁷ Whereas previously, most theories assumed pre-existing aggrieved groups and sought to explain their emergent mobilization, these newer considerations sought to explain how groups become aggrieved, or even, how they become groups. Still, for the most part, collective identity has been perceived as generative of collective action, that is, not as the explanandum but rather as a step toward explaining mobilization. Scholars employed the collective identity concept to answer questions regarding the movements’ interests and claims, constituency recruitment and incentivization to act, strategic choices and tactical decision-making and mobilization’s consequences.⁵⁸ They explored, for example, the stability and mutability of

⁵⁵ Alberto Melucci, *Challenging Codes: Collective Action in the Information Age* (Cambridge England: Cambridge University Press, 1996), 15, see also 289–292, 382–384. Reorienting the question to focus on the *collective* dimension of collective action would also allow the field to engage in other research questions that relate to the characteristics of the collectivity, such as political orientation, and not merely focus on mobilization. For such critique, see Walder, “Political Sociology and Social Movements.”

⁵⁶ Georg Simmel, *On Individuality and Social Forms: Selected Writings*, The Heritage of Sociology (Edited and with an Introduction by Donald N. Levine, Chicago: University of Chicago Press, 1971); see the essays “Group Expansion and the Development of Individuality,” [1908], 251–93; “How Is Society Possible?” [1905] 6–22.

⁵⁷ Verta Taylor and Nancy Whittier, “Collective Identity in Social Movement Communities: Lesbian Feminist Mobilization,” in *Frontiers in Social Movement Theory*, ed. Aldon D. Morris and Carol McClurg Mueller (New Haven, Conn.: Yale University Press, 1992), 104–29.

⁵⁸ Francesca Polletta and James M. Jasper, “Collective Identity and Social Movements,” *Annual Review of Sociology* 27 (2001): 283–305. See also Stephen Valocchi, “The Importance of Being We: Collective Identity and the Mobilizing Work of Progressive Activists in Hartford, Connecticut,” *Mobilization: An International Quarterly* 14, no. 1 (2009): 65–84; Cristina Flesher Fominaya, “Collective Identity in Social Movements: Central Concepts and Debates,” *Sociology Compass* 4, no. 6 (2010): 393–404.

newly-formed cultural identities, such as gay and queer, to explain the formation or dissolution of related movements.⁵⁹ And they examined the lack of politicized dimension of collective identities, such as of caregivers, to explain the absence of a movement of aggrieved individuals.⁶⁰ In this dissertation, the collective identity of consumers will be explored in Chapter 5 – how it was formed and maintained through negotiations over boundaries and fostering an adversary stance with businesses – as the potential basis for collective action. It will also be shown that the movement’s chosen course of action, the individualizing consumer complaint, self-undermined this collectivization effort. This may encourage us to think about the reverse connection between identity and action, or in other words, to examine not only how collective identity can serve as a basis for action, but also, how forms of collective action may impact collective identity.

C. Conclusion: The politics of consumers *as* social movement politics

In conclusion, the case study of the American consumer movement in the 1960s-70s can be examined from a political-economic lens, in light of the literature on consumer politics, and from a political sociological lens through the analytical tools provided by the social movement scholarship. In the first case, the study of the consumer movement offers a redefinition of the meaning of consumer politics, in a way that draws on the movement’s members understanding of such politics. This meaning of consumer politics emphasizes the opposition between consumers and businesses, and it brings together two different meanings that were found in the literature on consumer politics. It is plausible that this is not coincidental, as historically, the consumer movement emerged and operated in the period of transition between two political-economic regimes, one that induced a state-centered understanding of political economy and of the politics of consumption, and the other offering a more market-oriented and individual-based (or “neoliberal”) understanding of the meaning of consumer politics. In the second case, that of social movement theory, the consumer movement’s case proves more challenging, and raises questions regarding the “fit” of the movement to be analyzed in the conceptual tools of this scholarship. I argued that rather than foregoing such analysis, the case of consumer movement encourages us to re-examine basic assumptions and principles of this literature, and to reorient it

⁵⁹ Joshua Gamson, “Must Identity Movements Self-Destruct? A Queer Dilemma,” *Social Problems* 42, no. 3 (1995): 390–407; Armstrong, *Forging Gay Identities*.

⁶⁰ Sandra R. Levitsky, *Caring for Our Own: Why There Is No Political Demand for New American Social Welfare Rights* (Oxford: Oxford University Press, 2014), especially 66–90.

toward the sociological problems of the formation and maintenance of collectivity as the basis for, or the consequence of, collective action.

In the rest of this dissertation, these two perspectives are treated separately: I treat the politics of consumers, and specifically of the consumer movement, as the empirical material for the historical examinations; and I draw on theoretical tools and concepts of the social movement literature to conduct these examinations, in particular, on policy effects, collective identity and the relationship between movements and electoral politics, in the three analytical chapters (Chapters 4–6) respectively. Here, I conclude by emphasizing the need to bring the two perspectives closer together, by incorporating political-economic considerations, and particularly considerations of consumer politics – in its definition that was offered above – into social movement theory more broadly. Of course, the social movement literature has not been oblivious to political economic considerations. For example, it has studied various aspects and campaign of the labor movement, and it has considered tactics of consumer activism in the movements that have been well-studied by this literature (such as the sit-ins of the civil rights movement or the consumer boycotts organized by the farm workers movement). Still, the last decades have seen growing social movement campaigns and protests that have targeted market actors, often from a consumer standpoint: from campaigns for social responsibility, to the Occupy Wall Street protest, to conservative and liberal campaigns and counter-campaigns about businesses’ rights or obligations regarding anti-discriminatory policies. In the face of all these, the conventional model of social movement mobilization has remained unchanged, while its utility to analyze and explain these campaigns and movements can be questioned. While I do not have a solution for reformulating this model such that it incorporates these aspects, I contend that studying the consumer movement might point us in the direction of this needed reformulation.

Chapter 3. Historical background of the postwar consumers' republic and an overview of the 1960s-1970s consumer movement

This chapter presents the immediate historical background for the rise of the consumer movement in the 1960s and portrays an overview of the movement in its heyday, in the '60-70s. It opens, in section A, with a close reading of a treatise from 1960, which voiced the plight of the modern consumer and called to establish a national organization of American consumers. While an isolated – indeed eccentric – voice, the author of this prophetic treatise captured something of the zeitgeist at the culmination of the postwar American “consumers’ republic.” The next section goes back to describe this postwar period, focusing on the centrality of mass consumption in political economy and political culture in the postwar decades – the backdrop on which the consumer movement developed. The next two sections move forward to the 1960s-70s and describe the movement from a holistic perspective. They are intended to provide an overview of the movement, which will also serve as a preview to the more detailed examinations in the chapters to follow. The first among the two sections opens with a general description of the decades in question, the 1960s and 1970s, in terms of political economy. It then narrates the composition of the consumer movement along three components: a national lobbying leadership oriented toward federal politics; and the grassroots components consisting of: one, consumer groups of middle-class, predominantly white educated professionals, students and women; and two, a smaller yet significant component of organizations working for and with, and sometimes comprised of, low-income consumers. The last section zooms in to analyze a few directories of these grassroots consumer groups, to give an overall “snapshot” of the movement in the 1970s.

A. Prologue: *The Consumer's Manifesto*

In 1960, a New York linguist and author, one Mario Pei, published a peculiar treatise, entitled: *The Consumer's Manifesto*. In it, Pei laid out the plight of the consumer in postwar America and proposed a political solution. Pei – the son of an Italian immigrant family, a polyglot, professor of Romance Philology at Columbia University, and the author of popular non-fiction books, mostly about languages – had already acquired a reputation for proposing grand and eccentric solutions for acute societal problems. A self-proclaimed conservative – he would later publish a book extolling American individualism and denouncing communism and other forms of collectivism – he nevertheless envisioned ways to unite humankind. At the end of World War II,

he proposed “A Constitution for the World.” A decade later, he proposed “One Language for the World” – the program entailed the United Nations choosing one language, any language, and teaching it to all of world’s children as a second language in kindergarten (he sent the book to every government-head around the world). Two years later, his program for achieving unity was much more modest, yet still ambitious: He proposed that all American consumers come together to form a civic association for the betterment of the consumer’s situation – the United Consumers of America.¹

In the first part of *The Consumer’s Manifesto*, entitled “The Situation,” Pei explained the contemporary problems of American consumers, namely, that they were caught up between the three influential economic forces – those of government, business and labor. It is a Marxian-inspired analysis, both in the sense that it acknowledged the existence of the two oppositional classes, the working class and capitalists, and in the sense that it attempted to update this class-based analysis to the realities of postwar America. Pei claimed that the consumers constitute a class as well, one that is at the core of a “new class war,” as one of the chapters is entitled (Chapter VIII). It should be borne in mind that at the time of the publication, the American unionized working class was far from resembling Marx’s unorganized proletariat: around the mid-1950s, membership peaked to more than a third of the non-agricultural workers, and that period also saw the merger of the two largest labor-union coalitions in the country, the American Federation of Labor with the Congress of International Workers. Like every other conscious American at the time, Pei was keenly aware of this situation: “The unions have come of age, and we now have giant unionism running neck and neck with Big Business and Big Government.”²

Pei centered his analysis on the aforementioned growth of the labor movement and increase of its influence, alongside the coeval growth of corporate America, in numbers and political influence. On this backdrop, argued Pei, what is neglected is the plight of “The Forgotten Man”

¹ Mario Pei, *The Consumer’s Manifesto* (New York: Crown Publishers, 1960). Pei’s earlier proposals: *The American Road to Peace: a Constitution for the World* (New York, S.F. Vanni, 1945); *One Language for the World*. (New York: Devin-Adair, 1958). His book expressing and promoting conservative thought: *The America We Lost; the Concerns of a Conservative* (New York: World Pub. Co., 1968). On pei’s biography: Wolfgang Saxon, “Mario Andrew Pei, Linguist. Dies at 77,” *The New York Times*, March 5, 1978; Y.M., “From Rome to New York City: Necrology — Mario Andrew Pei (1901-78),” *Romance Philology* 32, no. 4 (1979): 495–502.

² Pei, *The Consumer’s Manifesto*, 22–23. For rates of union membership, see William T. Dickens and Jonathan S. Leonard, “Accounting for the Decline in Union Membership, 1950-1980,” *Industrial and Labor Relations Review* 38, no. 3 (1985): 323–34.

(Chapter I's title) – the American consumer.³ It should be noted here that despite the overall characterization of the postwar economy as one of continuous prosperity, it was not an even growth – neither over time nor over the population. Cost of living rose steadily during the 1950s, and while the average household income also showed a steady rise, it was not distributed evenly. Additionally, the period was checkered by several downturns. The 1958 recession was the most severe one since the end of the World War, yet in contrast to previous recessions of the decade, prices did not go down but continued to increase (See Figures 3 at the end of the section).⁴ According to Pei's analysis, the consumers were required to pay the price of the sequential crises of capitalism, but corporate managements were not, nor did unionized workers. "The consumer, being neither informed nor organized, succumbs to the twin siren song of capital and labor and signs the check – if he is able to. Otherwise, he merely pulls his belt in another notch."⁵ Nor were the consumer's needs being addressed by politicians, who were too influenced by the lobbyists of powerful groups. "Consumers, being a series of individuals without an organization, do nothing to offset the lobbying activities of their class enemies."⁶

The root of the problem, then, was the lack of organization among consumers, and Pei offered a solution. "Why is he unorganized? Because it has never occurred to him to view himself as a member of a class – an economic class, just as important from the economic point of view as capital and labor – the consumer class." In Part Two of his Manifesto, "The Remedy," Pei presented his idea for a solution to the problem, which obviously entailed organizing consumers. In this part, and in a brief appendix, he sketched a blueprint for the foundation of an organization that will include all American consumers, The United Consumers of America. Following his crude class analysis, Pei suggested a consumer union fashioned after the labor

³ The notion of the consumer as the "forgotten man" of the American economy was not original to Pei, and was used, in fact, by politicians in years previous to and around the time of Pei's book publication. Thus, for example, this phrase was used by New York Governor, Averrel Harriman, when he justified during his term (1955-1959) his decision to include consumer representation in his government; and by Senator Estes Kefauver in his proposal in 1959 to establish a Department for Consumer Representation in the federal Cabinet – a proposal that was echoed (using the same phrase) in John F. Kennedy's presidential campaign in 1960. On the former, see Persia Campbell, "Consumer Representation at the State Level: The Pioneer, New York," in *Consumer Activists: They Made a Difference: A History of Consumer Action Related by Leaders in the Consumer Movement*, ed. Erma Angevine (Mount Vernon, N.Y.: Consumers Union Foundation, 1982), 213–14. On the latter two, see Richard J. Leighton, "Consumer Protection Agency Proposals: The Origin of the Species," *Administrative Law Review* 25, no. 3 (1973): 291–95.

⁴ See Richard W. Gable, "The Politics and Economics of the 1957-1958 Recession," *Western Political Quarterly* 12, no. 2 (June 1, 1959): 557–59.

⁵ Pei, *The Consumer's Manifesto*, 27.

⁶ *Ibid.*, 36.

unions. “If the consumer wants to get anywhere as a class,” wrote Pei, “he, too, must unite and organize. [...] Consumers have gotten exactly nowhere by individual action. Concerted action, even if, ironically, it was unplanned and unwanted, has proved to be the only effective means of curbing the boundless appetite of both management and labor for greater profits and wages at the consumer’s expense.” It was important for Pei to note, however, that the aim of his proposal was to reform and perfect the current system, not to replace it. He asserted that there was nothing revolutionary in this proposal. “‘Union-busting’ or the abolition of capitalism are emphatically not among the goals of the proposed consumers’ organization.”⁷

According to Pei, The United Consumers of America should be a civic organization that operates legally, open to all members who wish to join, funded by dues-paying members, and run by professional, full-time, paid talented leaders. Its modes of action would be first educational and informative for its members. In addition, it would participate as a third party in labor-management negotiations, in order to evaluate the merit of both sides’ stances and to minimize labor stoppages and strikes – which considerably hurt consumers. Finally, and only if these measures have to be taken, it will resort to enforce its demands through the measure of a boycott, or a consumer strike, which would be publicized among its members. Pei did not exclude forming political action committees by the United Consumers of America. He further suggested, as a possible ramification, a union of taxpayers that will exert similar political pressure on the government. Pei’s manifesto ends with an all-capitalized call: “Consumers of the world, arise! United we stand, divided we pay more!”⁸

Obviously, Pei’s political program had various problems, with its lack of feasibility being the greatest, or perhaps, second to the fact that Pei himself did not propose any contribution to executing it. Pei did not think through his program thoroughly – he admitted that he preferred to leave the detailed planning to others.⁹ His own plans for the United Consumers of America, as laid out in his treatise, were often superficial, at times contradictory, and overall, evidently naive.

⁷ Ibid., first quote from p. 11, second one from p. 61, third from p. 75.

⁸ Ibid., 100.

⁹ Ibid., 66, 83, 107. In line with the common views of the “white-collar society” in the postwar period, Pei noted that questions of “methodology” and “organization” should be left to “the professional talent” that would run the organization: “[T]he United Consumers of America must not be run by amateurs who are not paid and merely devote their spare time to their work as officials. The officials and staff of the organization must be full-time, highly paid professional, as are the officials and staff of a labor union.” (66); “Technical details [...] must be left to experts in the organizational field. I am no such expert, and never expect to become one. Hence, any advice I might volunteer [...] would be of not particular value” (p. 107 in Appendix II: How to Go About It).

Moreover, coming from someone who had no connection whatsoever with the already developed world of consumer interests, expertise, and even – developed to a lesser degree – advocacy, Pei’s manifesto was ignorant of the historical attempts made in the past to form exactly such united consumers’ bodies. Such attempts were especially made during the 1930s-40s, when consumer organizations in various forms were actually quite successful. Other attempts were made in the decade that ended with the book’s publication, although they did not bode well. Still, Pei clearly had a point, and even though a review of the book predicted that the call to American consumers would fall on deaf ears,¹⁰ his proposal for a solution proved to be, in hindsight, quite prophetic. A decade after the publication of the Consumer’s Manifesto, nobody could legitimately claim that the American consumer had never been organized, with the consumer movement becoming a political force and enjoying wide popular appeal. In the mid-1970s, there existed several hundred groups performing precisely the solution Pei pointed to – uniting and organizing consumers – including a handful of national organizations claiming to speak for all American consumers.

Publishing his treatise in 1960, Pei was at the same time somewhat predictive and somewhat out-of-sync with the world around him, but on a deeper level, he clearly captured something of the zeitgeist and the shifting times. Pei’s ideas about the plight of the consumer were not original. His overall political-economic analysis was reminiscent of John Kenneth Galbraith’s notions, popularized at the time through his widely read books on the countervailing powers in advanced capitalist economy and the unfulfilled myth of consumer sovereignty in the affluent society. Pei’s lament on “the forgotten man of the economy” echoed the calls of Democratic politicians in favor of consumer representation. True, Pei gave these ideas a more concrete, and idiosyncratic, formulation, but his voice expressed the feelings of growing sections of the population. Many of them, like Pei himself, were professional, white-collar, middle- and upper-class Americans, who experienced the pressures of life and of the steadily rising cost of living and felt caught up between “Big Government” with its labyrinthine bureaucracy, “Big Business” with its domineering voice (amplified through increasing number of advertisements), and “Big Labor,” probed at the time for racketeering and other corruptions. Other populations, such as suburban housewives and Black, low-income, urban residents, felt even more trapped by these

¹⁰ Harold L. Wattel, “Review of *The Powerful Consumer: Psychological Studies of the American Economy; The Consumer Manifesto: A Bill of Rights to Protect the Consumer in the Wars Between Capital and Labor*,” *Social Research* 28(2): 242–244 (1961).

and other forces of the time. In the coming decade, the 1960s, these pressures would intensify and finally explode in numerous forms of upheavals. For now, Pei tapped into a public sentiment only starting to take shape, at the culmination of what Lizabeth Cohen called “the consumers’ republic,” which will be described in the next section.

Figures 3-a: Consumer Price Index: (1) 1948-1980, (2) 1948-1963

Figures 3-a-1 show clearly the rise of inflation from the mid-1960 (around 1965) until 1980, with a sharp turn upward around 1973-1974. Figure 3-a-2 zooms in on the period until 1963 to show the fluctuations within that period, which in figure 3-a-1 looks like it’s characterized by a relatively moderate growth.

Figure 3-a-1 (Source: Federal Reserve Bank of St. Louis website)

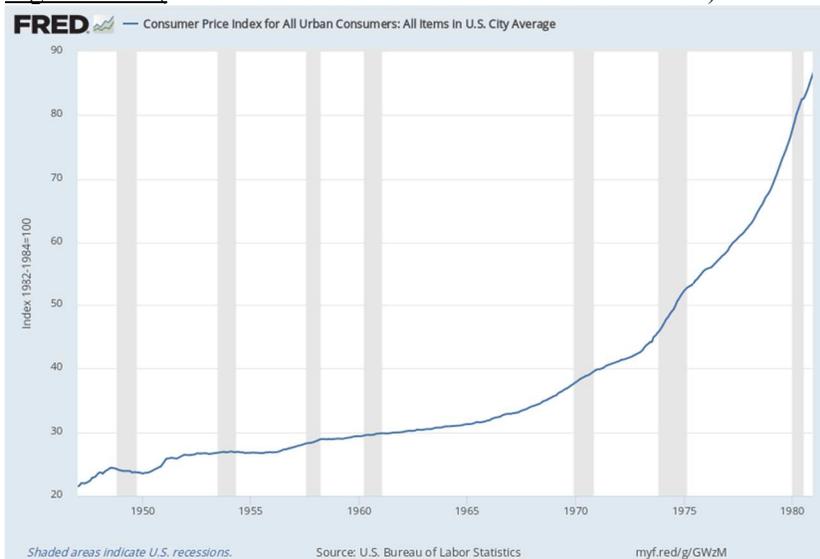
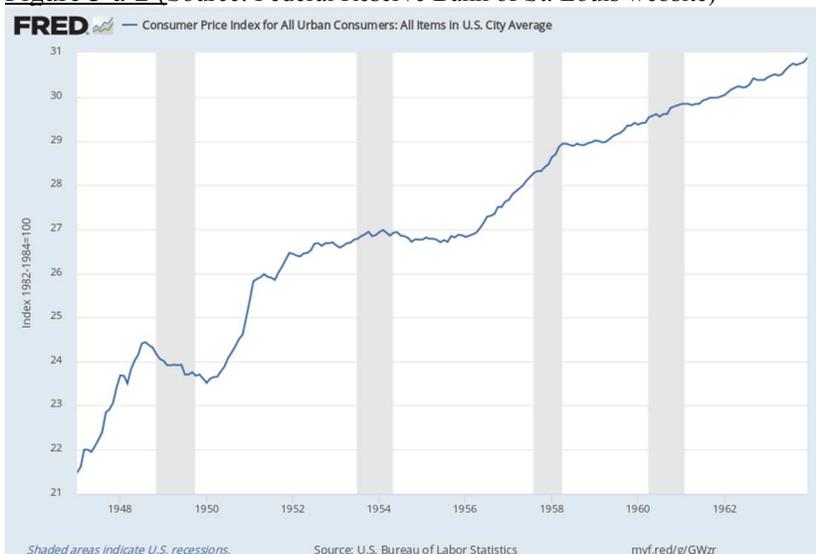


Figure 3-a-2 (Source: Federal Reserve Bank of St. Louis website)



CPI for All Urban Consumers in the U.S., City Average, Index 1982-1984 = 100; Monthly, seasonally adjusted.

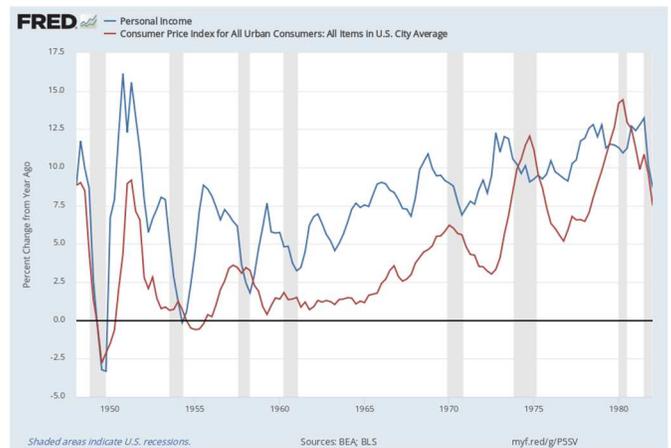
Figures 3-b: Personal Income and CPI, % change from previous year:
(1)1948-1980, (2)1948-1963

The figures juxtapose Personal Income with Consumer Price Index. Note the areas of the graphs when personal income fell below CPI. From 1950 to 1960, twice: around the recessions of 1954 and 1958-59; in the 1970s, twice: around the recessions of 1974-75 and in 1979-80. Notice also, in Figure 3-b-2, the trend of a gap between personal income and the Consumer Price Index. It remains a large gap during the 1960s but declines in the end of the decade.

Figure 3-b-1. 1948-1960



Figure 3-b-2. 1948-1982



CPI for All Urban Consumers in the U.S., City Average. Index 1982-1984 = 100; Monthly, Quarterly adjusted.
Source: Federal Reserve Bank of St. Louis website

B. Postwar American consumer society and the consumers' republic, 1945-1960

In the decade and a half after World War II, more Americans than ever before achieved a greater level of economic wealth than ever experienced. Not only did these American citizens enjoy a new level of material comfort and new consumer goods, but they also cultivated a new understanding of the meaning of being American: along with that consumer-based economic prosperity, came a redefinition of “the American Way of Life.” Much more than simply satisfying material needs, consumption and its centrality in life became a definitive feature of the national ethos, and on the backdrop of the Cold War, it was also demonstrative of the superiority of the uniquely American values that other countries aspire (or should aspire) to adopt. At the heart of this redefined national ethos stood a political economy, and no less, a political culture, of mass consumption, and on the main stage stood its protagonist, the American consumer. As demonstrated and told by historians, most notably Lizabeth Cohen in her book, *A Consumers' Republic*, in the postwar years, the United States had led “an economy, culture, and politics built around the promises of mass consumption, both in terms of material life and the more idealistic

goals of greater freedom, democracy and equality.”¹¹ During this period, and after decades of heightened activity during the Great Depression and the World War years, consumer mobilization and advocacy waned, despite the significant growth in circulation of *Consumer Reports*, the flagship magazine of the established product-testing organization, Consumers Union. Other attempts of consumer advocates to organize following the activity of previous years were either unsuccessful or deliberately stayed away from political advocacy.

The end of the World War brought about economic relief and growth to many parts of the world, but in the U.S. – where the horrors of the wars were not felt directly on the homeland – citizens experienced prosperity through unprecedented material comfort of life. The period’s economic growth has shaped not only people’s lives, but also the country’s landscape. For the first time in modern American history, or at least since 1890, when the Census Bureau started including the question, most people lived in homes they owned. (Home ownership rose from 43.6% in 1940 to 55% in 1950, and to 62% in 1960). This rise in home ownership owed much to the spread of mortgage loans (57% of homeowners among non-farm homeowners had mortgages in 1960). Of course, the average homeownership rates represent mostly the white population (in which home ownership rose from 45.7% in 1940 to 64.4% in 1960). While among non-whites homeownership rates also grew substantially (from 23.6% in 1940 to 38.4% in 1960), homeowners were still in the minority, and the majority still lived in rented homes.

Owned or rented, these American homes were modernly equipped, for example, with modern cooking facilities and flush toilets. (Less than half of the population used gas for cooking in 1940 versus almost 64% in 1960; only 5.4% of houses had electricity for cooking in 1940, but that percentage tripled to 15% in 1950 and more than doubled again to 30.8% in 1960; in-house flush toilet for exclusive use rose from a little under 60% in 1940 to almost 87% in 1960). In the figurative language of Eric Hobsbawm, “the Middle Ages ended suddenly in the 1950s, or perhaps better still, they were *felt* to end in the 1960s.”¹² These American homes tended also to be more spacious, and, perhaps most notably, more and more of them were located in the

¹¹ Lizabeth Cohen, *A Consumers’ Republic: The Politics of Mass Consumption in Postwar America* (New York: Alfred A. Knopf, 2003), 7. See also Gary S. Cross, *An All-Consuming Century: Why Commercialism Won in Modern America* (New York: Columbia University Press, 2000), 89–103; Douglas T. Miller and Marion Nowak, *The Fifties: The Way We Really Were*, New York: Doubleday, 1977), especially 106–126.

¹² Eric J. Hobsbawm, *The Age of Extremes: A History of the World, 1914-1991* (New York: Pantheon books, 1994), 288. Hobsbawm refers here to “80% of humanity” but the U.S. led the trend of economic growth by various measures and was far ahead of other countries.

suburbs. Starting in the early 1950s, the trend of suburbanization would continue for the next three decades. Already in 1960, most of the population in the 100 largest metropolitan areas lived in suburbia.¹³

The postwar prosperity was evident not only in the homes that Americans built, bought and populated, but also in the consumer goods with which they filled them. With the disposable personal income more than doubling between 1945 and 1960 (from \$150 to \$350 billion, in 1970 prices), consumers purchased more goods and services, satisfying pent-up demand from the long years of depression and war. Personal consumption expenditures continually rose during the 1950s, both in absolute numbers and as the share of GNP, and that growth was particularly noticeable in the category of durable goods – furniture, home appliances and cars.¹⁴ Among those, electric appliance were most noteworthy: a survey conducted in 1963 found that 96.4% of households had electric refrigerators, about 72% had a vacuum cleaner and a similar percentage had a washing machine. Small electrical appliances were common too: toasters could be found in 77% of households, mixers in 65%, automatic coffeemakers in 49%, and electric shavers in 45%.

¹³ Percentages of home ownership and of mortgages are from U.S. Bureau of the Census, *Historical Statistics of the United States - Colonial Times to 1970* (Washington: U.S. Dept. of Commerce, Bureau of the Census, 1975) [hereinafter: *Historical Statistics* (1975)], Part 2, Series N 238-245 on p. 646, and Series N 302-307 on p. 651, respectively. Percentages of white and nonwhite population are from *Statistical Abstract of the United States 1962* (Washington, 1962), Table 1071 on p. 758. Percentages of in-house flush toilet and cooking facilities are from *Statistical Abstract of the United States 1964*, (Washington, 1964), Table 1085 on p. 755. Homes more spacious: Units with 0.5 or less persons per room rose from 31% in 1940 (from *Statistical Abstract of the United States 1947* (Washington, 1947), Table 906 on p. 801), to 42% in 1960, (computed from *Statistical Abstract of the United States 1964*, Table 1090 on p. 759). On suburbanization, see Cohen, *A Consumers' Republic*, 194–256, Kenneth T. Jackson, *Crabgrass Frontier: The Suburbanization of the United States* (New York: Oxford University Press, 1985); Miller and Nowak, *The Fifties*, 132–139; David Halberstam, *The Fifties* (New York: Villard Books, 1993), 131–143. Cohen, 195, cites a *Fortune* article from 1953 that notes that suburban residents represent 19% of U.S. population. However, statistical measures of suburbanization in that period are problematic due to Census definitions (see also Jackson, *Crabgrass Frontier*, 4–5). A more recent Census Bureau study found that in 1960, 56.6% of the population in the 100 largest metropolitan areas were living outside the central cities: Todd K. Gardner, “Urban-Suburban Migration in the United States, 1955-2000,” Working Paper No. CES-16-08, February 2016. See also John F. Devany, *Tracking the American Dream: 50 Years of Housing History from the Census Bureau, 1940-1990*, Current Housing Reports, Series H121/94-1, U.S. Government Printing Office, Washington, D.C. 1994.

¹⁴ The statistics are from *Historical Statistics* (1975). Disposable personal income is measured in 1970 prices: Series F 6-9 on p. 224. The per capita disposable personal income shows a more modest perspective on the rise, though it is still a substantial increase (almost doubling if measured in 1970 prices, from \$1074 in 1945 to \$1937 in 1960; or from \$1642 to \$1883 if measured in constant (1958) prices). However, the per capita measure may be misleading due to the demographic growth of the baby boom generation, which in 1960 was already counted in large parts (all those above the age of 15) in the population denominator). Personal consumption expenditures, based on Series F 47-70 on p. 229. The share of personal consumption expenditures as part of the GNP fell to less than 52% in the last two years of the war, then rose to 56% in 1945, and then to above 67% in the next five years. In the years 1951-2, it went back down to less than 63%, and steadily rose during the decade. The share of durable goods within consumer expenditures rose back from the last war years, when it was less than 7%, to double digits in the last half of the 1940s, reaching 16% in 1950. It stayed around 14%-15% during the following decade.

Eleven percent of households had an electric can-opener, which in 1953 was singled out by a food writer as “that *open sesame* to wealth and freedom.” The home electrical appliance that probably most represented the fifties was the television set. Although invented in earlier period, in 1950 only around 10% of American homes had a TV; in 1960 – around 90% had one, an even higher rate than homes with a telephone.¹⁵

The television was not only “the most important domestic consumer product of the 1950s,” it also had an immense effect on the homogenization of culture – and at least according to some, also its debasement – through its programming, but no less, through advertising. In 1945, advertising expenditures reached \$2.875 billion – still lagging behind the \$3 billion figures of the late twenties. But already in 1946, they surpassed them, and kept growing to \$5.7 billion in 1950, and more than twice that sum in 1960. Among advertising expenditure, TV advertising obviously saw the largest increase from almost non-existing in 1950, as during the decade TV broadcasting came to be dominated by commercial interests. By 1957, the average TV viewer saw five hours of ads per week, and as Miller and Nowak put it, “Never before had so many people heard so often that happiness and security rested in ceaseless acquisition”. If there is one consumer good that can compete with the TV-set as the symbol of the 1950s, it is the car. Indeed, TVs and cars were the two categories that increased the most among personal consumption expenditure products between 1945 and 1960, leaving behind all others: The “radio and TV sets, records and musical instruments” category saw a sevenfold increase in those 15 years, and spending on “new and used cars” was 32 times more. Between 1950 and 1955, the number of registered automobiles (not including trucks and buses) exceeded 50 million, and thus surpassed the number of American households. In 1960, nearly 80% of households had at least one vehicle (between roughly 15% to 20% had more than one).¹⁶

¹⁵ Electric home Appliances percentages from *Statistical Abstract of the U.S. 1964*: Table 1088 on p. 757. The quote about can opener is from Halberstam, *The Fifties*, 496. TV set percentages from Cross, *An All-Consuming Century*, 100. Cross quotes the percentages of 9% in 1950 and nearly 90% in 1960. According to the Census Bureau, as brought in the *Statistical Abstract of the U.S. 1964* (Table 1085 on p. 755), the percentages are 12% for 1950 and 87.3% for 1960. The same table shows that only 78.5% of the households as equipped with a telephone device (and 91.5% with a radio set).

¹⁶ Quote about television as the most important is from Cross, *An All-Consuming Century*, 100. Advertising expenditures are taken from *Historical Statistics* (1975), Series T 444-471 on pp. 855–6. Five hours of advertising per week, cited in Cross, *An All-Consuming Century*, 103, and the quote from Miller and Nowak is from *The Fifties*, 352. Spendings on categories of personal consumption expenditures are from *Historical Statistics* (1975), Series G 416-469 on p. 318. Numbers of registered automobiles: *Historical Statistics* (1975), Series Q 175-186 on p. 717. According to this table, in 1960 15% of the population owned more than one car; according to *Historical Abstract 1964*, Table 1085 on p. 755, the percent was 21.5%. For contemporary writing on the importance of cars in the

It is important to note that despite this expansion of mass consumption, this was not entirely the golden age of continuous prosperity, and the prosperity was not for everyone. There were still occasional recessions, unemployment and also pockets of poverty. No less than three economic recessions occurred between 1945 and 1960, and another one in 1960 (see figures 3-a-1, 3-b-1). In each of them, economic growth slowed down, and unemployment rates rose. It should also be noted that the various consumer purchases were funded not only by increasing personal disposable income, but also by a significant expansion of consumer credit. While more intensified in later decades, the postwar period saw the origins of this trend. Between 1945 and 1960 there was a jump of more than fifteenfold in installment debts – the largest component of consumer credit (other than home mortgages). The general-purpose credit card, innovated in 1950 by the Diners Club, was followed in the late fifties with cards issued and mass-distributed by American Express and Bank of America.¹⁷ Not all Americans were given the same credit, however, and more broadly, certain sections of the population enjoyed only little (if at all) of the growing economic pie. These included Blacks in urban areas (which were emptying out due to suburbanization); farm workers, mostly of Mexican descent, in the Southwest; and others, including whites, in depressed rural areas, especially in Appalachia. Still, for a majority of American citizens in cities and suburbs, this was a period of sustained economic growth, remarkable not only in hindsight, and compared to the tumultuous decades of inflation and crises to follow, but also, and especially, compared to the previous two decades that were marred by a horrible depression and a horrendous world war.

Much more than a mere economic development, the postwar prosperity had cultural effects and was in itself a cultural phenomenon. As such, the uniquely American manifestation of abundance, with the private mass-consumption that stood at its center, were subject to various evaluations and social analyses, both celebratory and critical. The celebrations were notable in contemporary magazine articles, but also academic books. Celebrating “The American Way of Life” and America’s “popular capitalism,” the February 1951 issue of *Fortune* was so well-received that it was published later as a book that became a best-seller. Five years later,

mass-consumption economy, see: David Riesman and Eric Larrabee, “Autos in America,” (1956-57), pp. 270–299 in: *Abundance for What? And Other Essays* (David Riesman, New York: Doubleday & Co., Inc., 1964). See also Gary Cross, *Machines of Youth: America’s Car Obsession* (Chicago: University of Chicago Press, 2018).

¹⁷ On consumer credit see Cohen, *A Consumers’ Republic*, 123–124; Miller and Nowak, *The Fifties*, 118–119; Cross, *All-Consuming Century*, 116, 175; *Historical Statistics* (1975), Series X 114-147 on p. 978.

“People’s Capitalism” was picked by the Advertising Council as the title of an exhibit that the U.S. Information Agency planned to send for international displays. That year, another *Fortune* article, entitled “What a Country!” declared that “Never has a whole people spent so much money on so many expensive things in such an easy way as Americans are doing today.” Admittedly, in the background of such triumphant celebrations were the experience of victory in the wake of WWII, and, more immediately, the Cold War, as evidenced also in the famous 1959 “Kitchen Debate.” At this event, then Vice-President Nixon demonstrated, while visiting the American exhibition in Moscow, the superiority of American capitalism by referring to the technology of home appliances in the model American home. Regardless of the geopolitical and ideological backdrop, American abundance was not merely a materialistic celebration. It engaged aspects of a national ethos and broader cultural assessments.¹⁸

The assessments of the new consumer society were not all celebratory, and criticism increased later in the period. Already in the early 1950s there appeared critical analyses – widely read and accepted – such as *The Lonely Crowd* by Riesman et al., (1950) and *White Collar* by C. Wright Mills (1951), although they were aimed more at the phenomena of conformism and collectivism of postwar America, rather than at its reliance on mass-production and mass-consumption. Later critics approached the issue more directly. In *The People of Plenty* (1954), historian David Potter analyzed abundance as the condition that shaped Americans’ national character, and offered a nuanced account that shared some of the contemporary optimistic outlook, but was tempered by concerns regarding the consequences of such a condition. Most critical were the comments made toward the central “institution of abundance,” a-la Potter, which was advertising. Advertising was indeed the main target of much contemporary criticism and the first in a trilogy of non-fiction best-sellers by author Vance Packard, which directly and harshly criticized the consumer society – *The Hidden Persuaders* (1956), *The Status-Seekers* (1959) and *The Waste-Makers* (1960). The former was about advertisers; the latter two were about consumers and their manipulation by corporate America, to achieve social status by consumption or to consume more by planned obsolescence. As historian David Horowitz

¹⁸ Editors of *Fortune*, with the collaboration of Russel W. Davenport, *U.S.A.: The Permanent Revolution* (New York: Prentice Hall, 1951). The *Fortune* 1956 article is quoted in Halberstam, *The Fifties*, 496. See also Miller & Nowak, *The Fifties*, 106–115. On the Kitchen Debate, see Cross, *An All-Consuming Century*, 91; Nicole Williams Barnes, “Making Easier the Lives of Our Housewives: Visions of Domestic Technology in the Kitchen Debate,” pp. 89–104 in *Home Sweet Home: Perspectives on Housework and Modern Relationships* (Patton and Choi eds., Rowman & Littlefield, 2014); William Safire, “The Cold War’s Hot Kitchen,” *The New York Times*, July 23, 2009.

commented, this trilogy at the same time assailed aspects of mass-consumption, and helped to fortify them and their status in public opinion. In arguably the most profound critique of the celebrated economic prosperity, published in 1958, Harvard economist John Kenneth Galbraith warned about the dangers of heralding private economic growth and spending, at the expense of public goods. But even Galbraith could not resist entitling his book *The Affluent Society*, ironically assisting to engrave in the collective memory the prosperous image of the period.¹⁹

Not only the new phenomenon of mass-consumption was given to divergent social and moral evaluations, but consumers themselves were given different interpretations with regard to their status within the new consumer society. In 1960, two books were published that put the American consumer at their center (and title) – but with opposite outlooks. The first was *The Powerful Consumer*, by economic psychologist George Katona. The second was *The Consumer's Manifesto* by Mario Pei, discussed in the previous section. Like Pei, Katona was an immigrant. Before arriving to the U.S., he had earned a psychology doctorate in Germany and worked there as an economic journalist during the inflationary interwar years. During World War II, under the Cowles Commission, Katona started conducting surveys of consumers' financial attitudes. He would continue to develop this type of psychological-economic research after the war, at the University of Michigan's Survey Research Center. A famous product of his work was the Consumer Confidence Index. In his 1960 book (as well as in a couple of later books), Katona attempted – quite unsuccessfully – to assume a role of a public intellectual. Based on insights from his ongoing survey research, he replied to the various contemporary critics of consumer society by claiming that “while not fully rational, consumers are not puppets in the hands of unscrupulous manipulators.” Rather, he stated, American consumers were a stabilizing force in the economy. Intriguingly, both Katona and Pei referred to consumers in the aggregate (despite

¹⁹ See, in general Daniel Horowitz, *The Anxieties of Affluence: Critiques of American Consumer Culture, 1939-1979* (Amherst: University of Massachusetts Press, 2004); David Riesman, *The Lonely Crowd: A Study of the Changing American Character* (New Haven: Yale University Press, 1950); C. Wright Mills, *White Collar; the American Middle Classes*. (New York: Oxford University Press, 1951); David Morris Potter, *People of Plenty; Economic Abundance and the American Character*. (Chicago: University of Chicago Press, 1954); on Potter see also Horowitz, *The Anxieties of Affluence*, Ch. 3, pp. 79–100. See Vance Packard, *The Hidden Persuaders* (New York: D. McKay Co., 1957); *The Status Seekers: An Exploration of Class Behavior in America and the Hidden Barriers That Affect You, Your Community, Your Future* (New York: D. McKay Co., 1959); *The Waste Makers* (New York: D. McKay Co., 1960); on Packard see also Horowitz, *The Anxieties of Affluence*, 108–120. John Kenneth Galbraith, *The Affluent Society* (Boston, Mass.: Houghton Mifflin, 1958), and see also Horowitz, *The Anxieties of Affluence*, pp. 102–108. Galbraith's original title for the book was “Why People Are Poor”; he later regretted removing the problem of poverty from the title. See Charlotte Curtis, “The Affluent Society, 1983,” *The New York Times*, November 22, 1983, sec. C (Arts).

putting the single “consumer” in the titles of their books), and they explicitly addressed the “unorganized mass” of consumers. Both contrasted this mass with powerful business leaders or government officials. Katona emphasized that, thanks to being conservative and sane, in their unorganized mass consumers constitute a tacit, stabilizing power. Pei, in contrast, bemoaned the consumer lack of power and called for their organization.²⁰

Katona and Pei were right to characterize consumers as an unorganized mass in 1960. Indeed, mobilization for the consumer interest ebbed in those years, especially relative to the bustling activity of previous (and later) decades. The few attempts at consumer organizing made during the postwar period were either aborted or non-political in nature. There were various reasons for this, including the economic prosperity of the postwar, but also Cold War red baiting. Indicative is the story of Consumers Union. The established product-testing organization saw an unprecedented circulation growth of its primary publication, *Consumer Reports*, from less than 100,000 in 1945, to 500,000 around 1950, and 1 million in 1960. But this growth came with significant organizational transformation of the organization, with fierce internal debates among its leadership and the resignation of some of the leading personnel. The readers of *Reports* were no longer referred to as “members” of the Consumers Union but rather as “subscribers;” and in contrast to the past, the organization stayed clear of overtly political topics, and it also started using advertising to increase circulation. These tactics were pursued by the board in accord with the commercial trends of the times. At the same time, they reflected endeavors to become less a “consumer movement” body and more a “product-testing agency and publisher” of the *Consumer Reports* impartial magazine, and to clear the organization’s name from accusations of communism. The latter was accomplished only in 1954, after hearings before the House Un-American Activities Committee.²¹

²⁰ George Katona, *The Powerful Consumer: Psychological Studies of the American Economy* (New York: McGraw-Hill, 1960). Quote about “not puppets” is from p. 9. On Katona see also Horowitz, *The Anxieties of Affluence*, 64–77; Karl-Erik Wärenyrd, “The Life and Work of George Katona,” *Journal of Economic Psychology* 2 (1982): 1–31 (1982). Pei, *The Consumer’s Manifesto*, see also the prologue to this chapter. For a review article that brings both books together, see Wattel, “Review of *The Powerful Consumer; The Consumer Manifesto*”.

²¹ Consumers Union faced allegations of communism since its foundation in 1936, as a split from a different product-testing organization, Consumers’ Research over a labor disputes and political-ideological differences of opinion. The leaders of Consumers’ Research made repeated accusations of communism among CU’s ranks over the years, and the issue resurfaced during the McCarthy era. See Norman Isaac Silber, *Test and Protest: The Influence of Consumers Union* (New York: Holmes & Meier, 1983), p. 123 on Consumers Union in the 1950s, and p. 132 for circulation figures. See also Norman David Katz, “Consumers Union: The Movement and the Magazine, 1936–1957” (Ph.D., United States -- New Jersey, Rutgers The State University of New Jersey - New Brunswick), pp. 94–144 on the ideological origins and early tension between the product-testing goal and movement’s goal, and pp.

The fate of a few other organizations is also telling – in particular, the failure of an activist organization and the establishment of a professional-academic organization. In the wake of World War II, emboldened by their successful experience previously, consumer advocates and others attempted to retain the price control regime of the war-days. These attempts included, in 1946-47, staging protests and food boycotts and organizing “Buy Nothing” days by labor organizations and previously active consumer groups. They also included the founding of the National Association of Consumers (NAC), comprised mostly of the personnel of the disbanded National Consumer Advisory Committee, of the Office of Price Administration. The new organization faltered almost from the start, with membership and grassroots support being its most salient problems. Lingering for hardly a decade, the organization was described in retrospect as a failure by one of its founders.²² (Another consumer activist organization, the old National Consumers’ League, held barely three functioning chapters and had also considered disbanding in this period.²³) In contrast, in 1953 the Council of Consumer Information (CCI) was established by a group of academics, mostly economists, and among them were some of the NAC members (by 1957, the moribund NAC was absorbed in CCI). Some of these academics had activist backgrounds and economic views that were considered radical, but others did not, and in any case, the organization was treated as professional and educational. In its early

308–357 on CU’s fate in the 1950s in the face of the communism allegations and the resulting political caution. And also Colston E. Warne, *The Consumer Movement: Lectures*, ed. Richard L.D. Morse (Manhattan, Kansas: Family Economics Trust Press, 1993), Ch. V, pp. 115–149, on the McCarthy era, and also in Ch. VI, pp. 151–158; and Lawrence B. Glickman, *Buying Power: A History of Consumer Activism in America* (Chicago: University of Chicago Press, 2009), 255–259, 268–273 (including circulation figures on p. 269). Glickman makes the claim that the consumer movement saw “continuation and transformation” during the postwar years, and not decline, but his evidence agrees with the portrayal of decline in activism for the consumer interest, and his claim relies mostly on other forms of consumer activism (e.g., boycotts for civil rights causes or conservative causes), and on the diverse meanings of the consumer movement. He rightly notes that CU continued to publish, in the *Consumer Reports*, exposés for consumer causes, such as product safety, but this does not contradict the decline in political radicalism of *Consumer Reports* or even just political activity of CU compared to previous periods.

²² The National Association of Consumers is mentioned in Cohen, *A Consumers’ Republic*, 131–32; Meg Jacobs, *Pocketbook Politics: Economic Citizenship in Twentieth-Century America* (Princeton, N.J.: Princeton University Press, 2005), 235. For a detailed history of the organization, see Jeanine Gilmartin, “An Historical Analysis of the Growth of the National Consumer Movement in the United States from 1947 to 1967” (Ph.D., United States -- District of Columbia, Georgetown University, 1970), 36–62. See also Warne, *The Consumer Movement*, 130–131, including the statement: “We must confess in retrospect we failed” (Warne was one of the founders of NAC). On the 1947 price protests and boycotts see Glickman, *Buying Power*, p. 266, Emily E. LB. Twarog, *Politics of the Pantry: Housewives, Food, and Consumer Protest in Twentieth-Century America* (New York, NY: Oxford University Press, 2017), 50–54.

²³ Erma Angevine and Sarah H. Newman, “The National Consumer League: New Directions 1940-1980,” in *Consumer Activists: They Made a Difference: A History of Consumer Action Related by Leaders in the Consumer Movement*, ed. Erma Angevine (Mount Vernon, N.Y.: Consumers Union Foundation, 1982), 361.

meetings, members purposely chose to stay clear of policy issues and to focus on information dissemination, mostly among professional academics. This allowed it to receive funding from the politically cautious Consumers Union. The neutral name, with the emphasis on information, was also chosen deliberately.²⁴

In 1967, the Council of Consumer Information changed its name to The American Council of Consumer Interests. But that was already the beginning of a different period – indeed, an era of “consumer interests.” As this section showed, the postwar period, and the 1950s especially, were still a different consumers’ era: a period of growth and expansion of mass consumption, of substantive transformations in the quality of life of citizens and their environments, and in the physical and moral landscape of the nation. This was the era of the consumer, but not much emphasis was put on his – or perhaps (if considering who did the majority of actual purchasing), her – “interests” as a consumer. The interests of consumers were viewed, by businesses and politicians, as well as by consumers themselves, as getting more consumer goods, preferably of improved quality which would make life more convenient.²⁵ Other than “more stuff,” at most, consumer interests were perceived as getting more, and better, information, whether in the form of “consumer education” from professionals or in the form of the “consumer reports” produced by experts who ideally performed impartial product-testing. But other, alternative, notions of consumer interests existed, and were especially salient among those consumer advocates who experienced or remembered the governmental initiatives of consumer representation and grassroots activities of consumer organizing from the New Deal and World War II days. As will be shown in the next chapter, these notions, especially about consumer representation in the government, took hold in the late 1950s and early 1960s and were acted upon in some states by politicians who were sensitive to the kind of public sentiment expressed by Pei.

²⁴ Warne, *The Consumer Movement*, pp. 158–161. See also Marjorie M. Merchant and Norman Silber, *The American Council on Consumer Interests: An Oral History, 1954-1984* (1987, The American Council on Consumer Interests), especially the interviews with the Charter Members: Eugene Beem (1–18), Ray Price (19–40), Arch Troelstrup (65–76) and Marguerite Burk (119–134).

²⁵ For two different explanations on the tendency toward purchasing more – one that is rooted in social psychology and the other anchoring the tendency in the structure of capitalist system – see Juliet B. Schor, *The Overspent American: Upscaling, Downshifting, And The New Consumer* (New York: Basic Books, 1998); Stephen D. Rosenberg, *Time for Things: Labor, Leisure and the Rise of Mass Consumption* (Cambridge, Mass.: Harvard University Press, 2021). While the two explanations present alternative theories, they are not necessarily mutually exclusive. Both are empirically predicated on American society.

Still, it would take a few more years, and the beginning of a change in the political-economic environment, for the isolated initiatives of consumer representation taken by politicians, and for consumer organizing by activists and advocates, to reach the height of activity that would justify not only to speak of a “consumer movement,” but to characterize it as a vibrant social movement with a forceful political presence and cultural influence. The next chapters in the dissertation tell this story of development into a movement in more detail. The next two sections of this chapter give an overview of this movement, and they start by describing the historical economic backdrop for its rise.

C. A general overview of the emerging consumer movement in the 1960s and 1970s

This section presents a general overview of the consumer movement in its heyday, which will also serve as a preview for the movement’s closer analyses in the following chapters. The presentation of the movement overall is divided schematically into three components. The first was an advocacy “arm” which consists of Washington, D.C.-based consumer interest groups, constituting a national “consumer lobby.” The second component comprised grassroots consumer groups in the states and in municipalities that engaged in various direct action and other activities and consisted overwhelmingly of middle-to-upper class, white members. In these groups, there was strong representation to academics (many of them economists), to students and young professionals like lawyers, and to women with families, or “housewives.” The third component consisted of consumer organizations and grassroots groups oriented specifically toward, and sometimes comprising, lower-income populations, or “low-income consumers.” These included especially Blacks and Latinos in urban neighborhoods. Before presenting these three ideal types of consumer groups, I open with an overview of the political-economic background of the period, and a brief description of the consumer protection policies pursued by the government.

From an economic perspective (as from other important perspectives), the two decades that started in 1960 – especially the second among them – were dramatically different from the postwar decades described above. It is of course impossible to adequately summarize all the economic tumultuous occurrences of the late half of the 1960s and 1970s in one short background paragraph, nor even in four long ones. One alternative is to quote a pithy summary of an able student of the period. In the words of historian Robert Collins, “[t]he economic

stagnation, stubborn inflation, and widespread pessimism that marked the 1970s contrasted sharply with the prosperity and confidence of the earlier postwar years.” Another alternative, in lieu of attempting to summarize the period from start to end, is to begin right in the middle, in 1973. This watershed year saw two events marking the changing course of global economy: First, the death of the Bretton Woods system of fixed exchange rates pegged to the gold standard, which finally collapsed with the abandonment of the Smithsonian agreement in March 1973. That agreement itself was a response to President Nixon’s decision, of August 1971, to end the dollars-to-gold convertibility, which marked the beginning of the end. Second, the “oil shock” that followed the embargo set in October 1973 by the Organization of the Petroleum Exporting Countries, which caused oil prices to quadruple and inflation to soar.²⁶

The rising inflation, combined with economic recession and unemployment, would result in the coinage of a new term that came to be associated with the 1970s: stagflation. The inflation, however, continued a trend that started in the middle of the earlier decade. Between 1960 and 1965 the consumer price index increased by a rate of roughly 1.5% per year. In 1966 it more than doubled (with food prices jumping about 5%), and it would not return to the 1-2% level for the next two decades. In the following years, inflation would keep rising, including during an economic crisis in 1968, which led to a recession in 1969-70, the first American economic recession since 1961. Among the reasons for the late 1960s inflation was increasing federal government spending – domestically, on social programs, and overseas, due to the costs of the Vietnam War. Other macroeconomic characteristics of the period may have also contributed: First, the rate of profits dropped since 1965, especially in manufacturing industries that faced growing competition from foreign manufacturers. Second, and relatedly, Euromarkets grew considerably during the 1960s, and consequently multinational U.S. firms made them a target for investment and speculation, especially the London-based Eurodollar market. These two would be among the factors that drove the financialization of U.S. economy over the longer term. In the short term, the latter factor precipitated the collapse of Bretton Woods.²⁷

²⁶ Robert M. Collins, *More: The Politics of Economic Growth in Postwar America* (Oxford University Press, 2000), 8; Jonathan Levy, *Ages of American Capitalism: A History of the United States* (New York: Random House, 2021), 551–60.

²⁷ Robert M. Collins, “The Economic Crisis of 1968 and the Waning of the ‘American Century,’” *The American Historical Review* 101, no. 2 (1996): 396–422; Michael Bryan, “The Great Inflation,” *Federal Reserve History* (blog), November 22, 2013; Youn Ki, “Large Industrial Firms and the Rise of Finance in Late Twentieth-Century America,” *Enterprise & Society* 19, no. 4 (December 2018): 903–45; Levy, *Ages of American Capitalism*, 551–60.

Along with Nixon's announcement on the suspension of dollar-gold convertibility in 1971, he also imposed a price-wage freeze, to combat inflation. The price-wage controls remained in place, intermittently, for eighteen months. This was the first time since World War II that the government issued price controls (and, just like during the war, it prompted leaders of the consumer movement to call on consumers to survey prices and report violations). When the controls were released in January 1973, ten days before Nixon's second inauguration, inflation and food prices started climbing up again. These would be dwarfed, however, relative to the increases following the oil shock later that year. In the following two years, the inflationary spiral following the oil crisis was combined with the worst recession that the U.S. experienced since the Great Depression, and unemployment rates went up. Actually, decrease in male participation in the workforce declined steadily since World War II, but during that mid-70s crisis, the trend of declining average male pay also disconnected from productivity growth, to which it was directly correlated until 1972. In 1975, President Ford reluctantly signed a tax cut, and the stimulated American economy stepped out of the recession. Unemployment rates improved somewhat, and economic growth returned. Inflation rates also fell somewhat, but they would later reverse course and start to climb again in 1976, closing the decade with high rates that surpassed even those of 1974, following another oil shock in 1979. Under the monetary policies led by the new Federal Reserve Board chair, Paul Volcker, inflation was tamed in the 1980s. The great inflation of the 1970s ended, but the structural economic shifts that the crises of the decade manifested, namely deindustrialization and financialization, would only become more pronounced in the following decades.²⁸

Another course that started in the 1970s would intensify in the next decade, and would also become associated with "late twentieth century capitalism": deregulation. The deregulation of the late 1970s and 1980s followed a previous growth in governmental regulation of businesses in the late 1960s and 1970s, which was possibly among the various reasons for rising inflation. This government or "social" regulation related to a host of areas: the first, for our purposes, was consumer protection, which instated standards on product safety, quality and information, and on

²⁸ Paul W. McCracken, "Economic Policy in the Nixon Years," *Presidential Studies Quarterly* 26, no. 1 (1996): 165–77; Collins, *More*, 98–65; Rick Perlstein, *The Invisible Bridge: The Fall of Nixon and the Rise of Reagan* (New York: Simon & Schuster, 2014), 310–14; Iwan Morgan, "Monetary Metamorphosis: The Volcker Fed and Inflation," *Journal of Policy History* 24, no. 4 (October 2012): 545–71; Levy, *Ages of American Capitalism*, 546–48, 554–60.

business compliance with their warranty statements. Additionally, there were environmental protections – which related both to product features and to production processes – and employer responsibility for workers’ health and safety, as well as to their fair treatment according to civil rights principles. These regulations required more expenditure from businesses, thus passing the costs to consumers in the form of higher prices, but they also increased government spending and contributed to its deficit, as most of them required administrative mechanisms to supervise and to enforce compliance. The costs of regulation were not always lost on the policymakers who instituted them. At least for Nixon, a self-proclaimed “conservative Keynesian,” regulatory policies came under the condition of maintaining fiscal responsibility, for which purposes he created in 1970 the Office of Management of the Budget. Still, the Nixon administration saw the issuance of a variety of regulatory programs, including the Environmental Protection Agency, the National Highway Traffic Safety Administration, and the Consumer Product Safety Commission (the latter two replaced previous versions of administrative bodies, and were legislated during President Johnson’s term). It would take another decade until Reagan’s declaration, in his inaugural address, that government is not the solution, but the problem.²⁹

In the beginning of the 1960s, the government was viewed not as a problem but as responsible for handling problems, mainly those on the international front, but also domestic social problems like poverty and race relations. Consumer problems were on the agenda, too, but definitely not high on the list of priorities. Ironically, it is quite possible that what prompted politicians to pursue the consumer protection agenda was precisely its perception as less costly than other social programs, at a time of abounding government expenditures due to the Vietnam War. (It was also seen as less socially divisive, during a period of crumbling consensus.) It is doubtful that when President Kennedy declaimed on the “consumer’s bill of rights,” or when President Johnson appointed his consumer affairs Special Assistant, they envisioned the development of such a consumer protection bureaucracy as developed a decade later. The administrative expansion stemmed mainly from legislation, as the Congress, and specifically several Democratic legislators, embraced the consumer protection agenda. In 1966 alone four

²⁹ David Vogel, *Fluctuating Fortunes: The Political Power of Business in America* (New York: Basic Books, 1989), 23–58; McCracken, “Economic Policy in the Nixon Years”; Bruce J. Schulman, *The Seventies: The Great Shift in American Culture, Society, and Politics* (New York: Free Press, 2001), 41–42; Nigel Bowels, “Economic Policy,” in *A Companion to Richard M. Nixon*, ed. Melvin Small, Blackwell Companions to American History. Presidential Companions (Chichester, West Sussex; Malden, MA: Wiley Blackwell, 2011), 235–51.

new consumer protection pieces of legislation passed, and from then and for about a decade there was hardly a year without at least one bill issued. The numbers vary, because it depends on what one considers as consumer protection (and whether amendments to laws also count), but even conservative counts show eleven new bills between 1966 and 1975. It was not just the number, but also the content of the legislation. Laws on consumer issues were enacted during the 1950s, but they represented technical compromises and deference to industries. This was no longer the case, as can be seen even just from the titles: Instead of “Textile Fiber Products Identification Act,” there were “Fair Packaging and Labeling,” “Truth in Lending” and “Child Protection” Acts. Consumer Protection was high on the agenda.³⁰

The agenda coming from government and Congress was met by a growing consumer movement, which can be seen as comprising three components, one was the national leadership of the movement, and two different types of grassroots consumer groups. In other words, there three components were: (1) an advocacy arm of Washington, D.C.-based consumer interest groups; (2) state and local consumer groups and organizations consisted mostly of middle-class and professional activists and advocates; (3) consumer groups working for and among low-income populations.

The first component can be referred to as the consumer movement’s “advocacy arm,” or the consumer lobby. These were organizations that developed in close proximity to the policymakers who issued the initiatives mentioned above, in Washington, D.C. as well as in states (and partly as a result of the policy initiatives, as will be discussed). They backed the consumer protection policies and promoted their expansion and enhancement. Several organizations engaged with consumer advocacy during the late 1960s, and new ones joined in the early 1970s. Here I will mention the main two: the Consumer Federation of America and the consumer organizational network related to Ralph Nader. The Consumer Federation of America was founded in late 1967 / early 1968, as an umbrella organization with a federated structure of various groups and associations with an interest in the consumer cause. It grew during 1965-66 out of a coalition that

³⁰ Mark V. Nadel, *The Politics of Consumer Protection*, Bobbs-Merrill Policy Analysis Series. (Indianapolis: Bobbs-Merrill, 1971), 45–154; Laurence P. Feldman, *Consumer Protection: Problems and Prospects*, 2nd ed. (St. Paul: West Pub. Co., 1980), see list of legislation in the appendix, 243–245; Michael Pertschuk, *Revolt against Regulation: The Rise and Pause of the Consumer Movement* (Berkeley: University of California Press, 1982), 5–45, especially 5–9 on consumer issues in the 1950s, 24–25 on Senator Magnuson’s choice to shift to consumer agenda in the 1960s out of political considerations; Vogel, *Fluctuating Fortunes*, 47–50 (“The Deluge”); Cohen, *A Consumers’ Republic*, 358–62, and especially the table on p. 360.

can also be divided into mainly two types of groups. First were national interest groups and associations, which included labor organizations and civic, liberal-minded groups such as the Cooperative League of the U.S. and the National Council of Senior Citizen, Inc. These groups also included the two existing national consumer organizations: the National Consumers' League and Consumers Union, the former (established in 1899) had almost disbanded and enjoyed regeneration during this surge of consumer activity, and the latter (established 1936) gradually becoming slightly more involved in advocacy, after shunning political activity for many years. The second type of group included local and state consumer groups, many of them also engaged in advocacy in their respective localities.³¹

Alongside the Consumer Federation of America, there arose in the late 1960s a new lobbying force in Washington, D.C., the organizational network associated with Ralph Nader. Nader was a thirty-one-year-old lawyer when he published in 1965 an exposé on the unsafety of cars, especially attacking the Chevrolet Corvair. A year later, he became a sort of national hero when, during televised congressional hearings, it was revealed that he was the target of private investigation and denigration attempts on behalf of General Motors. Thanks to his wide appeal and popularity among the public, his connections in Congress and the media, the money he received from the book (which became a best-seller) and General Motors (which he sued for violation of his privacy), and equipped with a turn-of-the-century muckraker's fervor and dedication to the cause, Nader established in Washington, D.C. a host of organizations that effectively engaged in investigative journalism and lobbying for consumer protection and other "public interest" causes. In the early 1970s, the Washington, D.C. lobby was fortified with a nationwide network of student organizations: the Public Interest Research Groups. This "Nader network," and the even broader new set of lobbying organizations working for the public, sometimes referred to as "the public-interest movement," had a wider set of causes and goals than merely consumer protection (as wide as the latter already was). During the 1970s they

³¹ On the two types of groups that constituted CFA one can learn from descriptions of CFA's formation processes: "On April 26 [1967], a joint statement was issued to the press by Father Robert J. McEwen as chairman of *the steering committee for the state and local organizations* and by Jacob Clayman [a lobbyist working for AFL-CIO – Y.R.] as chairman of *the planning committee for the Consumer Assembly* which is sponsored by 33 national organizations. The statement committed both groups to establishing a federation that would link the several types of organization in a national consumer body." Quote is from "Where Do We Stand on the Proposed Federation?" *Consumer Action* (Newsletter of CFA), Vol. I, No. 2., May 1967 (emphases added). The first CFA Board of Directors, from 1967, consisted of 37 Board Members, of which twenty were from local and state consumer organizations, and the other seventeen from national organizations. The newsletter and the list of members are in: CFA Papers, Box 3, folder 1.

emphasized government and corporate accountability, and Nader also turned to focus on environmental issues. Moreover, the relationship between Nader and his affiliated organizations and other consumer lobby organizations was sometimes mixed. However, in the mainstream media and public opinion, Nader was the personification of the consumer movement – indeed, the central, if not only, figure identified with it – and the immediate example of a “consumer advocate.”³²

The members of this “lobbying arm” or interest group of the consumer movement were, by definition, an elite. Many of them, especially in the Nader circle, were lawyers, often with previous experience in lobbying or working with the government. Many among the leaders of consumer advocacy groups in the states were academics, especially economists, trained in a discipline then under strong influence of the Keynesian paradigm, or specialized in sub-disciplines as consumer, agricultural, or home economics. Nader especially emphasized the importance of the work of professionals for the public interest, and to his organizations he recruited lawyers and scientists. When speaking and lobbying on behalf of consumers, these consumer advocates spoke on behalf of themselves and from their own experience – as they, too, were consumers – but also, in line with the logic of interest groups, they spoke as representatives of the wider and amorphous consumer constituency. The Consumer Federation of America’s publications and statements often mentioned that the federation represented dozens of millions of American consumers (the numbers mentioned increased with the growth of the federation, but also with the growth of the American population). In the meantime, partly in spontaneous fashion and in part out of a conscious effort by the interest groups, some of these consumers established their own groups and associations.

The second component of the consumer movement is grassroots consumer groups and organizations that were formed around the country during the examined period. This constituency was largely middle-class and metropolitan, with strong representation to students, especially, but not only, through the Nader-related nationwide Public Interest Research Groups, and to women, especially married women out of the workforce, that is, “housewives.” The grassroots organization San Francisco Consumer Action, for example, was founded by a woman

³² On public interest lobbying/movement, see Jeffrey Berry, *Lobbying for the People: The Political Behavior of Public Interest Groups* (Princeton, N.J.: Princeton University Press, 1977); Vogel, *Fluctuating Fortunes*, 93–112; Paul Sabin, *Public Citizens: The Attack on Big Government and the Remaking of American Liberalism* (New York: W.W. Norton & Company, Inc., 2021).

who described herself as both: a student and a housewife, inspired by “what Ralph Nader was accomplishing.” (In tactics, however, the group was inspired by others and adopted direct actions such as picketing and protests.) The mobilization of “housewives” into consumer groups conformed with the common postwar identification of the housewife/homemaker as a consumer, a link exemplified also in the position of the Special Assistant to the President on Consumer Affairs (Upon leaving the White House, Esther Peterson was offered a consumer consultant position at the large supermarket chain Giant Food; her successor previously advertised home appliances). It received a special thrust with increasing food prices, and in particular around two surges of nation-sweeping protests around rising meat prices, referred to as the “meat boycotts,” one in 1966 and the other in 1973. These protests and the boycotting groups were formed ad-hoc. A survey conducted among the 1966 protests leaders found that the overwhelming majority were middle-class married women with no previous political activity, and that most of the groups were disbanded within a year. Still, about 25% of the groups remained active.³³

The relationship between the consumer movement and consumer boycotts is a curious one. More than a tactic regularly deployed by central consumer organizations, it was a catalyst for organization and growth in the few times that a grassroots “boycott” – usually short-lived and accompanied by protests – did take place. In this context, another consumer boycott should be mentioned: the one organized over the unionization rights and labor conditions of Californian farmworkers. In 1965, the farm workers unionization movement in California, under the charismatic leadership of Cesar Chaves, launched a series of consumer boycott of farming products, primarily grapes, which lasted until the early 1970s. Originally chosen as a tactic due to the complicated restrictions and opportunities afforded by labor law to the farmworkers navigating among industrial unions, and assisted by civil rights movement organizers, the

³³ On San Francisco Consumer Action, see Henry Weinstein, “Spotlight: Inside a Consumer Group,” *The New York Times*, February 9, 1975. On the “housewives” protests, see Monroe Friedman, “The 1966 Consumer Protest as Seen by Its Leaders,” *The Journal of Consumer Affairs* 5, no. 1 (July 1, 1971): 1–23; *Consumer Boycotts: Effecting Change through the Marketplace and the Media* (New York: Routledge, 1999), 76–78, 227–46. Published by Consumers Union in late 1966, the “Roster on Consumer Protection,” lists about 35 civic consumer groups, 10 of which were founded in 1966 or “recently,” and 8 more that were then in the process of formation. It is unclear what precise percent of this organizing is related to the protests (a few were formed earlier in 1966), but at least one “recently formed housewives group” can be associated to the protests according to other sources. On the connection between “housewives” and the food prices protests see also Monroe Friedman, “American Consumer Boycotts in Response to Rising Food Prices: Housewives’ Protests at the Grassroots Level,” *Journal of Consumer Policy: Consumer Issues in Law, Economics and Behavioural Sciences* 18, no. 1 (1995): 55; Cohen, *A Consumers’ Republic*, 367–69; Twarog, *Politics of the Pantry*, 80–99.

boycotts turned out to be a surprisingly effective and a successful strategy that helped transform the fight and its framing from a local labor dispute to a nationwide social justice movement, backed by popular support from urban middle-class consumers and national political elites.³⁴ The Delano Grapes consumer boycotts spread in the mid-1960s to major American cities in the form of organizers picketing of grocery stores and supermarkets and calling on consumers to boycott specific products. It is unknown to what extent these tactics influenced the consumer movement or the meat boycotts protests organized around rising prices, though a connection is possible. Yet, employing this tactic in the long-term – committed campaign targeting specific companies for a particular goal – is different from using it short-term or sporadically to target amorphous industries or the government. It is perhaps not surprising that the consumer movement’s leadership tended to treat consumer boycotts with caution and hesitance.

In April 1973, once again, “housewives protests” and meat boycotts against rising prices swept the country. In the coming months, consumer advocates saw further organization from the grassroots, but also a splintering within the movement. The lukewarm reaction of the Consumer Federation of America to the protests strained the already tense relationship between the Washington-faced, politically pragmatic leadership and the state and local groups, some wishing more militancy, others preferring a different, less government-oriented approach. Consequently, not one but two new national federations were formed in 1973. At the CFA Annual Meeting that summer, the domineering Executive Director, Erma Angevine, was forced to step down, after filling that role since the organization’s inception. Structural changes were made to enhance the voice of local and state groups. One of the new organizations, the Conference on Consumer Organizations (COCO), comprised eight state and local groups that withdrew from CFA due to its focus on Washington and the government. The members of COCO sought a more locally oriented approach to consumer organizing, but also, led by academics (from Keynesian economics, political science and labor relations), a more direct-negotiation approach between consumer representatives and the business community, based on the labor model. They

³⁴ See J. Craig Jenkins and Charles Perrow, “Insurgency of the Powerless: Farm Worker Movements (1946-1972),” *American Sociological Review* 42, no. 2 (April 1977): 249–68; Friedman, *Consumer Boycotts*, 46–49; Marshall Ganz, *Why David Sometimes Wins: Leadership, Organization, and Strategy in the California Farm Worker Movement* (Oxford University Press, 2009), specifically on the origins, pp. 139–146, and on framing, 213–217. The literature on the United Farm Workers movement usually highlights the victorious strategy, but for a more balanced account that considers also its later shortcomings, see Matt García, *From the Jaws of Victory: The Triumph and Tragedy of Cesar Chavez and the Farm Worker Movement* (Berkeley, CA: University of California Press, 2012).

organized shared panels with executives in major industries. The other organization, the National Consumer Congress (NCC), originated from the meat boycotts, and consisted of local consumer groups, mostly women-led, some newly founded and other older CFA-members. They followed a federated/regional structure and focused on campaigns relating to prices of staple foods and utilities and organized a couple of food boycotts (which then did receive the backing by CFA). Their successes were limited, and with dwindling resources, they were absorbed by the National Consumers' League in 1977. COCO continued to exist until the end of the following decade.³⁵

Not all grassroots organizations, of the kind discussed above, were formed around food prices or following protests, and not all of them were led by housewives or by academics, but almost all of them were white and middle-class. The third component of the consumer movement consists of the groups and organizations oriented toward consumers of the lower classes. These organizations stemmed from what Lizabeth Cohen called "the discovery of the low-income consumer" in the early 1960s, a discovery consisting of extending the consumers' republic framework and applying it to the issue of poverty. This was applied to all the poor, including those in rural areas, but was especially true with regard to the urban poor, mostly Blacks, and to a lesser extent Hispanics. Thus, the framework of "low-income consumer" was used to emphasize economic and consumer aspects in the problem of race relations. An important mark for this development was a 1963 book by David Caplovitz, based on his sociology dissertation, *The Poor Pay More*, which documented consumption habits of low-income families and credit abuses to which they were subjected. A few years later, as the country was witnessing a series of urban unrests in Black neighborhoods, many turned to the book's claims about exploitation of

³⁵ The tension in CFA following the meat boycott of April 1973 can be evidently seen in the Board meeting minutes from the following months: "Minutes of Meeting of Board of Directors," and also "Report of the Executive Director," May 6, 1973. CFA Records, Box 1, folder 7. On the heated Annual Meeting and its consequences: "Reports from the Sixth Annual Meeting, Milwaukee, July 19-21, 1973" *CFA News* (special issue, August 1973). It should be noted here that the Executive Director, Erma Angevine, was closely related to the Cooperative League of the U.S. (she worked at the organization prior to taking the role at CFA, and her husband continued to work there), an interest group in which rural-agricultural communities had strong influence, thanks to the large presence of rural electric cooperatives and their national association in the cooperative movement. In the CFA meeting in May, following the protests, Angevine mentioned the rural cooperatives, also members at CFA, and their hesitant stand about the meat boycott as one of the reasons for CFA leadership's caution in response to the boycott. The power and representation of the rural cooperatives within the Federation was once again source of tensions in the Annual Meeting in July, and resulted in structural changes. On COCO, see Robert J. McEwen, "Conference of Consumer Organizations," in *Encyclopedia of the Consumer Movement*, ed. Stephen Brobeck (Santa Barbara, Calif.: ABC-CLIO, 1997); and also the programs of the six first years of the "National Symposium on the Consumer Movement" (from which the organization developed), Louis Meyer Papers, Box 6; and the "COCO Intercom" (newsletter) issues, CERN Records, Box 4, folder 2. On National Consumers Congress (NCC), see Twarog, *Politics of the Pantry*, 100-105; and also, Roy Kiesling Papers, Box 13, folders 8-9.

the Black inner-city residents by (predominantly white) merchants. This explanation was echoed in official reports of commissions assigned to investigate the “riots.” Amid competing interpretations of insurgency on the one hand and a reasonable reaction to ongoing systemic racism on the other hand, the consumer-problems angle provided a more relatable framework.³⁶

As an editor of one book on consumerism commented:

The low-income consumer has often taken the brunt of the abuses, issues, and problems with which the consumer movement is concerned. Particularly in the ghetto, he has been treated as if independent of marketing strategies and also of consumerism issues. [...] In order to develop policies that will assist the low-income consumer [...] it is necessary to understand his behavior rather than to use the traditional assumption that he is irrational.³⁷

Indeed, when considering “low-income consumers,” Americans, and consumer advocates among them, were provided with a more familiar framework of understanding and of action in the face of the problems of poverty and racial discrimination. In the mainstream media, the “consumer movement” was largely perceived as dealing with exploding cars, unwholesome poultry, or increasing beef prices. And to a large extent, it did. Yet, within the movement, and within expert discourse on “consumerism,” there was attention also to the problems of the lower classes, in particular credit practices and housing problems, and other forms of discrimination among urban Blacks, but also problems that affected all low-income populations, such as utility prices, drugs prices, healthcare provision, etc. These and other problems drove mobilization for and of, and sometimes by, low-income consumers. Incentives, as well as resources for mobilization, came through the social programs of the Democratic governments during the 1960s, and in particular through the War on Poverty programs, especially those focusing on community organizing. The War on Poverty included a specialized budget for consumer education, and in other programs, too, the consumer perspective was present and resulted in this framework often being used, sometimes even as the main organizing emphasis. Outside of community organizing, the War on Poverty established Legal Services which included a National Center of consumer law experts, serving as a clearinghouse for legal services offices around the country and pushing for legal reforms in consumer protection. In other cases,

³⁶ Cohen, *A Consumers' Republic*, 355; David Caplovitz, *The Poor Pay More: Consumer Practices of Low-Income Families*, First Free Press Edition, A Report of the Bureau of Applied Social Research, Columbia University (New York: Free Press, 1967); Norman I. Silber, “Discovering That the Poor Pay More: Race Riots, Poverty, and the Rise of Consumer Law,” *Fordham Urban Law Journal* 44, no. 5 (November 1, 2017): 1319–28.

³⁷ Barbara B. Murray, “Low Income Groups and Consumerism,” pp. 418–19 in *Consumerism, the Eternal Triangle: Business, Government, and Consumers*, edited by B. Murray (Pacific Palisades, CA: Goodyear Pub. Co., 1973).

mobilization among the low-income consumers came independently of government initiatives, such as forming consumer cooperatives or employing tactics of mutual aid and direct action, as in the examples of the Consumer Education and Protective Association (CEPA) in Philadelphia, the Harlem Consumer Education Council, and the Alliance for Consumer Protection in Pittsburgh, Pennsylvania.

The three types of consumer groups presented above are obviously schematic. These types – advocacy groups serving as a government-faced “lobbying arm,” and grassroots rank-and-file groups comprising state and local consumer groups filled with white, middle-class young professionals or housewives, and along them consumer action and education groups oriented toward or consisted of low-income, racially diverse consumers – are somewhat of ideal types. This division was chosen because it allows to portray a general overview of the broad “movement” in a way that encapsulates its diversity and emphasizes common threads. In reality, some organizations were closer to one of the ideal types and others showed more of a middle position between two different types, and yet others shifted between several over time. Academic-led or not, many of the state consumer groups engaged in lobbying and advocacy, at the state level and sometimes federally, but they also consisted of rank-and-file members and engaged in, or encouraged, other forms of grassroots activity. The National Consumer Law Center was oriented toward low-income consumers, but it also participated in lobbying activity, and itself had no component of community organization or direct action. CEPA in Philadelphia started in the late 1960s as an organization primarily of Black, urban, low-income consumers, engaged in picketing and mutual aid in the neighborhoods, but in the mid-to-late 1970s it shifted to city politics and recruited more white, young professional constituency (the picketing component remained). In contrast, SFCA started in 1971 as a grassroots group of white middle-class consumers engaged in demonstrations and complaint-handling, but around 1980 it shifted to cater to ethnically diverse, low-income consumers and strengthened its advocacy activity (and would later open an office in Washington, D.C.). The analysis in the next section probes more into the diverse composition of the movement.

D. An analysis of the organizational landscape: Evidence from consumer group directories

The last section portrayed, schematically, the overall structure of the consumer movement in its heyday, as composed of a national leadership in the form of Washington, D.C.-based interest

groups, or a “consumer lobby,” and rank-and-file organizations – the grassroots – which were divided into groups of young, professional, middle-class, and overwhelmingly white consumer activists, and groups geared toward and consisting of low-income consumers. This section takes a closer look into the movement and especially the rank-and-file groups, drawing on an organizational directories’ analysis. The main source for the analysis was a 1976 directory prepared by a governmental consumer office, listing more than 400 organizations. To complement it, I also analyzed two directories from roughly the same period produced by the Consumer Federation of America. These present an overall picture of the movement and allow me to probe into its composition and examine its level of cohesiveness. To do so, the analysis was conducted along the axis of specialized versus generalist organizations, noting the recurring categories in the specialized organizations, and giving special attention to consumer groups oriented toward low-income consumers, and to organizations affiliated with a particular, nationwide network. Issues of geographical diversity and gender composition were also considered. The picture emerges from the analysis attests to the vibrant civic activity during that period under the title of “consumer organizations” and to its breadth and diversity.

As the main source for the list of organizations, I analyzed *The Directory of Consumer Organizations – A Selected Listing of Nongovernmental Organizations at Local, State and National Level* (Hereinafter: “the Federal Directory”).³⁸ Published in 1976 by the federal Office of Consumer Affairs (OCA, then under the Department of Health, Education and Welfare), the Directory listed more than 400 consumer organizations at the local, state and national level. The motivation to publish such a directory in that year is unknown, but it is reasonable to assume that the OCA’s staff wanted to provide a comprehensive government-authorized alternative to multiple similar directories that were published during that period by state governments, by consumer organizations such as CFA who circulated them to their members, and by private publishers.³⁹ The Directory lists 14 national organizations (including one international) and 442

³⁸ *Voluntary Consumer Organizations: A Selected Listing of Nongovernmental Organizations at Local, State and National Levels* (Department of Health, Education, and Welfare; Office of Consumer Affairs, 1976).

³⁹ It should also be remembered that 1976 was an election year, and that in the presidential campaign consumer issues were high on the agenda (see more on that in chapter 6). The publication of the Directory in October, a month before the election, may indicate that the election was a consideration in the publication. On the directories published and circulated by CFA see below. An example to directories produced by private publishers, see Paul Wasserman, *Consumer Sourcebook; a Directory and Guide to Government Organizations; Associations, Centers and Institutes; Media Services; Company and Trademark Information; and Bibliographic Material Relating to Consumer Topics, Sources of Recourse, and Advisory Information*. (Detroit: Gale Research Co., 1974), which was

local and state groups.⁴⁰ No information is provided about how the list was compiled, but it should be noted that the Office of Consumer Affairs had, since the previous decade, specialized staff for state and local programs (governmental and non-governmental), who were in constant contact with organizations around the country for organizing regional programs, supervising support requests, etc. In the end-comment about “selection criteria,” it is noted that “the directory lists established, non-governmental consumer groups which derive funding support from voluntary memberships and whose primary activities are consumer advocacy and/or providing service to individuals as consumers.” The introductory pages express the wish that further updated editions would be produced, and there are report-forms included for sending corrections or information on other organizations. Still, this seems to be the only edition published, and it thus provides a unique overview of the consumer movement’s organizational spread.

I complemented and juxtaposed the Federal Directory’s analysis with two directories of state and local consumer groups published by the Consumer Federation of America in 1975 and 1977.⁴¹ The directories were prepared by CFA’s “State and Local Organizing Project,” which was initiated in 1973, although archival records show that CFA produced such “state and local consumer groups” lists every year at least since 1972 and until 1977, with the exception of 1976.⁴² I chose 1975 and 1977 since they were closest in publication date to the Federal Directory. The 1975 Directory included 146 organizations, all local or state-level groups, in 45

published in a second edition in 1976. The Federal Directory is much more comprehensive than these other publications (for example, the *Consumer Sourcebook* in its second 1976 edition includes about 120 groups under the categories “consumer affairs associations” and “state and local voluntary consumer organizations” combined, and the CFA Directory from 1975 includes about 150 groups). Most commercial publications listed non-governmental organizations alongside governmental offices and consumer offices of business associations (e.g., Better Business Bureaus) and of companies (the CFA directories excluded business-related consumer offices). The Federal Directory included only non-governmental organizations. A year later, the Office of Consumer Affairs published a directory of governmental consumer affairs offices: *Directory, Federal, State and Local Government Consumer Offices*.

⁴⁰ There is a handful of cases of local organizations that may be duplicates, judging by names of contact persons and/or addresses. For example, both the “Chicago Consumer Coalition” and the Chicago-based “Food and Cooperative Project” have the same mailing address and contact person, and similarly, “Consumer Cure Inc. of Florida” and “Consumer Committee on Utility Rates and the Environment” are chaired by the same people, and have the same address in St. Petersburg, Florida. While these may be duplicates, it is more likely that they are different initiatives led by the same activists, who for organizational or other reasons decided to conduct them separately. Given no further information, and the small number of such cases – 7 in total – I decided to count all of them as separate organizations, under the titles appearing in the Directory. If each duplicate is counted as one organization, then the number of local and state groups is 437 instead of 442.

⁴¹ “Directory of State & Local Consumer Groups,” by Consumer Federation of America, State & Local Organizing Project, January 1975; “Working for Consumers – A Directory of State and Local Organizations,” prepared by the State and Local Organizing Project, 1977. Both in CFA Records, Box 7, folder 8.

⁴² On CFA’s State and Local Organizing Project see more details in the chapter 4. After 1977, the archival records show that the next directories were published in 1983, 1987 and 1992.

states plus the District of Columbia; the 1977 one included 307 organizations in all 50 states and Washington, D.C. It is unlikely that all of the groups were CFA members (for example, they include some Legal Aid / Services offices, which were probably not members⁴³), but it is probable that most of the groups mentioned in the directories did have CFA membership or were tied in some way to the CFA members at the state and local levels (as these were the primary source of information for CFA in producing the directories). The directories were circulated freely to CFA members, and for a fee to non-members (\$2 for individuals and nonprofits, \$5 for businesses and trade associations). With regard to the 1975 Directory, I examined overlaps with the Federal Directory, and found that 111 groups (76% of the list) appear in the latter. This still leaves 35 groups that were not included in the Federal Directory, despite its comprehensiveness. Altogether, these numbers attest to the flurry of civic organizing in the mid-1970s that was part of the grassroots activity related to the consumer movement.

The directories are characterized by great breadth and diversity – so much so that the lists may bring up questions about whether all the myriad groups listed can be thought of as belonging together as part of one “movement,” and whether these are consumer groups indeed. For example, the Federal Directory includes about 20 groups geared toward environmental issues, one chapter of the National Association for the Advancement of Colored People (NAACP), and three organizations titled as “Councils” or “Information Centers” for “Spanish Speaking” people/organizations (yet, for one of them, the contact listed is the Consumer Affairs Director). The directories’ editors acknowledge this issue and allude to it. In the Federal Directory’s comment on “Selection Criteria,” the “limitations of any arbitrary definition of consumer service organization,” are acknowledged, but it is noted for inclusion, the editors considered whether the organization in question meets one of the two criteria: “(1) A non-profit organization which has been organized specifically for consumer advocacy or protection; (2) An organization dedicated to serving the needs of special population groups (socio-economic, ethnic, elderly, women, religion, labor, etc.) and which commits significant portion of its program effort for furthering the interests of consumers specifically.” The editors of the CFA 1977 Directory note: “If it appears to be a 'hodgepodge' of different kinds of groups working on

⁴³ On the other hand, the CFA Directories do not contain rural electric cooperatives and almost no credit unions, both of which (especially the former) had considerable representation in CFA’s membership. The Directories also do not include local or state level labor unions which were also members of CFA, though only associate members.

all sorts of different problems, we hope you will accept this as an indication of the breadth and diversity of the consumer movement rather than simply a lack of discrimination in our selection procedures.” The results of the analysis described below show that this diversity probably speaks to the rather loose coordination of the “movement,” but at the same time, that it did have a more closely tied core of coordinated organizations geared toward consumer activity.

The information given in the directories is rather minimal. The most important, and almost only data given, is the organizations’ names and locations. Some of these names in themselves do not reveal much information on the group’s areas of concern or activity (like a San Francisco based organization called simply “The Group,” or a group from Bryn Mawr, Pennsylvania named “Areas of Concern”).⁴⁴ Other names are much more detailed and reveal not only the groups orientation but also its organizers’ creativity (for example: Housewives Elect Low Prices – H.E.L.P., or United We Resist Unnecessary Packaging – U.N.W.R.A.P.). Most organizations’ titles, however, were fairly conventional and simply indicated the general interest in consumer issues in a certain locality (e.g., “Virginia Citizens Consumer Council,” “Texas Consumer Association”), or a particular concern in a certain area (“Concerned Consumers of -Electric Energy” in Kentucky or “Environmental Action of Colorado”), or toward a certain population (e.g., “Consumer Action and Education Jicarilla Apache Tribe” in New Mexico). Other names indicated their affiliation with a national/nationwide network or parent-organization, as in the case of “Public Interest Research Groups” or “Citizen Action Groups” (both affiliated with the Nader organizational network), offices of Legal Services/Aid or Community Action Programs/Committees, programs started in War on Poverty projects, or local chapters affiliated with national organizations such as the Urban Leagues, the American Association of Retired People or the National Consumers’ League. Beyond the organization’s name, for each group there is a registered address given, and in almost all cases also a contact person, for the most part with an organizational title. (In the 1977 CFA Directory, there is also a short list of activity/interest areas for most groups.)

Due to the paucity of detail, I predicated the analysis primarily on the organizations’ names, and to a lesser extent, on addresses and names of contact persons. Based on the groups’ titles, I

⁴⁴ For some groups, especially those with more obscure titles, I attempted to discover more details in further research, either in other contemporary directories or through web-based searches. In some cases, but not all, this brought up clarifying information.

coded organizations as either “general” consumer groups or “special” (i.e., specific) organizations: this is a familiar division in the historiography and research on the consumer movement, and it can teach us about the movement’s composition and areas of interest, looking at the proportion of “specialized” organizations versus general ones, as well as the specialty-areas of the former.⁴⁵ These areas can be either in relation to a specific issue or area (packaging, inflation, auto-motors, environment, etc.), or in relation to a specific population that an organization emphasizes (low-income consumers, elderly, racial/ethnic groups, etc.). Based on the “special” organizations’ names, as far as this was clear, I coded for each group with further tags, according to its special issue (one or more) and/or specific population it was geared toward. In some cases, the coding of an organization as “special” stemmed not from the organization’s title but from its affiliation to a certain type of organization that I recognized as geared toward a specific population.⁴⁶ Since the CFA directories had a much lower rate of “special” consumer organizations, I present the results of the coding process only for the Federal Directory.⁴⁷ For the Federal Directory I also computed the most common words in the organizations’ titles, and repeated this analysis for the 1975 CFA Directory. For all three directories, I noted organizations’ affiliation to a national/nationwide network/parent-organization, I summed up the

⁴⁵ On the this division, see, for example Robert N. Mayer, *The Consumer Movement: Guardians of the Marketplace*, Social Movements Past and Present (Boston: Twayne Publishers, 1989), 45–50, contrasting “multiple-issue” with “single-issue” consumer groups; Ardith Maney and Loree Gerdes Bykerk, *Consumer Politics: Protecting Public Interests on Capitol Hill* (Westport, Conn.: Greenwood Press, 1994), 60–62, in their discussion of different consumer and other public interest groups appearing before Congress (separating groups representing interests of special-focused consumers); Stephen Brobeck, ed., *Encyclopedia of the Consumer Movement* (Santa Barbara, Calif.: ABC-CLIO, 1997), 596, notes “the division of consumer organizations into generalist and specialist organizations” as part of his entry on “U.S. Consumer Movement: History and Dynamics.” In cases where I could not glean from the names or further research a clear orientation toward either general consumer concern or a specialized interest, I left it “undefined”.

⁴⁶ This was mostly the case in relation to low-income population, such as in the case of Community Action Programs/Committees, Legal Aid/Services offices, or the organizations affiliated with the A.C.O.R.N. network (Association of Community Organizations for Reform Now). In other cases, an affiliation with national organization indicated racial/ethnic minorities, such as the case of the Urban Leagues. I did *not* consider all racial/ethnic organizations as “low-income” organizations. While there are some justifications to do so, I decided to keep the tag of “low-income” only to those organizations that were clearly geared toward this population as indicated by their name or some network-affiliation. It is probable that this system of coding resulted in missing some organizations. For example, from my archival research I know that “Consumer Education and Protective Association” was geared toward low-income population, at least in its early years of activity, and that the Harlem Consumer Education Council similarly operated mainly for low-income consumers and among Black consumers. Still, both organizations as judged by their name only gear their activity generally toward consumer action and thus were coded as “general” – which accords also with their philosophies as activist organizations, according to my research.

⁴⁷ Of the 25 “special organizations” in the 1975 CFA Directory, only a small part of them could be coded with one or more of the specific issue/population tags, and therefore there was no point in showing the data in a tabular form.

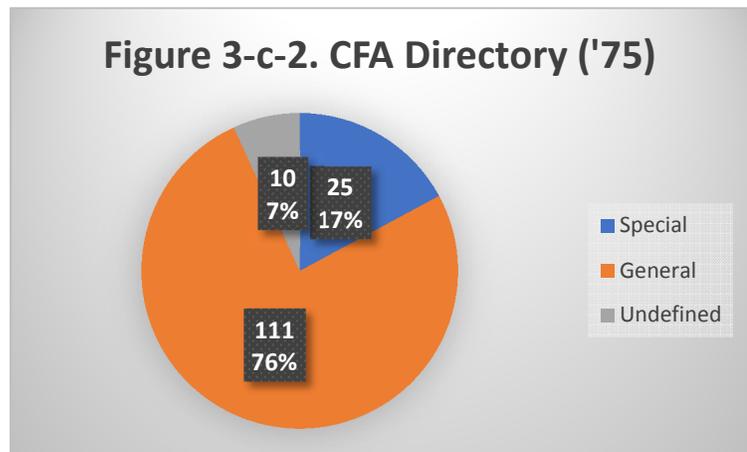
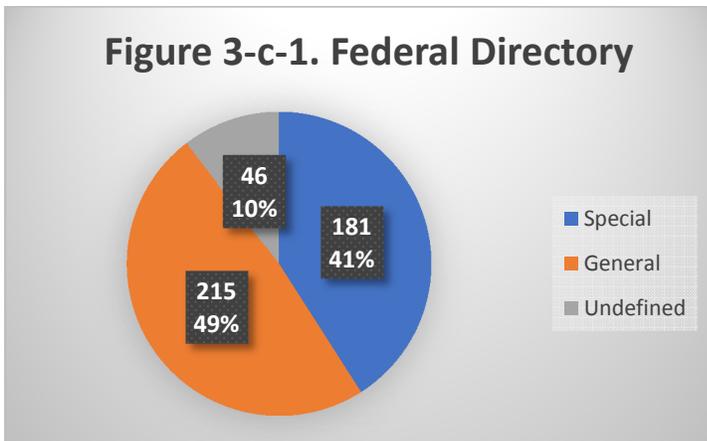
number of groups in each state, and I analyzed the gender division of the contact persons listed when this was possible.

The following tables and charts present the findings of the directories' analysis. They attest to the breadth and diversity of the consumer movement, but also show the preponderance of consumer and consumer-oriented groups and initiatives at the core of this diverse civic activity, as reflected in the directories. It is useful to start with the somewhat "dumb" but still telling measure of word frequency in the organizations' titles. Table 3-a presents the most common words in the organizations on the Federal Directory (only the local and state organizations), and in the 1975 CFA Directory. Words that reveal no special content (e.g., "association" or "group") were excluded from the count. In both directories, the word "consumer" in the organization title is the most common term, appearing in about a third of the organizations in the Federal Directory, and nearly a half of those listed in the CFA Directory. While this should not be surprising, given that these are both defined as directories of "consumer groups," it confirms that this is indeed the directories' orientation, and it is important especially given the acknowledgement of both directories' editors regarding the diversity of the movement and challenges in applying selection criteria. It can therefore strengthen the confidence of using the directories for an analysis portraying an overview of the movement as a whole. The second most frequent term, in both directories, is "action." Terms like "consumer action" and "consumer protection," along the phrases "citizen action" and "citizen-consumer," can indicate the social movement/civic activity orientation of the movement. These terms were more frequent than, for example, the neutral term "consumer affairs," which was often used in the context of governmental offices.

Table 3-a: Organizations' orientation as indicated by common words in titles

Word in org's title	Federal Directory (442 total orgs)		CFA '75 Directory (146 total orgs)	
	No. of Orgs	Percentage (out of local and state orgs)	No. of Orgs	Percentage
"Consumer" / "Consumers"	150	33.9%	69	47.3%
"Action"	73	16.5%	10	6.9%
"Public"	63	14.3%	5	3.4%
"Community"	41	9.3%	8	5.5%
"Citizen" / "Citizens"	40	9.0%	5	3.4%
"Protection"	16	3.6%	5	3.4%
"United" or "Union"	14	3.2%	4	2.7%
"Education"	11	2.5%	2	1.4%
"People"	9	2.0%	3	2.1%
"Environment/s/al"	9	2.0%	1	0.7%

Figures 3-c: Organization orientation according to General / Special division



Let us turn to analyze the division between “general” consumer organizations and those geared toward specific areas of concern, interests or populations. This overall division between “general” and “special” is presented in figures 3-c. It should be noted that the categories of “special” and “general” were defined as mutually exclusive. The charts show the numerical superiority of “general” consumer organizations in both directories, although in the Federal Directory the distribution is much closer, with only 44 organizations (out of 442) more in the “general” category (or 8% more than the “special” category; excluding discounting the organizations that remained undefined, the proportion is 54% general versus and 46% special-issue groups). The predominance of the “general” consumer organizations in the CFA Directory is much more pronounced, with more than three quarters of the organizations listed categorized as “general” (or 82% from among the defined groups only). Combining this finding with the percentages of groups with “consumer” in their title in the federal versus the CFA Directory, this may indicate that the U.S. Office of Consumer Affairs used more liberal criteria for inclusion in its directory, but this can also be explained by the more limited outreach of CFA, through its local and state affiliate members, to organizations with special areas or specific population concerns (possibly, both explanations are valid).

To get a clearer understanding of the composition of these special organizations in the Federal Directory, table 3-b sheds light on the division to special interests and special populations. Most noticeable is the high percentage of the organizations geared toward “low-income” consumer population, which included offices of Legal Services/Aid, Community Action Programs/Committees – both stemming from the War on Poverty initiatives and educational initiatives, some located at universities (e.g., “Consumer Information for Low Income Consumers” at Southern Illinois University, or “Total Action Against Poverty – Consumer Education Program” in Virginia). Along with them there were civic groups, such as those affiliated with the A.C.O.R.N. network, or independent groups (examples: “Georgia Citizens’ Coalition on Hunger,” “Poor People Pulling Together” in Las Vegas, or the “Low Income Consumer Club” in Texarkana, Texas). It makes sense that this representation is much higher in the Federal Directory, as the U.S. Office of Consumer Affairs was probably aware of these programs and organizations through other federal programs, support requests, etc. In the CFA directories, the representation to these organizations is lower but not absent (the 1977 Directory

has a higher rate than that of 1975 one, probably thanks to attempts at improved outreach). Still, even in the Federal Directory the percentage is relatively low (11.5%).

Table 3-b: Orientations of “specialized” consumer organizations in the Federal Directory⁴⁸

Special Issue	No. of orgs	% of all orgs* (% out of spec. orgs)	Special population	No. of orgs	% of all orgs* (% out of spec.)
Environment	19	4.3% (10.5%)	Low-income	51	11.5% (28.2%)
Legal**	16	3.6% **	Elderly	17	3.8% (9.4%)
Utilities / Energy	13	2.9% (7.2%)	Ethnic Minorities	13	2.9% (7.2%)
Housing	13	2.9% (7.2%)	Students ⁺	6	1.4% (3.3%)
Economic issues***	8	1.8% (4.4%)	Women ⁺⁺	2	0.5% (1.1%)
Health	7	1.6% (3.9%)	Workers	2	0.5% (1.1%)
Cooperative groups	5	1.1% (2.8%)	Disabilities	1	0.2% (0.6%)
Food	5	1.1% (2.8%)			
Transportation	4	0.9% (2.2%)			
Media	4	0.9% (2.2%)			

* Percentages do not sum up to 100%, since some of the categories are overlapping (i.e., not exclusive. A group with the special issue “legal” can be, and usually is, geared toward low-income consumers; an environmental group can also be dealing with utilities, such as in the case of “Citizens for Responsible Energy”; a “food” group can intersect with a cooperative group, with a group geared toward low-income consumers – such as “Spokane Food Bank” – or with a health special issue, such as “Utah Nutrition Council”). The percentages therefore indicate only the proportion of the special category-groups out of all groups (442) or special groups (181).

** The category “Legal” is the only special-issue category that is not exclusive to “special organizations”. While most organization in this category fall under a “special organization” definition (local Legal Aid / Services offices, who cater to low-income consumers), there are a few organizations in the directory that deal with legal representation for consumers / consumer law more broadly, and fall under “general” organizations.

*** Coding of “economic issues” was separated from coding “low-income” special population groups and was done when the organization’s name indicated an economic concern (such as “Fighting Inflation Together” or “Tax Reform Group”). Yet an organization could intersect and be coded as both, such as in the case of “Coalition for Economic Survival”.

⁺ In the student-oriented organizations were included organizations whose names indicated that they are geared specifically toward students, such as “National Student Consumer Protection Council” or “Student Consumers Union”. The PIRGs, which were consisted mainly of students as volunteers, were not considered as student-organizations since their activities were geared primarily toward the larger population / public interest.

⁺⁺ There were two organizations considered as specific to “women” – “Women’s Center of Topeka” and “Housewives Elect Low Prices”. The Consumers Leagues were not considered as “women’s-specific” groups despite their historical association with women’s activism (this was less the case in the 1960s-70s), as their activities were geared toward the larger consumer population. Similarly, three chapters of the Home Economics Association were not considered as “women’s-specific” despite the gender orientation of the association/field.

⁴⁸ As mentioned above (in the previous footnote), there was no point of showing the specific “special” categories within the relatively low number of such groups on the CFA Directory (of 1975). I will note here that the three most common categories on the list were: environment (6 organizations); low-income population (4 organizations); and utilities (3 organizations).

These findings corroborate the characterization of the consumer movement as “middle class” (characterizations made by contemporaries both in the form of general observations, and, at times, as derisive allegations, especially toward specific bodies such as CFA). At the same time, the findings somewhat qualify this characterization, and they support the typology presented in the previous section, that included a type of organizations geared toward and composed by low-income consumers. This was indeed a component of the overall consumer movement, though the analysis shows it had a relatively low weight. Notice also the presence of organizations focused on environmental issues (less than 5%), attesting to some small degree of overlap between these movements (which were both part of / overlapping with the larger public interest/citizen/student movements influenced by Nader).

Table 3-c: Local organizations affiliated with national groups/networks

National / Network Affiliation	Federal Directory		CFA Dir. '75		CFA Dir. '77	
	No. of Orgs	% (out of local/state orgs)	No. of Orgs	%	No. of Orgs	%
Public Interest Research Groups (PIRGs)	55	12.4%	29	19.9%	41	13.4%
Community Action Committee/Agency	23	5.2%	3	2.1%	11	3.6%
Consumers' League	16	3.6%	11	7.5%	12	3.9%
Citizen Action Group	9	2.0%	3	2.1%	4	1.3%
Legal Aid / Services Office	9	2.0%	1	0.7%	12	3.9%
Consumer Affairs Office	7	1.6%	3	2.1%	5	1.6%
Community/Neighborhood (/Consumer) Services	4	0.9%	0		3	1%
A.C.O.R.N.	3	0.7%	1	0.7%	7	2.3%
Urban League	3	0.7%	0		1	0.3%
Home Economics Association	3	0.7%	0		0	
SUMMARY	132	29.8%	51	35.1%	96	31.2%

Table 3-c presents those organizations on the directories that, judging by their titles, are affiliated with, or can be attributed to, a nationwide network or a national parent-organization. Before commenting on the findings, I should note that inferring the affiliation of these groups was done solely on the basis of their name. I could not tell for certain whether every organization

with “consumer league” or “league of consumer” in the title was affiliated with the National Consumers’ League, but I assumed so, especially since the NCL did experience a renewal during that period. Similarly, I couldn’t tell whether each organization entitled “Citizen Action (Group)” was related to the initiative prompted by Ralph Nader (in Connecticut in 1970) or taken after it, but I assumed so because of the name. These groups, like the PIRGs, acted independently from one another, but shared communication, ideas, and in some cases convened together. As for organizations with “Consumer Affairs” in their title (and less commonly, “Consumer Services”), this title was often used by governmental departments, and sometimes also sub-units of businesses, but it was also used by independent groups or sub-units of larger civic organizations. (In a few cases, an organization that started as an independent consumer group became during the decade absorbed into / affiliated with local administration.) Yet, as these groups are listed on directories that assert that they consist only of voluntary/non-governmental and non-profit groups, I included them in the count.⁴⁹

One noticeable finding from this table is the predominance of the student-based, Nader-related Public Interest Research Groups, or PIRGs. The numbers of PIRGs on the directories range from about 30 to 55, accounting for between one-eighth to one-fifth of all state and local groups. This impression should be tempered due to the tendency of the directories to count PIRGs on different university campuses as separate groups even when they belong to the same umbrella state-organization (e.g., in Indiana, the South Bend and Bloomington’s chapters of Indiana PIRG count as two separate organizations; New York PIRG had six different branches, counted separately, in six different campuses in the state), but even with that in mind, the PIRGs constitute a weighty component of the consumer movement’s state and local grassroots groups. The relative predominance of the Community Action Programs/Committees – while far behind that of the PIRGs – is also worth mentioning. Once again, we recognize the considerable component of organizations geared toward low-income consumers within the movement. Still, with both of these, and with other nationally-affiliated organizations (even with “consumer affairs offices” included in the latter category), it is most remarkable that the majority of the state and local consumer groups were *not* part of a larger national network, other than, perhaps, the

⁴⁹ Examples from the Federal Directory are: “Center for Consumer Affairs” which was at the Extension of the University of Wisconsin and headed by Helen Nelson (an important figure in the consumer movement); a “Task Force on Human Needs” in Maine, and the “Consumer Affairs Bureau, Kalamazoo County Chamber of Commerce,” in Michigan. In any case, the number of the organizations with these titles are quite low (1%-2% in each directory).

Consumer Federation of America, to which some of the local and state groups had stronger connections (but others had less so).⁵⁰ This, therefore, attests to the rather assorted and heterogeneous character of the movement and its “structure”.

Lastly, the Directories can tell us about the geographical division of the consumer groups, and, to some extent, say something about the gender division among the listed contact persons. The geographical distribution is not very surprising, as shown in table 3-d: California, the most populated state, also leads the table in the number of consumer organizations (39), and after it are listed the populous North-Eastern or Mid-Western states with large industrial-urban centers, such as Pennsylvania and New York (around 30 organizations in each), or Michigan and Ohio (around 20 in each). It is also not surprising that more populated states, that did not have such metropolitan centers, are listed further down on the list, such as Texas and Florida (with 9 and 8 organizations respectively). Note that the District of Columbia has 17 consumer organizations listed in it, which makes sense because of the many interest-groups and political activities there, and may indicate that not all “local and state groups” are oriented locally. The D.C. factor may also explain the relatively high number of organizations in Virginia. However, notable are the relatively high numbers of groups in states like Kansas and Kentucky, which indicate high local activity.

As for the gender composition of contact persons, this should be interpreted cautiously as a true representative of gender relations in the movement overall. Still, with that caveat in mind, there is a rather high representation for women in executive positions, which is especially noticeable in the national organizations. Out of 456 organizations on the Federal Directory, (the 442 local and state organizations plus fourteen national organizations), contacts were given in 415 of the cases. Of these 415 contacts, 230 were men (55%) and 153 were women (37%). In twelve cases (3%) the contact was given as two people of different sexes (e.g., Penny or Don Walden, or Bill Biggs or Martha Olson), and in the rest of the cases (twenty in number), the name of the contact could have been either of a male or female (and online research did not bring further information). It is worth noting that out of the ten *national* consumer organizations on the Directory with a contact person listed, 7 were women – including the directors or contacts for the

⁵⁰ The directories did not indicate membership in CFA of the state and local groups listed, nor their membership in other national consumer federations such as the Conference on Consumer Organizations and the National Consumer Congress (both of which are mentioned on the Federal Directory as part of the 14 national organizations).

National Consumers' League, Consumers Union (the publisher of Consumer Reports), and the Consumer Federation of America. On the CFA Directory, 120 out of the 146 organizations provided a contact person. Out of these 120 names, 86 were men (71.7%), and 28 were women (23.3%), with the rest undetermined and in one case a couple was listed as the contact.

Table 3-d: Number of consumer groups per state (and territories) in the Federal Directory
 (The presentation is in descending order; the number in parenthesis next to the state letters indicates the state's rank in term of population size, according to the 1980 U.S. Census)

State	No. of orgs	% of all local orgs	State	No. of orgs	% of all local orgs
CA (1)	39	8.8	MN (21)	6	1.4
PA (4)	30	6.8	NM (38)	6	1.4
NY (2)	29	6.8	AL (22)	5	1.1
MI (8)	23	5.2	IN (12)	5	1.1
OH (6)	19	4.3	NV (44)	5	1.1
D.C. (48)	17	3.8	RI (41)	5	1.1
VA (14)	15	3.4	VT (50)	5	1.1
KS (33)	14	3.2	AR (34)	4	0.9
WA (20)	14	3.2	MT (45)	4	0.9
MD (18)	13	2.9	SD (46)	4	0.9
WI (16)	13	2.9	IA (28)	4	0.9
CO (29)	12	2.7	HI (40)	3	0.7
IL (5)	12	2.7	ID (42)	3	0.7
NJ (9)	12	2.7	TN (17)	3	0.7
MO (15)	11	2.5	AK (52)	2	0.5
KY (23)	10	2.3	AZ (30)	2	0.5
UT (37)	10	2.3	GA (13)	2	0.5
LA (19)	9	2.0	MS (32)	2	0.5
TX (3)	9	2.0	NE (36)	2	0.5
FL (7)	8	1.8	NH (43)	2	0.5
MA (11)	8	1.8	ND (47)	2	0.5
NC (10)	8	1.8	SC (25)	2	0.5
ME (39)	7	1.6	OK (27)	1	0.2
OR (31)	7	1.6	PR (24)	1	0.2
WV (35)	7	1.6	Vrg Isl (55)	1	0.2
CT (26)	6	1.4	WY (51)	1	0.2

Admittedly, the analysis of the directories is constrained by the limited information that could be gleaned from the data given in them. Nevertheless, examining the comprehensive federal Directory, when juxtaposed with the directories of state and local consumer organizations produced by the Consumer Federation of America, we are provided with an informative

“snapshot” of the consumer movement in the mid-1970s. We see a flurry of civic activity – parts of it are more closely correlated, and the majority of it is only loosely coordinated but still related – which all can be, and were, subsumed under the category of consumer organizing. Within this civic activity, there were some observable trends, such as the predominance of the network-related organizations, especially those affiliated with the template groups encouraged by Ralph Nader, whether student-based (the Public Interest Research Groups) or not (the Citizen Action Groups), or of other civic organizations that followed other models (e.g., Consumer Leagues). Another noticeable trend was the substantial presence of organizations considered consumer-oriented that catered for, or were organized with and by, low-income populations, and other disadvantaged populations, such as the elderly and racial/ethnic minorities. Alongside these groups, and other groups dedicated to specific areas of consumer concern, the bulk of the movement consisted of consumer groups with a general concern for consumer interests. These groups were active in various locations, predominantly in the populous areas on the Coasts and of the industrial-metropolitan North-East, and to a lesser extent, the Midwest. The directory “snapshots” portray the diverse and motley collection of groups that comprised the consumer movement, but the production of the directories itself also shows the movement’s unity.

E. Conclusion

In the three decades from the end of World War II and until the late 1970s, the United States experienced dramatic transformations. This chapter looked at some of them, those related to consumption – from the foundation of a consumers’ republic in the postwar decades to the results of the mobilization of consumers during the late 1960s and 1970s. The fifteen to twenty years following the war were characterized by an immense economic growth, the experience of unprecedented material comfort (at least by a large majority of Americans), and the anchoring of mass-consumption as a macroeconomic organizing principle, which had political and cultural manifestations as well. However, during that period the politicization of consumers was not yet a central trend, and it occurred only at the margins of the consumers’ republic, hardly noticed at the time. The politicization process, which would mark the emergence of the consumer movement, occurred in the following fifteen to twenty years, amidst other profound socio-political shifts. Some of them were very palpable at the time, especially in city streets and on campuses: counterculture, women’s liberation, and the boiling race relations are prime examples.

Others were less immediately observable, or at least less prone to be brought together under one headline, as they were happening at once in very different locations: in expanding financial markets overseas and in the rising meat prices on supermarket shelves, in the growing presence of foreign cars on the highways and in the closure of factories in cities like Philadelphia and Cleveland (an incipient trend – but already occurring), in the proliferation of credit cards for shopping-sprees in suburban malls and in the stiffening of conditions to get a collateral returned in inner-city pawn shop.

By the 1970s, these subtle changes of the economic context and conditions were not subtle anymore. And they were met by an already mature, vibrant and variegated consumer movement, whose overall composition was described in this chapter and was demonstrated in the analysis of the organizational directories. By exhibiting the breadth and diversity of the consumer movement, and especially its grassroots components, this chapter has established the puzzle of this dissertation. As shown in the analysis, by the mid-1970s the consumer movement was a full-fledged social movement with a prominent national political leadership, and a broad social base that encompassed diverse populations, both middle-class and low-income, in state organizations and local groups around the country. It was loosely coordinated, but coordinated nevertheless, in part by nationwide organizational networks, and in part, by the national leadership in Washington, D.C. It comprised multiple groups and constituencies, many of them having specific areas of concern, and they often pulled in different directions. There was no shortage of tensions, either between the national leadership geared toward Capitol Hill and the local and state groups focused on their specific concerns and on the more mundane economic issues, or between the interests of organized labor (still paying a large portion of the check) and the interests of consumers. Nevertheless, the consumer movement managed to present a unified front, at least on the most important issues. The puzzle is established, but not yet solved: How did the movement emerge in the transition from the postwar consumers' republic to the period of counterculture and stagflation? How did the diverse constituencies congeal to one coordinated (however loose) movement? And, given such a wide array of interests, what were its political implications and its fate? These questions are explored in-depth in the following three chapters.

Chapter 4. Politicizing consumers: Policy effects on consumer organization

On March 15, 1962, John F. Kennedy delivered the first-ever Presidential Message to the Congress on Protecting the Consumer Interest. In it, Kennedy defined four “basic rights” of the consumer, and announced a program for consumer protection. Two years later, President Johnson also delivered a consumer-focused Message to the Congress, the first among four such addresses that he would make in his five years of presidency. During these years, the U.S. saw the passage of a host of laws and establishment of new administrative offices for consumer protection and affairs. It also experienced a burst of civic mobilization for the consumer interest. When Kennedy delivered his consumer speech in 1962, there was hardly any consumer civic activity in the U.S. Three national consumer organizations existed, but none of them were politically active: the old National Consumer League, a Progressive-era legacy, was almost defunct, with barely three local branches; the product-testing agency Consumers Union, established during the Great Depression, saw an immense growth in the circulation of its publication, *Consumer Reports*, but with it came a deliberate distancing from the more radical politics that characterized it in the past; and there was a Consumer Council on Information, roughly a decade old, which intentionally focused on academic and educational activity. A postwar attempt to form a National Association of Consumers perished during the fifties due to lack of interest. When Johnson gave his last congressional Consumer Message in 1968, there were about 35-40 local and state consumer groups, many of them coordinated under a newly founded national federation of consumer organizations. In the following years, civic activity grew, and the number of consumer groups increased about tenfold.

This chapter explores the relationship between the activity for consumer protection on the political-institutional level and the significant growth of civic awareness, consciousness and action on the consumer front. Within the social movement literature, the strand of research that deals with the connection between mobilization and politics is known as the political process / opportunity structure theory. Briefly stated, this theory claims that the contours of a social movement mobilization – the levels and forms of its collective action, its chances of success and failure, etc. – are influenced by the political context in which it operates, and by the structures of opportunity that processes within this context create or constrain. The mobilization of consumer organizations during the 1960s can be interpreted on the backdrop of political context, which

was then much more amenable and inviting for consumer civic activity, as the example of the presidential addresses shows. This interpretation is not incorrect, but it is also problematic. The political process / opportunity theory tends to assume a pre-existing movement, or at least an aggrieved constituency, unable to mobilize hitherto due to the lack of vulnerability of the political environment. Now, the movement members may take advantage of new opportunities opened thanks to contextual political and socio-economic processes. The political arena is thus assumed as the backdrop, or environment, on which the social movement actors operate, separately if not completely independently from that environment. This was not the case for the emerging consumer movement that grew out of institutional politics and policies.

In contrast to the political process / opportunity structure theory, the policy feedback literature perceives political processes – and specifically, policy programs and designs – as determining social and political outcomes not just by serving as context and structuring the political environment within which social actors operate, but by actively affecting and shaping these actors and their abilities and chances to organize. In the original work that coined the term policy feedback effects, Theda Skocpol suggested that government policies may have effects on various social groups, including political elites among the government and social groups. On the latter, she argued that policies can have effects of affording political capacities as well as forging new identities and encouraging certain alliances. However, the policy feedback literature evolved within the political science discipline with particular emphases that have tended to overlook the potential effects of policies on social movements. Specifically, this literature has mainly focused on rather narrow definitions of “policy,” particularly distributive policy programs, and on the effects of policies on individual political behavior of mass populations. When it did consider social groups, this literature has tended to limit these to interest groups and advocacy organizations. Only recently, and sparsely, has the policy feedback literature within political science started to examine the potential effects of different kinds of policies on broader social groups and on the capacities of certain groups to organize and mobilize.

This chapter adds to the policy feedback literature by examining the policy effects that gave rise to the consumer movement. I argue that a general policy regime – consisting of the recognition of the consumer cause, the creation of governmental positions to give greater appearance to the consumer interest, and legislative initiatives to promote consumer protection – helped to articulate a consumer identity on the part of activists and in the population at large, and

thus facilitated the mobilization of consumer advocates and of grassroots consumer groups. As I show in the following sections, these policy initiatives happened both at the states' level, starting in the mid-late 1950s, and at the federal level, starting in the 1960s, and thus they inspired both consumer mobilization in states and at local levels, and the creation of national, federally oriented interest groups on behalf of consumers. These policies were often not intended to induce the effect of consumer organization. The creation of the Presidential "assistant for consumer affairs" position, for example, was presumably intended, and was definitely received, as relating more to appearance than to governance. Nor were these policies always deliberately designated to cater to consumers: the War on Poverty programs did not necessarily have the constituency of "consumers" in mind. Yet, government officials and consumer advocates recognized the poor as part of the consumer constituency, and thus resources were channeled through these programs that also helped to facilitate consumer mobilization. Because of the diversity of these policies – federal and state-level, designated for middle-class and low-income consumer – their effects contributed to the emergence of a broad consumer movement with a national scope. This was reinforced by intentional mobilization endeavors on behalf of consumer advocacy groups in Washington, D.C. to foster grassroots, nationwide consumer organizing.

The next section presents theoretical considerations, with an emphasis on the policy feedback literature. I trace how the theory's intellectual evolution within political science constrained the study of policy effects on social movements, and I highlight a few exceptional studies that nevertheless attended to mobilization. The following section shows how governmental recognition of consumer interests created, in the language of the policy feedback literature, an organizational niche, filled by consumer advocates and interest groups. It presents the interplay between the establishment of governmental units and positions that gave representation to consumer interests – sometimes intended only as a token gesture – and the creation and mobilization of civic consumer groups in various states as well as nationally. Section C looks at programs of the War on Poverty that had indirect resource effects on the emergence of the consumer movement. The War on Poverty included a designated budget for consumer education, but in addition, local consumer organizations working among low-income populations were able to get funding from other anti-poverty programs. Furthermore, and importantly, the War on Poverty included the Legal Services program, which founded a National Center of consumer law experts. These legal experts informed the field attorneys in legal services offices around the

country how to treat their low-income clientele as consumers, and they also lent their legal expertise to campaigns and policy initiatives of organizations of the consumer movement.

One such campaign is taken up in section D, which presents a case-study of the consumer movement's opposition to the Uniform Consumer Credit Code. The case-study shows how combined positive and negative effects of a regulatory policy in the realm of consumer credit led to mobilization against the proposed legislation. Proposed as a model state law, consumer advocates perceived this legislative initiative as an attempt, on behalf of "their adversaries" in the credit industry, to subvert the innovative federal consumer credit law which was celebrated as an achievement of consumer protection. Thus, consumer advocates rallied to lobby against the Code, forming a broad coalition of consumer groups and organizations across classes and geographical locations. The campaign was perceived as successful, thus providing a shared sense of efficacy in the nascent consumer movement, and inspiring further consumer mobilization. The last section in the chapter provides two examples of such mobilization from the "top-down," starting from Washington, D.C. by two prominent consumer advocacy organizations and interest groups – the CFA and Ralph Nader's legal-organizational initiative of "public interest" groups. These cases demonstrate that despite focusing on federal policies, these interest groups intentionally, and quite successfully, mobilized grassroots consumer groups across the country.

A. Theoretical considerations: Social movements, political processes and policy effects

This chapter looks at the connections between the political processes of recognizing the consumer interest, including through instituting a set of policies to protect it, and the rise of the consumer movement. In doing so, it draws on the literature of policy feedback loops, which has not been sufficiently employed by social movements' researchers. While social movement scholarship has been very attentive to the relationship between institutional politics and the emergence of social movements, scholars of this field have treated the political system and political processes as *context* and *environment*. In other words, despite the scholarship's emphasis on developing a dynamic outlook that explains the emergence of social movements, it still sees the political arena as just that – an arena, or bedding, even if a dynamic one, on which social movements grow independently. Political processes, including their possible effects, are therefore treated as *exogenous* factors which provide social movements with *opportunities* to mobilize or that constrain this mobilization. In contrast, the policy feedback literature offers a

better way to connect institutional and non-institutional politics, as it specifically examines the direct effects of policies on political and social actors, including civic actors such as social movements.

The policy feedback literature argues that the effects of policies can affect society and social movements, for example, by contributing to the rise of new groups, identities, and alliances, and by affording them resources and capacities, and providing them with meanings and interpretations, all of which can facilitate their mobilization. However, even though the theory was initially formulated in the sociological context of the Progressive Era with its sweeping reform movements, it was later developed within the political science discipline, and consequently, it has tended to give little attention to effects on social movements. Specifically, this literature has usually treated separately the policy effects on political elites on the one hand, including government officials and interest groups, and, on the other hand, these effects on mass publics, studied and frequently operationalized as aggregate individual behavior. The separation of elite interest groups from mass publics has thus obfuscated the effects of policies on social movements. Furthermore, the policies studied in this literature are usually narrow, and they are mainly distributive programs. In this chapter, I seek to overcome these constraints by looking at effects of a variety of policy measures, taken together as a *policy regime* of consumer protection. Furthermore, I offer to revitalize the sociological perspective of the theory by looking at policy effects on the emergence of a social movement, comprised of interest groups as well as their rank-and-file organizations. The consumer movement offers a suitable case to study this process, because unlike the conventional case in which an interest group develops out of a social movement, in this case the opposite occurred, that is, interest groups mobilized grassroots organizations.

The study of social movements is situated in sociology within the study of politics or, specifically, contentious politics. Accordingly, social movement research has concentrated on explaining mobilization, out of an implicit assumption that successful mobilization can lead to political outcomes.¹ Yet, social movement scholars have recognized that the institutional political

¹ Charles Tilly and Sidney G. Tarrow, *Contentious Politics*, Second edition, fully revised and updated. (New York, NY: Oxford University Press, 2015), 7–10 for distinction between social movements and contentious politics; Andrew G. Walder, “Political Sociology and Social Movements,” *Annual Review of Sociology* 35 (January 1, 2009): 393–412, for the field’s focus on mobilization; see also: Edwin Amenta et al., “The Political Consequences of Social Movements,” *Annual Review of Sociology* 36, no. 1 (2010): 287–307.

field is not only influenced by social movements, but that it also conditions them, in both constraining and allowing occurrences of mobilization, or in the field's specific jargon, by creating political opportunity structures and through political processes. The linkage of these two concepts, opportunity structure and process, stems from early criticism on the static formulation of "opportunity structure," and its subsequent processual conceptualization. This theoretical view is evidenced in Tarrow's definitive assertion: "Movements arise as the result of new or expanded *opportunities*; they signal the *vulnerability of the state* to collective action, thereby *opening up opportunities* for others; the process leads to state responses which [...] produce a new opportunity structure."² Much of this literature has dealt with explaining the emergence of movements historically, elaborating the political processes that created mobilization opportunities, while other studies used comparative designs to link structures of political systems to prospects of mobilization.³

Importantly, the political process / opportunity structure theory perceives the institutional political system as a platform, or backdrop, on which social movements emerge and operate. The political elements or processes within that system are seen as "exogenous factors [which] enhance or inhibit" the prospects of mobilization, the chances of coalition forming, the likelihood that particular claims and forms of claim-making will be accepted or repressed and ignored, and the possibilities that identities will form or be activated for political organization.⁴ The literature commonly uses the metaphors of "environment" or "context" to indicate the institutional arrangements of the state along with its components and institutional actors. Political systems are thus perceived as varying along degrees of "openness" or "closure," or as more or less "vulnerable" to challenges and change. The following statement, while three

² Sidney Tarrow, "States and Opportunities: The Political Structuring of Social Movements," in *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures, and Cultural Framings*, ed. Doug McAdam, John D. McCarthy, and Mayer N. Zald (New York: Cambridge University Press, 1996), 61.

³ Doug McAdam, John D. McCarthy, and Mayer N. Zald, "Introduction: Opportunities Mobilizing Structures and Framing Processes," in *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures, and Cultural Framings* (New York: Cambridge University Press, 1996), 2–3; Doug McAdam and Sidney Tarrow, "The Political Context of Social Movements," in *The Wiley Blackwell Companion to Social Movements* (John Wiley & Sons, Ltd, 2018), 17–42.

⁴ David S. Meyer, "Protest and Political Opportunities," *Annual Review of Sociology* 30, no. 1 (August 2004): 126; see also: Doug McAdam, "Conceptual Origins, Current Problems, Future Direction," in *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures, and Cultural Framings*, ed. Doug McAdam, John D. McCarthy, and Mayer N. Zald (New York: Cambridge University Press, 1996), 23–40; Hanspeter Kriesi, "Political Context and Opportunity," in *The Blackwell Companion to Social Movements*, ed. David A. Snow, Sarah A. Soule, and Hanspeter Kriesi (Malden, MA: Blackwell Pub., 2004), 67–90; McAdam and Tarrow, "The Political Context of Social Movements."

decades old, still captures well the essence of this outlook: “The political system and public policy *set a context* that constrains these choices [that activists make. . .] Visible changes in policy, political rhetoric, and the policy-making process create *a political space* for movements. Within that *window of opportunity*, movements can mobilize dissent, make political gains, and alter *the structure of opportunity* for subsequent challenges.”⁵ In contrast to this view, the literature on policy feedback effects attributes a much more active role to the political system in not only structuring the opportunities for mobilization, but in having direct influence on the creation and transformation of mobilizing groups and alliances, their capacities and identities.

Just as social movements’ scholars usually strive to ultimately explain the political influence of movements’ mobilization, so too do political scientists conventionally posit a political event or process as the *explanandum*, that is, as an outcome of social or population-level processes. However, the policy feedback literature deliberately focuses on aspects of political government processes (i.e., on policies) as the *explanans*. According to this literature, policies have in themselves effects, specifically on the participants and constituents of political processes, and these effects, in turn, feed back into the process of shaping political outcomes. In the oft-quoted, pithy phrase of Theodore Lowi, it is the contention that “policies create politics,” turning on its head the usual focus in political science on policies as derivatives from politics.⁶ Thus, this literature examines the various effects of policies on political institutions, political elites, social groups and populations. While the ultimate goal is still explaining “politics” (i.e., the “feedback” part of the loop that reshapes political outcomes), scholars in this literature have paid ample attention to the first link in the influence chain, that is, to the effects of governmental policies themselves. Of particular interest here is the insight of this literature that policies can influence social groups in different ways – their formation, identities, resources and capacities. In the words of Theda Skocpol: “The institutional arrangements of the state and political parties affect the capabilities of various groups to achieve self-consciousness, organize and make alliances.”⁷

⁵ David S. Meyer, *A Winter of Discontent: The Nuclear Freeze and American Politics* (New York: Praeger, 1990), xv. Emphases added.

⁶ Quoted here from Anne Schneider and Helen Ingram, “Social Construction of Target Populations: Implications for Politics and Policy,” *The American Political Science Review* 87, no. 2 (1993): 344; see also Theda Skocpol, *Protecting Soldiers and Mothers: The Political Origins of Social Policy in the United States* (Cambridge, Mass.: Belknap Press of Harvard University Press, 1992), 58: “We must make social policies the starting points as well as the end points of analysis: As politics creates policies, policies also remake politics.”

⁷ Skocpol, *Protecting Soldiers and Mothers*, 47.

Since the policy feedback theory was first formulated in the early 1990s, the literature dealing with it evolved, primarily within political science, with certain emphases and biases. Here I highlight three trends. One, the policy feedback literature conventionally distinguishes between the level of political elites and the population level, and examines *separately* the influence of policy on these constituencies. Two, and relatedly, the policy feedback literature tends to study the population level in terms of individual political participation. While originally, in Skocpol's account, the "population level" included the study of social groups, the policy feedback research on population-level effects has focused mostly on mass publics, perceived as individuals in the aggregate, rather than organized group activity (with the exception of interest groups, usually referred to as part of the other end, the political elite). Lastly, this literature tends to focus on social welfare policies, and especially distributive programs, rather than other kinds of policy types and realms. Each of these trends have some exceptions, and notable ones are described in the paragraphs below. Nevertheless, these emphases chart the general lines of research along which the literature has developed, and respectively, by which it has been constrained. Given their specific distinctions and foci of research, these trends have hindered the study of policy influence on social movements. Particularly, the policy feedback literature pays little attention to social movements beyond, occasionally, elite advocacy organizations seen as representing interest groups. Thus, it has been limited in studying one of the purported effects of policy, "of stimulating brand new social identities and political capacities," or in other words, the formation of groups and how they "achieve self-consciousness, organize and make alliances."⁸

Policy feedback scholars often distinguish between policy effects on political elites on the one hand and on mass publics on the other hand.⁹ This distinction originates from the seminal works that developed the policy feedback theory in the early 1990s. Rooted in the tradition of historical institutionalism, these works concentrated on broad processes of social change, particularly state-related ones. In her foundational formulation of the policy feedback theory, Skocpol distinguished between two channels in which policies can influence social change

⁸ Ibid., first quote from p. 58, second from p. 47.

⁹ Daniel Béland, "Reconsidering Policy Feedback: How Policies Affect Politics." *Administration & Society* 42, no. 5 (September 1, 2010): 568–90; Andrea L. Campbell, "Policy Makes Mass Politics," *Annual Review of Political Science* 15 (June 2012): 333–51. Evidence to this distinction can be found in a recent special issue of *Policy Studies Journal* dedicated to policy feedback literature: the two groups of empirical articles in the journal dealt with political elites and mass publics, respectively: *Policy Studies Journal* vol. 47, issue 2, see especially the introduction article Béland and Schlager, "Varieties of Policy Feedback Research." Also see review of related literature in Elisabeth Stephanie Clemens, *What Is Political Sociology?, What Is Sociology?* (Malden, MA: Polity Press, 2016), 96–108.

processes that feed back into shaping political outcomes: through state-capacities and political institutions, and separately, through social groups, their formation, capacities and goals.¹⁰ In a subsequent agenda-setting article, drawing on Skocpol and others, Paul Pierson listed three groups of actors that can be influenced by policies: government officials, interest groups and mass publics. Pierson contributed another important distinction of kinds of policy effects: “instrumental” effects in the form of providing resources and incentives, and interpretive effects – policy influence through provision of information and meaning. The result is a three by two table, where each type of social actor - government elites, interest groups and mass publics – can be influenced through both types of effects.¹¹ Importantly, in a curious case of cross-disciplinary translation, while Skocpol’s sociological definition of “social groups” included both distinctive interest groups and broader political constituencies forming identities and coalitions, including social movements, Pierson referred solely to interest groups. Furthermore, Pierson sought in his article to highlight the need to study policy influence on mass publics, and consequent literature interpreted interest groups among the political elites, distinguished from mass publics.¹²

It is notable, however, that Pierson did include one reference in his article to collective action as a possible policy effect. This can happen, so goes the argument, when policy designs provide resources and incentives which may form an “organizing niche” for innovative interest groups. In Pierson’s language, “policy designs can also create niches for political entrepreneurs, who may take advantage of these incentives to help ‘latent groups’ overcome collective action problem.” To illustrate this, Pierson gave the example of the American Association of Retired People (AARP) as influenced by Medicare and other health-care policies.¹³ The case of senior citizens and the AARP has since been featured repeatedly in the policy feedback literature as an example of interest group mobilization effected by policy design.¹⁴ It was particularly taken up

¹⁰ Skocpol, *Protecting Soldiers and Mothers*, 41–60, see especially the chart on p. 58.

¹¹ Paul Pierson, “When Effect Becomes Cause: Policy Feedback and Political Change,” *World Politics* 45, no. 4 (1993): 595–628.

¹² For placing “interest group” among political elites, see, for example, the bibliographical review Andrea Louise Campbell, “Policy Feedback,” in *OBO*, Political Science, January 11, 2018, <http://www.oxfordbibliographies.com/view/document/obo-9780199756223/obo-9780199756223-0235.xml>. It is of note that a central part of Skocpol’s subject of study was plausibly the bread and butter of social movement research: civic mobilization by an early iteration of a “woman’s movement,” composed of elite professionals alongside grassroots organizations, which, as part of the reform movement of the Progressive Era, advocated for maternalist forms of social provision.

¹³ Pierson, “When Effect Becomes Cause,” 600–602.

¹⁴ Béland, “Reconsidering Policy Feedback”; Campbell, “Policy Makes Mass Politics”; Béland and Schlager, “Varieties of Policy Feedback Research”; Clemens, *What is Political Sociology?*, 96–98.

by a comprehensive study of the effects of policy programs on senior citizens' political participation. In her book, *How policies make citizens: Senior political activism and the American welfare state*, Andrea Campbell examined various effects of Social Security programs on seniors' political involvement and engagement. She found that beyond conferring resources, the programs have enhanced seniors' political participation, and especially low-income seniors, in various ways such as voting and civic engagement, and by making them targets for mobilization by political parties and senior interest groups. This, in turn, had effects on the continuation of Social Security programs for seniors. It should be noted, though, that only a small part of the study was dedicated to the activity of interest groups or mass-membership organizations such as AARP, and the focus was on seniors' individual political participation.¹⁵

With its focus on individual patterns of political participation and on a policy program of social provision, Campbell's study exhibits the two other characteristics of the majority of the policy feedback literature: studying policy effects on mass publics through individual political participation; and focusing on distributive policy programs. As for the first characteristic (i.e., perceiving mass publics as aggregate individual behavior), this approach of methodological individualism can be traced to Pierson's seminal article. It called on researchers to focus on mass publics, and explicitly advocated to move from historical studies to incorporate rational-choice theory into the study of policy effects.¹⁶ Another influential article promoting this agenda called to bridge policy feedback studies with the subfield of "mass politics" which concentrates on the study of mass political opinion and behavior, and professes the same heuristic approach.¹⁷ Consequently, much of the policy feedback literature has focused on the relationship between characteristics of policy design (such as universal versus means-tested) and the dependent variables of political attitudes and political participation, usually defined as individual participation in voting, in the program itself, or in other forms of political and civic engagement.¹⁸ Even when studying engagement with mobilizing organizations or institutions,

¹⁵ Andrea Louise Campbell, *How Policies Make Citizens: Senior Political Activism and the American Welfare State* (Princeton, N.J.: Princeton University Press, 2003), senior citizen interest groups are covered on pp. 75–79.

¹⁶ Pierson, "When Effect Becomes Cause," 627–28.

¹⁷ Suzanne Mettler and Joe Soss, "The Consequences of Public Policy for Democratic Citizenship: Bridging Policy Studies and Mass Politics," *Perspectives on Politics* 2, no. 1 (2004): 55–73.

¹⁸ For an example of public opinion, see Joe Soss and Sanford F. Schram, "A Public Transformed? Welfare Reform as Policy Feedback," *The American Political Science Review* 101, no. 1 (2007): 111–27. For an example of participation in program, see Joe Soss, "Lessons of Welfare: Policy Design, Political Learning, and Political Action," *The American Political Science Review* 93, no. 2 (1999): 363–80; see also review essays by Campbell,

scholars have viewed it as a behavioral characteristic of the individual resulting from the status of a program beneficiary.¹⁹ Similarly, even when group features were studied as affected by policies, in research on how policy effects construct target populations (e.g., whether they are deserving or not), the ultimate subject was not the collective action or identity that may arise from such constructions, but individual political participation of program beneficiaries.²⁰

The examples above illustrate, as well, the second characteristic of the literature: its tendency to focus on social welfare policy programs, and particularly distributive or redistributive policies. Whether these are universal programs rooted in mid-twentieth century American policies, such as Social Security and the G.I. Bill,²¹ or welfare programs that originated in the War on Poverty and were mainly intended for low-income populations,²² researchers in this strand of literature tend to study policy programs of social provision. In part, this tendency can be linked to the origins of the literature, rooted as it was in research on the welfare state and the varieties of social provision regimes.²³ In part, this can be explained as yet another consequence of the two previous characteristics, namely the distinction between political elites and mass publics, and the perception of the latter as individual response to policies.²⁴ Furthermore, it is undoubtedly easier

“Policy Makes Mass Politics”; Erik Gahner Larsen, “Policy Feedback Effects on Mass Publics: A Quantitative Review,” *Policy Studies Journal* 47, no. 2 (2019): 372–94.

¹⁹ Campbell, *How Policies Make Citizens*, 70–75, party-inspired mobilization is understood as voting; 75–79, interest-groups’ mobilization is understood as membership in mass-membership organization, although mobilization is considered on p. 78, but the data do not allow to provide an answer; see also: Suzanne Mettler, *Soldiers to Citizens: The G.I. Bill and the Making of the Greatest Generation* (Oxford: Oxford University Press, 2005).

²⁰ Schneider and Ingram, “Social Construction of Target Populations”. (Interestingly, this paper was criticized exactly for not attending to group identities, and the response from the authors clarified their stand about an important difference between “target populations” that are constructed by policy design and “social group identities” that are perceived as evolving extraneously: “The power of policy is partly exercised through setting target boundaries that include, exclude, or divide social groups. When a target group is delineated along the same boundaries as social groups with a cohesive identity and a clear image or social construction, then the social construction of the target group will be the same as that of the social group.” This is, of course, precisely at odds with Skocpol’s insight, often referred to or paraphrased in this literature, and the power of policy to construct new identities. See Lieberman, “Social Construction (Continued)”; Ingram and Schneider, “Social Construction (Continued)” - the quote is from p. 443. See also Soss, “Lessons of Welfare”; Sarah K. Bruch, Myra Marx Ferree and Joe Soss, “From Policy to Polity: Democracy, Paternalism, and the Incorporation of Disadvantaged Citizens.” *American Sociological Review* 75, no. 2 (2010): 205–26.

²¹ Campbell, *How Policies Make Citizens*; Mettler, *Soldiers to Citizens*.

²² Soss, “Lessons of Welfare”; Soss and Schram, “A Public Transformed?”; Bruch, Ferree, and Soss, “From Policy to Polity”; Sandra R. Levitsky, *Caring for Our Own: Why There Is No Political Demand for New American Social Welfare Rights* (Oxford: Oxford University Press, 2014).

²³ Skocpol, *Protecting Soldiers and Mothers*; Pierson, “When Effect Becomes Cause”. See also: Paul Pierson, *Dismantling the Welfare State?: Reagan, Thatcher, and the Politics of Retrenchment* (Cambridge, England: Cambridge University Press, 1994), Clemens, *What is Political Sociology?*, 106–108.

²⁴ This is indicated by Campbell: “Because the members of the public know and care about politics and policy less than political elites, are less attuned to government activity, and are less sure about their stakes in government

to study the quantifiable effects of the more visible policies. This is made clear when studied in comparison to less visible distributive policies, whose effects are often muted.²⁵ Only in the margins of the policy feedback literature, other, non-distributive policies are examined, and these too tend to have high tangibility or visibility (for example, anti-smoking laws).²⁶

Taken together, the three tendencies outlined above: (a) the separated treatment of political elites and mass publics; (b) the interpretation of “social groups” as merely interest groups, perceived among the political elites; and (c) studying “mass publics” mostly through aggregate individual behavior – all combined to hinder the study of the potential effects of policies on the emergence of social groups and identities, and social movements in particular. Despite the repeated references in the literature to possible effects on collective action, and a few earlier attempts to bridge policy feedback with social movement research,²⁷ only in recent years have students of policy feedback started to seriously engage with connections of policy effects to social movement activities, and to call for “bringing the organization back in,” including looking specifically at the connections between organizations and their constituencies.²⁸ This latter call refers to a variety of non-profit organizations, not just social movement organizations (other types include high-education institutions, community non-profits, membership associations, trade unions, etc.), and it particularly seeks to study how these organizations prepare and mobilize individuals for civic and political engagement. Its authors refer to different ways in which organizations interact with their constituencies, including how they structure collective action through interest groups, mass membership associations and social movement organizations. Below I describe two studies that show the potential in pursuing this direction,

action, much of the search for policy feedback effects on mass publics has centered on social welfare policy.” Campbell, “Policy Makes Mass Politics,” 336.

²⁵ Suzanne Mettler, *The Submerged State: How Invisible Government Policies Undermine American Democracy*, Chicago Studies in American Politics (Chicago: University of Chicago Press, 2011).

²⁶ Julianna Pacheco, “Attitudinal Policy Feedback and Public Opinion: The Impact of Smoking Bans on Attitudes towards Smokers, Secondhand Smoke, and Antismoking Policies,” *Public Opinion Quarterly* 77, no. 3 (January 1, 2013): 714–34; Matia Vannoni, “A Behavioral Theory of Policy Feedback in Tobacco Control: Evidence From a Difference-In-Difference-In-Difference Study,” *Policy Studies Journal* 47, no. 2 (2019): 353–71; other non-distributive policies that have been studied include criminal justice policies and their effects on citizen's political participation: Vesla M. Weaver and Amy E. Lerman, “Political Consequences of the Carceral State,” *American Political Science Review* 104, no. 4 (November 2010): 817–33; and of same-sex marriage legislation on citizens' attitudes: Rebecca J. Kreitzer et al., “Does Policy Adoption Change Opinions on Minority Rights? The Effects of Legalizing Same-Sex Marriage,” *Political Research Quarterly* 67, no. 4 (December 1, 2014): 795–808.

²⁷ David S. Meyer, Valerie Jenness, and Helen M. Ingram, eds., *Routing the Opposition: Social Movements, Public Policy, and Democracy* (Minneapolis: University of Minnesota Press, 2005), see specifically chapters 1, 5, and 7.

²⁸ Kristin A. Goss, Carolyn Barnes, and Deondra Rose, “Bringing Organizations Back In: Multilevel Feedback Effects on Individual Civic Inclusion,” *Policy Studies Journal* 47, no. 2 (2019): 451–70.

including looking specifically at policy effects on the formation and transformation of group identities: Kristin Goss's longitudinal study of women's groups political participation in policy-making; and Mallory SoRelle's recent study of the policies of consumer finance regulation.

Drawing on datasets of Congressional hearings, Goss documented the long-term trends of women's groups participation in policy-making debates, from the late 19th century to the present. She found that in the early half of the twentieth century, women's groups appearing on Capitol Hill were characterized by mass-membership organizations who advocated on a broad set of civic issues. Contrariwise, the surge of women's group participation in the 1970s-1980s was characterized by fragmented and specialized groups, focusing on narrower "women's" issues. Goss argued that the policies regarding women – particularly, the 19th Amendment enfranchising women and the 1960s equal-rights policies – were responsible for transformations in women's collective identities, and subsequently in their patterns of political engagement. Suffrage was given to broad interpretation, embodying the dual notion of citizenship as rights and responsibilities, and thus allowed civic participation by various types of women's groups, including those who emphasized a "sameness" perspective, advocating for the Equal Rights Amendment, and those emphasizing a "difference" perspective pushing for maternalist welfare policies. The 1960s equal rights policies influenced women's groups by redefining women's identity as an aggrieved group seeking redress for historic inequities, and they also had resource effects on capacities of feminist groups. Consequently, women's political participation sought narrower, gender-related issue-based agendas. Thus, the equality agenda helped undermine women's disadvantage, but in turn it also undermined collective mobilization, emphasizing individual opportunities and achievements.²⁹ Goss's research was therefore exceptional in exploring policy effects on transforming social groups' identities and capacities. It also departed from the policy feedback literature's narrow focus on distributive/redistributive policies.

Studying the broader formation of identity among political groups, Goss's research nevertheless remained limited to interest groups in its operationalization of Congressional debates. In contrast, SoRelle's research about consumer finance regulation looked into policy effects on both interest groups and the larger population, and, furthermore, it paid attention to their interlinks through mobilization efforts. SoRelle also departed from the policy feedback

²⁹ Kristin A. Goss, *The Paradox of Gender Equality: How American Women's Groups Gained and Lost Their Public Voice*, CAWP Series in Gender and American Politics (Ann Arbor: University of Michigan Press, 2013).

literature's focus on distributive policies in developing a theory of "regulatory feedback effects." Incidentally, this research also dealt substantively with an issue that is explored in this chapter: consumer credit regulation. SoRelle's larger argument is that the political patterns of American consumer financial protection have been shaped in a self-reinforcing cycle, producing what she terms "a political economy of credit". In contrast to previous studies of the American consumer credit-oriented economy, which examined the *origins* of these economic policies, SoRelle explored their political *effects* and regulatory aspects. She argued that since the New Deal, federal policymakers relied on broad access to consumer credit to sustain the national economy, and on information disclosure as the primary form of consumer financial protection. This "unleashed a path-dependent process" dramatically limiting both the incentives for future policymakers to enhance consumer financial protections in other means, and the capacities of individuals and civic groups to challenge these regulatory policies.³⁰

Specifically, SoRelle argued that these policies had regulatory feedback effects on social groups and individuals, on their identity formation and capacities for collective action. While following the policy feedback literature in separating interest groups from the mass public, she departed from this literature by looking into the connection between the two. She claimed that since the policies of consumer financial protection apply to a large and diverse group of the population, it curbed the activation of a collective constituency or identity. Furthermore, these regulatory policies *privatize* consumer financial protection, as they obscure the government's role in credit regulation while highlighting the lending business and market transactions. The policies also *personalize* consumer financial protection, with assumptions that portray the consumer as an atomistic, rational market actor, and consider the use of credit as a personal market decision. According to SoRelle, the combination of this diffuse and invisible policy and its privatizing and personalizing effects contributes to demobilization of consumers who, at most, use transactional individual methods in pursuing grievances. These effects also inhibit the ability of advocacy (interest) groups to mobilize constituencies, as she showed in a case of mobilization attempts of two consumer groups around the 2008 financial crisis. The result, she claims, is a "feedback loop that contributes to lawmakers' ongoing failure to enact more meaningful

³⁰ Mallory E. SoRelle, *Democracy Declined: The Failed Politics of Consumer Financial Protection*, Chicago Studies in American Politics (Chicago: The University of Chicago Press, 2020), see in particular pp. 6–8.

financial protections and threatens the economic security of individual borrowers and the United States as a whole.”³¹

To conclude our theoretical considerations, the political process / opportunity structure within social movement literature treats the political system as an environmental context which constrains or provides windows of opportunity for mobilization, but it does not consider the direct effects of institutional politics as proactive factors that may facilitate mobilization. In contrast, the policy feedback literature is concerned with such effects as affording resources and providing meanings and interpretations that can contribute to the creation and transformation of social groups and identities, and to their capacities to form alliances and mobilize. However, this literature has been mostly limited in studying mobilization, given its tendency to treat separately the effects of policies on political elites, including interest groups, and on the mass publics, and thus also to ignore the possible links between them; as well as due to its emphases on aggregate individual political participation and on distributive policy programs. Recent studies in this literature provided exceptions to these tendencies and looked more closely into the effects of policies and policy regimes on identity formation and group mobilization. Particularly relevant are SoRelle’s insights about the regulatory policy effects regarding consumer credit, and how they have both limited the capacities of interest groups to influence policies and impeded their attempts to mobilize the larger population. However, these latter insights are based on empirical cases from the early twenty-first century, after the regulatory policy regarding consumer credit was already set on course. As this chapter shows, during the three decades after World War II, an emergence of a policy regime of consumer protection (including with regard to consumer credit in particular; discussed in section D) had had much different influence on forming group identities and facilitating social groups’ capacities to mobilize.

B. The interplay of governmental representation and consumer civic organization

Historians of the consumer movement often celebrate Kennedy’s address to the Congress on consumer interest on March 15, 1962 as the launching moment of the 1960s political recognition in consumer interests.³² However, Kennedy’s special message did not come in a vacuum. Nor

³¹ Ibid., 9.

³² See, e.g., Robert N. Mayer, *The Consumer Movement: Guardians of the Marketplace*, Social Movements Past and Present (Boston: Twayne Publishers, 1989), 26–27; Lizabeth Cohen, *A Consumers’ Republic: The Politics of Mass*

was the appointment, a year later, of a Special Assistant to the President on Consumer Affairs the first one of its kind in the country. These initiatives began in the previous decade in a handful of states. Several legislative proposals in the realm of consumer protection, including at the federal level, also indicated that politicians had recognized the need, and the political advantage, of acknowledging consumers as a distinct constituency. Most likely, instituting such governmental consumer counsel positions was seen as a rather costless and expedient measure, as evidenced by the fact that frequently, the governmental officeholder (often a woman) did not have much authority, nor, in most cases, ample resources. Nevertheless, these policy initiatives had effects on civic activity in the consumer area. This section shows that these official consumer positions stimulated the organization of new consumer groups, or in a few cases, gave impetus to existing ones. In other words, by instituting a measure of consumer protection and governmental representation, policymakers defined and reinforced the recognition of consumer interests as deserving separate treatment. In doing so, not only did their policies create an organizational niche for consumer advocates, but moreover, they facilitated the emergence of consumer consciousness among activists and the population at large. This, in turn, encouraged further consumer mobilization and the cooperation of groups across states, and ultimately contributed to the establishment of a national consumer advocacy body.

The first state to create an independent position of a consumer counsel was New York, as early as 1955. During his gubernatorial campaign, W. Averell Harriman promised to appoint a consumer representative to his executive staff. Such campaign promises would also be made at the end of the decade in the California gubernatorial election, and in John F. Kennedy's presidential campaign in 1960. The idea for a "consumer representative" in the government was a legacy of the New Deal, where a Consumer Advisory Board was established for the National Recovery Administration (NRA), and inspired the establishing of local consumer councils in cities and states.³³ The Chair of the NRA's Consumer Advisory Board, Mary Harriman Rumsey, was apparently pivotal to the future decision of her brother, Averell Harriman, to establish the

Consumption in Postwar America (New York: Alfred A. Knopf, 2003), 345; Matthew Hilton, *Prosperity for All: Consumer Activism in an Era of Globalization* (Ithaca: Cornell University Press, 2009), 185.

³³ Cohen, *A Consumers' Republic*, 28–30; Meg Jacobs, *Pocketbook Politics: Economic Citizenship in Twentieth-Century America* (Princeton, N.J.: Princeton University Press, 2005), 114–16, 122–35, 156–59, 163–75. See also Meg Jacobs, "'Democracy's Third Estate': New Deal Politics and the Construction of a 'Consuming Public,'" *International Labor and Working-Class History*, no. 55 (1999): 27–51. The idea of consumer representation in the government was employed again during World War II, again inspiring and mobilizing grassroots consumer organizing, see in *Pocket Politics*, pp. 186–9, 203–212.

position when he became New York Governor.³⁴ To the position was appointed Persia Campbell, an Australian-born economist who came to the U.S. during the 1930s, and earned her PhD in economics at Columbia University in 1940, writing on the topic of consumer representation in the New Deal. In 1949 she published a widely read textbook entitled *The Consumer Interest*. Six years later she was appointed as the first State Consumer Counsel in the country. Campbell's term was short, and it ended, along with the cancellation of the position, with Averell Harriman's defeat in 1958. Yet, during her term, and later on in non-governmental capacity, Campbell was instrumental in establishing similar positions and consumer bodies in states such as California, Massachusetts, and Connecticut, and she advocated for them to be enshrined in legislation.³⁵

Whether as an independent position or under another governmental agency, the function of consumer representative in the government (sometimes as a consumer-related unit) often incentivized the creation of advisory boards with public representatives, or even civic consumer associations that provided public support for the initiative of the consumer official. Thus, for example, the Association of California Consumers was founded in 1960, a year after the establishment of the position of the state's Consumer Counsel and the respective appointment of a Consumer Advisory Committee to the Counsel. Founded by local consumer and labor advocates, among others, the Association (which would later change its name to the Consumer Federation of California) had both individual members, including academics (especially economists and home economists), and groups as members, including labor unions and consumer cooperatives. The Association cooperated with the state's Consumer Counsel, Helen Nelson, and with her office, and engaged mostly in advocacy, developing and promoting consumer protection legislation.³⁶ In a sense, it can be said that part of its *raison d'être*, at least in its foundation, was

³⁴ On the former, see: Persia Campbell, "Consumer Representation at the State Level: The Pioneer, New York," in *Consumer Activists: They Made a Difference: A History of Consumer Action Related by Leaders in the Consumer Movement*, ed. Erma Angevine (Mount Vernon, N.Y.: Consumers Union Foundation, 1982), 214; Helen Ewing Nelson, "'The First Consumer Counsel in California,'" an Oral History Conducted 1979 by Julie Shearer," in *Pat Brown: Friends and Campaigners* (Berkeley: Regional Oral History Office, The Bancroft Library, University of California, Berkeley, 1982), 6.

³⁵ Campbell, "Consumer Representation at the State Level: The Pioneer, New York". On Campbell's influence on Massachusetts and California see below, and also Nelson, "Oral History Interview by Shearer," *Ibid.* On her role in establishing Connecticut's Consumer Council, see National Consumers Committee for Research and Education, *Consumer Activists: They Made a Difference: A History of Consumer Action Related by Leaders in the Consumer Movement*, ed. Erma Angevine (Mount Vernon, N.Y.: Consumers Union Foundation, 1982), 104.

³⁶ Consumers Union of United States, *Consumer Protection: A Roster of State and Local Organizations Concerned with the Protection of the Consumer; a Listing of Consumer Protection Activities; a Review of the Status of Legislative and Voluntary Efforts to Strengthen Consumer Protection* (Mount Vernon, N.Y.: Consumers Union, 1966), 21. In: CMA, Helen Nelson Papers, Box 1. It is not entirely clear whether the association was founded as a

to provide civic backing to the office. In other states, consumer advisory bodies, composed of citizen representatives, were established by, and under, Attorney Generals. For example, in 1965, the Attorney General of New Mexico founded a Consumer Fraud Section. Parallel to that, there was established an “Advisory Committee on Consumer Problems,” composed of 33 women, whose task was to assist in reporting violations to the Consumer Fraud Section.³⁷

In other cases, the civic organization came into being separately from, but oftentimes simultaneously with, the governmental unit, and occasionally in direct interplay with the latter’s foundation. The state of Massachusetts can serve as an example case. The civic organization there, the Massachusetts Consumer Association, incorporated in 1962, and the statutory Consumer Council in 1963. Both bodies co-evolved from an Advisory Consumer Council that the Attorney General established in his office, in 1958, along with a Consumer’ Counsel Division to handle legal problems related to consumers. Father Robert McEwen, a Boston College economist who would later become a key-figure in the nascent consumer movement nationally, filled a pivotal role here as well. McEwen was appointed chairman of that state’s Advisory Consumer Council. In his role, he pushed, with the advice and encouragement of Persia Campbell, for instituting the Council in state legislation. At the same time, he and others also developed civic interest in consumer organizing, through two Consumer Conferences that were held at Boston College, in late 1959 and early 1962. From the 1962 conference came a resolution to establish a permanent organization, which was established a few months later as the Massachusetts Consumer Association. This newly formed body had on its agenda two main tasks: to advocate against a Usury Bill under consideration then in Massachusetts, which the association thought was not sufficiently consumer-oriented, and to promote encoding the status of a Consumer Council in state legislation. In 1963, the Council was indeed established as a statutory body, with function and powers to “conduct studies, investigation and research and

result of the establishment of the Consumer Counsel position, but it is clear that the establishment of the position, and specifically Nelson as an office-holder, provided incentives for the association’s activity. See Nelson, “The First Consumer Counsel in California,” 38–39: “It [the Association] grew out of the conference of labor and consumers that was held at Asilomar in 1958 [a year before the creation of the governmental position - Y.R.]. They set up a steering committee at Asilomar that developed in the next year into the Association of California Consumers. I don’t think it would have developed if the office hadn’t been created. [...] But it was a coincident. I can’t say that I was responsible. I certainly did a lot to keep them alive”; see also the obituary of one of the founders of the association: John Wildermuth, “California Labor Leader Albin Gruhn Dies,” *SFGATE*, March 26, 2009, sec. Bay Area & State.

³⁷ Consumers Union of United States, *Consumers Union’s Consumer Protection Roster*, 130a.

advise the Executive and Legislative branches” on consumer affairs, and to represent consumer interest before federal and state legislative and executive hearings.³⁸

In the same way that at the local level, governmental consumer positions interacted with and facilitated the establishment of civic consumer groups, at the national level also, the official governmental programs around consumer interests gave an even more emphatic impetus to national civic consumer organizing. Ironically, this impetus came precisely because the policies were presumably created more for appearance, primarily the appointment of “consumer advisors” who had little actual power and resources. John F. Kennedy brought the consumerist agenda to the White House, when he made the consumer figure and the issue of consumer interests central to his 1960 Presidential campaign.³⁹ Just like in the California gubernatorial election a year earlier, Kennedy made a campaign promise to appoint a consumer counsel if elected. This came three days before the election day, in a closely contested race. During his first year in office, Kennedy and his staff were occasionally reminded of this campaign promise by consumer representatives of an embryonic nationwide movement, such as Persia Campbell and the heads of Consumers Union, Colston Warne, and of the academic Council of Consumer Information, Richard Morse. A partial fulfilment of the promise was made on March 15, 1962, when Kennedy gave the first ever Special Address to the Congress on the Consumer. In his speech, Kennedy declared on a “Consumer’s Bill of Rights,” identifying consumers’ right to safety, the right be informed, the right to choose, and the right to be heard. This message is often celebrated as pivotal, both internally in the consumer movement and in retrospective

³⁸ Consumers Union of United States, 90–92; Norman Isaac Silber, “Interview with Father Robert McEwen,” in *The American Council on Consumer Interests: An Oral History 1954-1984*, ed. Marjorie M. Merchant (Columbia, MO: The American Council on Consumer Interests, 1987), 205. Interestingly, McEwen in his interview contrasts the cases of Massachusetts and California, and claims that in California, the establishment of the position of Consumer Counsel was not accompanied by grassroots support, and was therefore more precarious with the political shift of power, referring to Reagan’s dismissal of Nelson (although the position was not abolished). In Massachusetts, he says, “We went the opposite direction. We went through the groundswell first, and my five years in the Attorney General’s Office in the Advisory Consumer Council was spent in sort of building the groundswell that later led to the legislative adoption of it. Once in, that lasted through Republican, and Democrat, and Republican, and so forth.” On pp. 218–9.

³⁹ Lucy Black Creighton, *Pretenders to the Throne: The Consumer Movement in the United States* (Lexington, Mass.: Lexington Books, 1976), 41; Esther Peterson, *Restless: The Memoirs of Labor and Consumer Activist Esther Peterson* (Washington, DC: Caring Pub., 1995), 119; Colston E. Warne, *The Consumer Movement: Lectures*, ed. Richard L.D. Morse (Manhattan, Kansas: Family Economics Trust Press, 1993), 172–74; see also Cohen, *A Consumers’ Republic*, 345.

historiography. Indeed, though its contemporary importance was mainly symbolic, it showed public recognition of the consumer interests on the highest level of government.⁴⁰

As part of Kennedy's Address to the Congress, he also appointed a Consumer Advisory Council consisted of private citizens. Possibly, this was supposed to fulfil his campaign promise of ensuring consumer representation, but the Council had no real powers and was described as "little more than window-dressing." From the beginning, it had only an advising role and not any responsibility nor capacities. Furthermore, it was placed under the Council of Economic Advisers, which did not help to increase its voice. To the Council were appointed prominent figures in the field of consumer interests alongside academics (mostly economists), who included Campbell, Warne, Morse, Helen Nelson, and Caroline Ware. Others included the past president of the League of Women Voters and the Executive Director of the Urban League of Greater New York. In October 1963, the Council issued its only report, which helped to establish shared terminology in the realm of consumer credit (and was conducive to the campaign to legislate the federal Truth in Lending bill), but other than that had no real impact. However, the Council did push the President for the appointment of a designated staff person on consumer interests. Kennedy accepted the proposal, and intended to appoint to this position Esther Peterson, then an Assistant to the Secretary of Labor, whose connections with Kennedy went back to his early political career in the 1940s. While Kennedy did not manage to see this appointment through before his premature death, President Johnson carried through the promise and appointed Peterson to his staff as a Special Assistant to the President on Consumer Affairs.⁴¹

Along with the establishment of this special position, Johnson also created the President's Committee on Consumer Interests (PCCI). It consisted of high-level officials in cabinet departments and federal agencies with relevance to consumer issues, and the civic Consumer Advisory Council was incorporated into it. The President's Special Assistant was made the chair of the PCCI. In reality, the PCCI was difficult to coordinate – especially for Peterson, who was

⁴⁰ On Kennedy's Consumer Bill of Rights in 1962, see the sources in footnote 32 above. And also Warne, *The Consumer Movement: Lectures*, 172–78. On the importance of the Bill in retrospect, but low priority of the consumer protection agenda in the Kennedy administration, see Mark V. Nadel, *The Politics of Consumer Protection*, Bobbs-Merrill Policy Analysis Series (Indianapolis: Bobbs-Merrill, 1971), 49–50. On the retrospective importance of the bill in the context of a global consumer movement, see Hilton, *Prosperity for All*, 185–86.

⁴¹ Nadel, *The Politics of Consumer Protection*, 51; Creighton, *Pretenders to the Throne*, 42–43, including the quote "little more than window-dressing"; Warne, *The Consumer Movement*, 174–78, see especially his note: "We felt like a fifth wheel, and I suppose we were." 177; See "Consumer Advisory Council: First Report, October 1963 | JFK Library," (URL address, see references).

herself still holding her position at the Labor Department – as it consisted of various government officials from different departments and agencies, and it rarely met. The Consumer Advisory Council was more amenable to meet, but it did not issue another report, nor did it meet again before its term ended in 1964.⁴² In 1965, following delays and prompts from members of the nascent movement to the President, a new Consumer Advisory Council was appointed with new members.⁴³ It, too, included prominent figures broadly identified with the consumer interests, such as Robert McEwen of the Massachusetts Consumer Council and the consumer columnist Sidney Margolius, alongside academics from economics and home economics, a representative from the Cooperative League and one from the association of credit unions, and prominent officeholders in state governments, like Wisconsin’s Attorney General Bronson La Follette and California’s Consumer Counsel Helen Nelson. The second Council issued a report with various recommendations for consumer protection measures. Due to internal disagreements among the members about the report’s contents, its recommendations were less comprehensive than some members had hoped. Still, the report received unfavorable attention from the business community, and was described in a business trade journal as “having the explosive power of a nuclear bomb.” It received much less attention from the Johnson administration, which released it only after six months and without any supporting, or other, comments.⁴⁴

Esther Peterson lasted three years in the position until leaving it before the end of the President’s term. Prior to her departure she contributed to the formation of what would become

⁴² Nadel, *The Politics of Consumer Protection*, 50–52; Warne, *The Consumer Movement: Lectures*, 178, especially see footnote 161-162 (written by Richard Morse), 178–180; see also Hilton, *Prosperity for All*, 160–61.

⁴³ See Warne, *Ibid.* And also Letter to Father McEwen (in his role, then, as President of the Council of Consumer Information), from John Edelman (Chairman of the National Consumers’ League board), Jerry Voorhis (President and Executive Secretary of the Cooperative League of USA) and Colston Warne of Consumers Union, on May 17, 1965. The authors ask McEwen to join them in asking President Johnson to meet and discuss consumer affairs “because our three organizations rather broadly represent people as consumers.” They specifically intend to commend the President on his appointment of Peterson – “We can agree that Ester Peterson has moved swiftly to increase consumers’ self-awareness and that she has personally borne the brunt of attacks aimed at all consumers” – and to urge his to reinstate the CAC: “The President’s Committee on Consumer Interests cannot continue to function [...] without its public member majority, and we would urge the President to name members.” McEwen Papers, box 25, folder 13.

⁴⁴ Creighton, *Pretenders to the Throne*, 43–44, “explosive bomb” quote from journal *Printers’ Ink*, quoted on p. 44. McEwen Papers, Box 26, folders 13-27. Membership lists of PCCI and CAC are in folder 18. Evidence for internal disagreement are found in the correspondence, for example: Letter from Sidney Margolius to Richard Holton, December 31, 1965, Box 26, folder 13. The tension is also mentioned on Warne, *Ibid.*, p. 179–180, footnote 162 by Richard Morse, who attributes the delay in the publication to “the divided opinion on the CAC as to how the consumer should be represented at the highest levels of government.” Controversies were both to what would be the scope of the body and what would be its format, whether a department in the cabinet or an independent executive agency, p. 179.

the country's primary consumer advocacy organization. This civic organizing by an officeholder should not be surprising considering Peterson's biography. Coming from the labor movement, Peterson was at first a union organizer in Boston, then a labor lobbyist in Washington, D.C., including for the AFL-CIO. During the 1960 Presidential election, she ran Kennedy's campaign in her home state of Utah. After Kennedy's election, she was appointed a Director of the Women's Status Bureau under the Secretary of Labor, helping to establish the Presidential Commission on the Status of Women. Soon after Kennedy's assassination, she accepted Johnson's proposal to fill in the newly created position in the consumer area. It is unknown what were Kennedy's intentions for this position, and what capacities he thought it would or would not have. Under Johnson, however, Peterson soon discovered that she was expected to fill this position parallel to her position at the Labor Department, with no more resources than an office and a secretary. Retrospectively, this led her to say she was "a political instrument rather than a real instrument for the consumer." In interviews and in her autobiography, Peterson described her years in this position as marred by the lack of resources, continuous struggles with the President's staff, and the hostile and acrimonious treatment she received from corporate lobbies and the business press.⁴⁵ She left the position in the middle of Johnson's second term (while continuing to fill her position at the Labor department), and was replaced by an official who was deemed more palatable to the business community, Betty Furness.⁴⁶

Partly because Peterson constantly felt that her position was mainly a public relations stunt, and partly, perhaps, given her organizing background, in her role of a Special Assistant for Consumer Affairs, she supported and contributed to the civic organization of consumers. Despite the challenges she faced from Johnson's staff, Peterson managed to achieve accomplishments in her position, such as consumer protection legislation, initiated by Congress members and passed

⁴⁵ Esther Peterson, "Consumer Representation in the White House," in *Consumer Activists: They Made a Difference: A History of Consumer Action Related by Leaders in the Consumer Movement*, ed. Erma Angevine (Mount Vernon, N.Y.: Consumers Union Foundation, 1982), 198–212, including the quote about "political instrument" on pp. 205–6; See also Peterson, *Restless*, 134–35. In her Oral History interviews, Peterson is more blunt: "It was a climate of wanting to do these things for political reasons, but don't go too far. You know, you do it for the show, but Esther, don't get into the warp and woof of it. Stay out there and make nice speeches, and let them know that we're on the consumer's side, but forget about annual interest rate, forget about turning the odometer back, forget about the stuffing of the Turkey." Esther Peterson, "The Reminiscences of Esther Peterson," Columbia University: Oral History Research Office (hereinafter: Peterson Oral History), 160.

⁴⁶ Furness was formerly a television personality and a hostess/advertiser for the appliance company Westinghouse. Her appointment initially upset representatives of the consumer movement, yet they changed their mind upon observing her advocacy work on Capitol Hill. Nadel, *The Politics of Consumer Protection*, 52; Warne, *The Consumer Movement: Lectures*, 181, footnotes 165–166. See also relevant part in chapter 6.

with lobbying assistance from Peterson and civic organizations.⁴⁷ To enhance the political power of the latter, Peterson's office, and she herself, facilitated consumer organizing and filled a pivotal role in the formation of the Consumer Federation of America. As the President's "consumer advisor", Peterson was uniquely positioned to observe the needs of the general public to have consumer issues and problems addressed. At the press conference when Johnson announced her appointment to the position, she called on the public to write to her in the White House, and within days she received thousands of letters from aggrieved consumers. Lacking the resources to address the problems, she felt that "We had to have the top level for policy, but we had to have the action where the people were at the grass-roots."⁴⁸ During 1964-65 she arranged regional conferences on consumer problems that brought together various existing consumer groups and consumer advocates, alongside other civic organizations (e.g., women groups, labor unions, religious groups, civil rights groups) with interest in consumer issues.

As a result of Peterson's efforts, the Consumer Federation of America was established as an advocacy organization, which, according to Peterson's plan, would counter the business lobbying efforts she encountered in her position. In April 1966, in part out of the regional conferences organized by Peterson's office, and in part out of an already existing loose coalition of the local and state consumer bodies (such as those that were mentioned earlier in this section), a conference was held in Washington, D.C. under the title "Consumer Assembly." Among the 33 organizations that sent a few hundred delegates to the conference were the AFL-CIO, NAACP, the National Farmers Union, cooperative groups and women's groups. They joined the existing national consumer organizations – Consumers Union and the National Consumers' League – and local and state consumer groups.⁴⁹ Peterson appeared before the Consumer Assembly, and in her speech, she prodded them to form a permanent consumer coalition that could constitute a non-governmental lobby, a consumer interest group, and counter the lobbying power of "special

⁴⁷ Two early consumer protection laws were the "Truth in Packaging" and "Truth in Lending" bills. The former, officially called "Fair Packaging and Labeling Act" was enacted in 1966, after proposed by Senator Philip Hard (Democrat from Michigan. Peterson helped lobbying for the bill in Congress. The latter bill, Truth in Lending, was debated in Congress for eight years, and eventually passed after Peterson left her position, in 1968. On the former bill, see Peterson, *Restless*, 126–31. On the latter see pp. 133–134, and further details in the section ahead about UCCC.

⁴⁸ Peterson, "Consumer Representation," 204.

⁴⁹ Marjorie Hunter, "Consumer Rally in Capital Today; Delegates of 33 Clubs to Put Pressure on Congress," *The New York Times*, April 25, 1966, p. 27; See also Cohen, *A Consumers' Republic*, 353.

interests,” that is, corporate interests, on Capitol Hill. Her press release from the conference makes this claim in plain language:

“Virtually all the special interests except the consumer interest are very well organized to exert their influence loudly and clearly in the Nation’s Capital,” she said. “In contrast the consumer interest is so widely diversified and disorganized that it is barely heard above a whisper in many, many cases.

“To me,” she said, “this means that until some mechanism is developed outside the government that will act as a countervailing power to other organized interests, the consumer will always be in the position of an underdog.” [...]

“The fact is that government can respond to organized groups far easier than it can to demands and pressures that do not come from organized groups. [...] All this adds up to an unprecedented opportunity to form a national federation of existing groups, using existing mechanisms for the benefit of all American consumers.

“If unity brings strength,” she said, “then a federation of private organizations may at long last give American consumers the beginnings of enough power to compete on more even terms with the other forces at work in our society.”

She ended by saying that such a federation would benefit all segments of society, including “responsible business men,” but that the greatest benefits would go “to those who needs [sic] them the most: the elderly and the destitute.”⁵⁰

Clearly, then, by the mid-1960s, an “opportunity structure” was created out of political processes of governmental recognition in consumers as a distinct political constituency, and consumer interest groups could have their voice heard in policymaking forums. But in the case of this diffuse constituency, an opportunity alone was not enough. Rather, government policies facilitated the establishment of such organizations and assisted – sometimes shepherded – the mobilization of the constituency. Acknowledging her own limits of power to influence policy within the government, Esther Peterson sought a civic interest group that would help her to advance consumer protection and counter the power of business lobbies. Facing the absence of such a permanent group, she encouraged the establishment of one. At the same time, in facilitating the formation of a national advocacy group, Peterson appealed to existing groups and

⁵⁰ Press Release, Washington, D.C., April 25, 1956 [sic – should be: 1966], Peterson Papers, Box 64, Folder 1237. Emphasis added. Once again, the Oral History interviews portray the picture even sharper: “In the work at the White House and the work that I had done, it was obvious that we had no collective voice as consumers before Congress. It was very diffuse, there was Consumers League, there were little pieces of organizations all around. And it just seemed to me that until we got a collective voice that could speak for consumers we would not be effective before Congress. We needed backing of a group that believed that the consumer is entitled to a voice in marketplace decisions. [...] Businesses have the NAM that speaks for them and the Chamber of Commerce and the trade associations. Labor has the AFL-CIO. Who out in this vacuum do you have that is entitled to say you can speak for consumers? [...] I proposed in a speech before a consumer assembly [...] of getting groups together that we’re not going to make anything until we form a federation.” Peterson Oral History p. 233.

civic organizations that had already worked to promote consumer protection policies. Some of these were established interest groups, namely labor unions, cooperative groups and other civic organizations. Others were relatively new local and state consumer groups. These groups, too, were often formed as a result of the broader policy of consumer protection pursued locally, or they were incentivized by such policies and newly established bodies of consumer representation in state governments. Often, however, and especially in regard to the federal office, these bodies were formed for reasons of optics, and they were not equipped with special authorities nor with sufficient resources. In this, the policy effect of facilitating the civic organization of consumers was an unintended result of the governmental policy of appointing a consumer interest representative as a token gesture. Needless to say, this “consumer protection” policy did not confer many resources on these civic organizations. Yet such governmental resources did sometimes stem indirectly, as in the case of the War on Poverty.

C. The War on Poverty and its policy effects on organization of low-income consumers

In January 1964, President Johnson declared a “War on Poverty.” It consisted of the creation of a new cabinet office and several programs with the intention of implementing social provision to the poor. Johnson’s social welfare policies, and further redistributive provisions, continued under his subsequent program of the Great Society. The policy feedback literature has studied many of the programs of the Johnson administration, and especially distributive and redistributive programs, such as Head Start and Medicaid/Medicare.⁵¹ These visible policies have defined target populations and had tangible resource effects that are easier to observe and measure. In this section, I highlight some unexplored connections of the War on Poverty’s programs to the development of the consumer movement, especially to organizing and financing groups that catered to, or mobilized, low-income consumers. Possibly, the most important effect of the antipoverty programs for the consumer movement came through the establishment of a national legal center to study and offer policy innovations in the area of consumer law, as part of the Legal Services program. Additionally, resource effects on consumer organizations came through the community development programs, mainly Model Cities, and other programs administered under the Office of Economic Opportunities. These programs often provided funds to local

⁵¹ For the former, see, e.g., Soss, “Lessons of Welfare”; Bruch, Ferree, and Soss, “From Policy to Polity”; for the latter, see Campbell, *How Policies Make Citizens*.

consumer organizations and groups directly (and sometimes indirectly, as in the example of the Philadelphia-based Consumer Education and Protective Association, or CEPA). Although not designated around a consumer agenda, and not specifically aimed at consumer protection, these governmental social policies had “unintended” resource effects that helped to organize around low-income consumers and facilitate collective action in the consumer movement.

Johnson’s anti-poverty program was in fact a Kennedy legacy, which Johnson was to implement. A set of governmental policies, the War on Poverty was initially entrusted in the newly established Office of Economic Opportunity (OEO). The Office operated several policy programs - with the noble aim of ending poverty, or at least appearing as giving it a good fight. These programs included the Job Corps, Volunteers in Service to America (VISTA), Head Start, Legal Services and others – including the Community Action Program (CAP) which turned out to be politically problematic. The architect of these programs was the OEO’s first Director, Sargent Shriver, who was also a Kennedy “legacy”. Later in 1964, Johnson’s domestic program evolved, and to the anti-poverty programs were added The Great Society initiatives, which expanded social provisions and added further policy programs, such as education legislation, and Medicare and Medicaid. In further years, Johnson added a different community development initiative, the Model Cities program, which was to supplant the controversial CAP. Some of the designers of the War on Poverty placed CAP, with its focus on “maximum feasible participation” of the poor, at the center of the plan’s philosophy. The program tolerated, and sometimes even encouraged, direct confrontations with the local establishments, and thus created tensions between the Johnson administration and several Democratic mayors with their local machines. The Model Cities program was therefore not put under the OEO, but under the newly established Department of Housing and Urban Development, though in principle, it should still be regarded as part of the War on Poverty’s various programs.⁵²

Promoting legal reforms to enact social change, the Legal Services program was another part of the War on Poverty, although it, too, was a later addition to the original Economic Opportunity Act of 1964. Legal assistance to the poor had existed since late nineteenth century, yet the prevalent approach until then was the charity-based Legal Aid societies, which were often

⁵² Allen J. Matusow, *The Unraveling of America: A History of Liberalism in the 1960s*, 1st ed. (New York: Harper & Row, 1984), 97–127, 217–71; Michael L. Gillette, *Launching the War on Poverty: An Oral History*, 2nd ed., The Oxford Oral History Series (Oxford: Oxford University Press, 2010); Annelise Orleck and Lisa Gayle Hazirjian, *The War on Poverty: A New Grassroots History, 1964-1980* (Athens: University of Georgia Press, 2011).

located in the city business centers. The legal services approach was different, more community-based, and it aimed at “law reforms” in the style of the legal victories of the civil rights movement. Starting in the early 1960s, several legal services initiatives had opened sporadically, sponsored mostly by civic foundations. Thanks to the advocacy of Jean and Edgar Cahn, who were involved with these initiatives and promoted their inclusion within the War of Poverty,⁵³ OEO Director Shriver included the funding of legal services in the 1966 amendments to the Economic Opportunity Act. The program was based on granting funds for applicants to establish legal services centers in poor neighborhoods and other areas, and its guidelines required the participation of the poor local population in overseeing the programs. However, Shriver separated the funding and administration of Legal Services from the Community Action Program. This later proved conducive to the Legal Services’ survival, but it was also important at the time to ensure the support the program received from the American Bar Association. By 1968, there were more than 250 local programs and field offices operating around the country, mainly in urban areas with large Black populations. The program attracted many young and reform-minded lawyers, who aspired to work for social change.⁵⁴

Legal services lawyers provided “access to justice” and material assistance in poor communities, but the main purpose of the program was, as noted, to advance legal reforms. The “law reform” approach sought not just to help the poor client by assisting in an individual case, but to focus on cases with broader policy implications. Committed to this purpose, in 1967, the second director of the program initiated a few new policies, such as setting designated legal services offices dedicated to law reform cases, prioritizing law reform as the prime criterion to fund local programs, and instituting summer seminars focusing on intensive training in various legal reform issues. It was also decided to establish national “back-up centers” in several specific substantive legal realms – such as housing, education, employment – or catering to specific

⁵³ Edgar S. Cahn and Jean C. Cahn, “The War on Poverty: A Civilian Perspective,” *The Yale Law Journal* 73, no. 8 (1964): 1317–52.

⁵⁴ Earl Johnson, *Justice and Reform: The Formative Years of the American Legal Services Program*, Law and Society (New Brunswick, N.J.: Transaction Books, 1978), ch. 3–4; Earl Johnson, *To Establish Justice for All: The Past and Future of Civil Legal Aid in the United States* (Santa Barbara, California: Praeger, 2014), volume I; Alan W. Houseman and Linda E. Perle, *Securing Equal Justice for All: A Brief History of Civil Legal Assistance in the United States*, 4th revision (Washington, D.C.: Center for Law and Social Policy, 2018); see also Jack Katz, *Poor People’s Lawyers in Transition*, Crime, Law, and Deviance (New Brunswick, N.J.: Rutgers University Press, 1982), which includes demographic characterization of the lawyers and a sociological analysis on the difference between legal services and legal aid approaches.

populations, such as Native Americans, senior citizens or juvenile youth. The backup centers had a dual mission: to serve as clearinghouses and expert advisers specific in their respective realms for the field offices, and to engage in legal advocacy of reform in their areas of expertise. During the following decade, the backup centers constituted the heart of the controversy that surrounded the legal services program, which was generally frowned upon by the Nixon administration. Due to their alleged political bias, a Legal Services Corporation (LSC) was formed separately from the OEO. In fact, this separation probably helped the Legal Services to withstand repeated attacks from Congress and defunding threats, and also helped to preserve the backup centers within the LSC for the next two decades.⁵⁵

It is not clear whether a center on consumer law was originally intended among the backup centers by the Legal Services program directors, but the plight of low-income consumers had been gaining increasing attention during the 1960s. Alongside the growing awareness to consumer problems generally, the problems of poor consumers were highlighted in the publication of sociologist David Caplovitz's influential book, *The Poor Pay More* in 1963. The book was republished and became popular in 1967, after Caplovitz's testimony before a House Committee made headlines – especially Caplovitz's explanation of the unrest in the American cities as “consumer revolts” of poor, mostly Black residents exploited by merchants.⁵⁶ This general approach was echoed in the widely circulated and cited report of the National Advisory Commission on Civil Disorders, better known as the Kerner Report. The Commissioners were influenced by analyses of the “urban riots” by social scientists who advised the committee, and the Report described the social unrest as resulting from “segregation and poverty.” An indicting document against white America's ignorance of the conditions in the urban ghettos, the Report focused on socio-economic causes for the eruption of unrest and violence. It highlighted mostly issues of housing and employment but touched also on the inability of Black urban residents to

⁵⁵ Johnson, *Ibid*. See also a series of blogs by Houseman on the history of LSC, especially Alan W. Houseman, “The OEO/LSC Support Infrastructure,” *Right On | National Equal Justice Library* (blog), March 27, 2015; Alan W. Houseman, “Preservation of the Support System,” *Right On | National Equal Justice Library* (blog), April 2, 2015; Alan W. Houseman, “The Support System's Fight for Survival | Right On,” April 17, 2015; On the backup centers, see Kenneth F. Phillips, “Social Impact Strategies. Legal Services Backup Centers,” *California Management Review* 19, no. 1 (Fall 1976): 91–95.

⁵⁶ David Caplovitz, *The Poor Pay More: Consumer Practices of Low-Income Families*, First Free Press Edition, A Report of the Bureau of Applied Social Research, Columbia University (New York: Free Press, 1967); Norman I. Silber, “Discovering That the Poor Pay More: Race Riots, Poverty, and the Rise of Consumer Law,” *Fordham Urban Law Journal* 44, no. 5 (November 1, 2017): 1319–28. On the importance and influence of Caplovitz's book, see also Peterson, *Restless*, 126; Cohen, *A Consumers' Republic*, 355.

enjoy the prosperity promised to the rest of the American consumer society. Moreover, it emphasized the exploitation of disadvantaged consumers by often white retailers: “Much of the violence in recent civil disorders has been directed at stores and other commercial establishments [...] it is clear that many residents of disadvantaged Negro neighborhoods believe they suffer constant abuses by local merchants,” they wrote.⁵⁷

Notwithstanding the Kerner Report, the OEO staff recognized the necessity of adding a specialized backup center on consumer issues, if only due to the needs coming up from the field. In the letter to the Boston College Law School, inviting the school to submit a grant application for the establishment of a “center for consumer affairs,” the OEO officer noted that “A significant number of the 700,000 cases handled by legal services offices in the past 12 months have involved wage claims, garnishments, retail contracts and other consumer related problems.” The letter indicated the center’s future tasks: besides assistance to legal services attorneys by providing expert advice and disseminating publications, it would also conduct legal research in the consumer law area pertinent to the poor, “develop new theories” that can be used in litigation of consumer cases, direct empirical studies on the impact of the law on low-income consumers, propose legislative and other related changes, and initiate “programs for non-profit or cooperative enterprises owned and operated by the poor.” The letter mentioned that a few law schools were invited to submit applications. Boston College was probably chosen thanks to the presence of law professor William Willier, who was involved in the drafting of the Truth-in-Lending legislation and other consumer credit laws in Massachusetts, and consulted the federal legislation process as well. It surely helped that another faculty member at the College, the

⁵⁷ Jelani Cobb, ed., *The Essential Kerner Commission Report* (New York: Liveright Publishing Corporation, 2021), 178. See also, on the participation of social scientists and their role in predicating the explanations of violence on socio-economic conditions Julian E. Zelizer, ed., *The Kerner Report*, The James Madison Library in American Politics; Variation: James Madison Library in American Politics (Princeton, New Jersey: Princeton University Press, 2016), the introduction to the 2016 edition, especially pp. xix–xvii. I have not found evidence in the archival documents to a direct connection between the Kerner Commission and the decision of OEO to establish a backup center on Consumer Law, but in Boston College’s application to the OEO grant, there is a reference to the Report, claiming that the proposed Center would be “directly and effectively confronting the frustration and alienation of urban blacks.” Mark E. Budnitz, “The National Consumer Law Center - From Its Birth to 2017” (National Consumer Law Center, 2017), 7–8, Provided from the author through personal communication [Hereinafter: Budnitz, NCLC History, 2017]. The Kerner Report connection was also suggested in an interview with a former Executive Director of NCLC: Interview with Ogburn, November 2019.

Economics Department Chair, Father Robert McEwen, was then the president of the Consumer Federation of America, and previously served on the Presidential Consumer Advisory Council.⁵⁸

The OEO's invitation mentioned that the Legal Services program operates on a budget "in excess of \$40 million," and indicated that the annual budget of the proposed center should be between \$175,000 and \$200,000. This amount should include the salaries of a director and 5-6 staff attorneys, compensation for faculty participation and operating expenses, and was based on the experience of the Welfare Center already operating at Columbia Law School. Boston College Law School responded to the invitation with an application to establish a National Consumer Law Center, which would "serve as a focus and a catalyst to achieve consumer law reform both independently and in partnership with other consumer advocates." It proposed that the Center would employ legislation advocacy and litigation "to restructure the legal institutions causing and exacerbating the impotency of the poor as consumers," but also noted that alleviating the consumer problems of the poor would simultaneously benefit middle-class consumers (mentioning that in contrast, focusing on problems of middle-class consumers would not necessarily benefit low-income consumers). Within the next month, the Law School Dean, Father Robert Drinan, submitted the application, and in March 1969 the OEO announced their decision to establish a Consumer Law Center at Boston College. The Center would be headed by prof. Willier, and he would be assisted by another law faculty with background in the legal services field. NCLC started its operations in June 1969.⁵⁹

Thanks to federal funding, NCLC would continue to provide legal advice and initiate reforms in the field of consumer law – for low-income consumers and for consumers more generally – for the next decades, despite constant threats of elimination. In 1972, after incorporating in Massachusetts as an independent non-profit, NCLC severed ties with the Boston College Law School and started operating independently. By then, NCLC had a change of personnel, with Willier resigning to return to his faculty engagements, and all other NCLC staff coming from the Legal Services field offices. Additionally, by then the Legal Services program was operating within a different OEO, under the Nixon administration, which was generally disapproving of

⁵⁸ Letter from Martin L. Nathan, Planning and Research Branch of the Legal Services Program to Dean Robert Drinan of Boston College Law School, January 28, 1969. McEwen Papers, Box 5, folder 26. See also Budnitz, *NCLC History*, 2017, 5–6.

⁵⁹ Letter from Martin Nathan from Jan., *Ibid.*; Letter from Martin Nathan to Dean Drinan, March 14, 1969; Letter from Dean Drinan to Robert McEwen, March 18, 1969. All in McEwen Papers, Box 5, folder 26. Budnitz, *Ibid.*, 7–10.

the War on Poverty's programs. The Legal Services program was especially attacked due to its various lawsuits against state and federal governmental agencies, and its characterization as political. President Nixon initiated the transference of the Legal Services into a private, nonprofit body and in 1975 the Legal Services Corporation (LSC) was formed by legislation. The statute included an article that was supposed to dismantle the backup centers, which were perceived as the most ideological aspect of the program, but due to errors in phrasing that article, it could not perform what its drafters intended it to do. Still, for a long while, the backup centers, including NCLC, were under constant threat of defunding and elimination, sometimes operating on budgets that were renewed on a monthly basis. Under the Reagan administration the threats became more forceful. Nevertheless, the backup centers continued to receive federal funding until 1996, when a Republican Congress made severe cuts to the LSC budget, and the governmental funding of the centers ceased.⁶⁰

Programs such as Legal Services, and the more famous social security programs Medicare and Medicaid, proved to be long-lasting legacies of the War on Poverty. At its beginning, however, at the vanguard of the "War" stood the community development programs, especially the Community Action Program, which was later replaced by the Model Cities program. The original Community Action Program was implemented through the local Community Action Agencies (CAAs). According to historians, Johnson and his administration were inattentive to the radical and conflict-inducing potential in the Community Action philosophy. This program was also of less importance to Shriver, who, as the founder of the Peace Corps, was more interested in developing similar volunteer programs domestically, such as the Jobs Corps and VISTA. Contrary to these volunteer-based programs, CAP was predicated on mobilizing communities to advance institutional change, including through direct confrontation with local bureaucracies. In addition to the confrontational approach, CAP stood at the center of a few high-profile controversies, in which local CAAs were associated with radical political elements, such as the Black Panthers and Saul Alinsky. Following the controversies, Johnson decided to focus on a more palatable and less inflammatory community development program, the Model Cities. As one commentator summarized: "From the president's perspective, the "kooks" and the "sociologists" had been allowed to run amuck in the War on Poverty. Model Cities was to be

⁶⁰ Houseman and Perle, *Securing Equal Justice for All*; Alan W. Houseman, "The Continuation Until 1996 of LSC Funded Support | Right On," April 20, 2015. Budnitz, *ibid.*, pp. 79–86.

different.” CAP itself was also amended to weaken the “maximum feasible participation” element, and the result was that both programs existed side by side until 1974, when Model Cities was canceled (yet CAAs have continued to exist).⁶¹

Generally understudied by the policy feedback literature,⁶² these community development programs channeled federal resources into low-income local communities. They surely had effects on both civic participation and the subsequent design of further policies. While not intended to affect consumers per se, poor and low-income communities were bothered by consumer issues, as noted above, and resources from the OEO programs were provided to local community organizations which included consumer groups, or organizations that operated consumer programs. The Philadelphia-based CEPA was prominent among the groups working on behalf of poor and low-income consumers. It became nationally known for its effective methods of fighting consumer abuses in inner-city neighborhood, was featured in national media and mentioned in books such as *The Poor Pay More* (the second edition from 1967), and *The Dark Side of the Marketplace: The Plight of the Poor Consumer*, by Senator Warren Magnuson and Legal Services person, Jean Camper (Cahn). Thanks to this, and to its leadership’s connection with civil rights organizations, the legal services network, and other welfare rights and low-income civic networks, CEPA’s activists, and especially founder Max Weiner, were invited to offer instruction to other community organizations, activists and volunteers, sponsored and funded by OEO programs. These educational initiatives afforded the organization, which was always striving financially, with much needed funds. For example, during 1968-1969, CEPA’s activists provided training workshops in conferences of the VISTA that provided orientation to the project’s volunteers and lawyers. For the development and operation of these

⁶¹ Thomas S. Langston, *Ideologues and Presidents: From the New Deal to the Reagan Revolution* (Baltimore: Johns Hopkins University Press, 1992), quote from p. 105. On Community Action Program, see Daniel P. Moynihan, *Maximum Feasible Misunderstanding: Community Action in the War on Poverty*, An Arkville Press Book. (New York: Free Press, 1969); Matusow, *The Unraveling of America*, 243–71; Alyosha Goldstein, *Poverty in Common: The Politics of Community Action during the American Century* (Durham: Duke University Press, 2012). On Model Cities, see Langston, *Ideologues and Presidents*, 105–34; Bret A. Weber and Amanda Wallace, “Revealing the Empowerment Revolution: A Literature Review of the Model Cities Program,” *Journal of Urban History* 38, no. 1 (January 2012): 173–92.

⁶² The exception is Head Start, which was often administered by the local CAAs, and was studied extensively in this literature, see, e.g. Soss, “Lessons of Welfare”; Bruch, Ferree, and Soss, “From Policy to Polity”; Andrew Karch, “Policy Feedback and Preschool Funding in the American States,” *Policy Studies Journal* 38, no. 2 (2010): 217–34. Another exception is the literature’s debate on “target populations” and its treatment in general terms as targets of such community development programs, though the studies do not deal with specific program designs, see Anne Schneider and Helen Ingram, “Social Construction of Target Populations,” 334–47.

workshops, it requested an amount of more than \$12,000 – more than half of the organization’s annual budget. During the early 1970s, CEPA also had VISTA volunteers working for the organization.⁶³

CEPA was also funded through the Model Cities programs, although indirectly. CEPA refused to be funded directly through governmental funds, as it feared that such dependence might alter or risk the ability of the organization to use confrontational methods freely, and threaten the organization’s political independence (CEPA also operated a third-party platform, the Consumer Party). However, just like their role as consultants with the OEO program, CEPA activists offered educational and instructional services to non-profits responsible for administering the Model Cities program, such as the Philadelphia North City Area-Wide Council. In October 1968, CEPA signed an agreement with the Area-Wide Council to prepare “a comprehensive plan for the development of a program of community action in consumer education and protection.” Completed two months later, the “Model Cities Consumer Plan” was divided into two phases. The first phase included plans for consumer education, consumer organization and protection, which included a “guide for picketing,” and consumer leadership training. Phase two was to be completed later and to include a structure for improving consumer-dealer relationships and consumer self-help programs. CEPA received \$5000 for writing the plan, and hoped that carrying out the plan by the Model Cities agency would bring more income. (Unfortunately for CEPA, this did not happen, perhaps because the organization’s emphasis on confrontational methods was considered too radical for the organizations associated with Model Cities, which were practically controlled by City Hall. In 1971 Weiner acknowledged his disillusion from the Model Cities program, noting that the North Philadelphia program received a

⁶³ Max Weiner Collection on CEPA (Hereinafter: Weiner Collection), Program of Vista in Service Training Conference, Boston, 1968: Box 4, folder 8. “Training proposal” from Max Weiner to VITSA, with a requested amount of \$12,019: Box 4, folder 9. Program of “Southwest Regional VISTA - Lawyers Orientation Conference” from October 1969(?), with the participation of Max Weiner and Clarissa Cain in session: “Consumer Action: A Positive Method of Approach.” Weiner’s biography in one consumer publication noted him as “a Consultant to the National Institute for Education in Law and Poverty and the Philadelphia Model Cities in Pennsylvania Program [...] lectures on Consumer Organization for the Office of Economic Opportunity, the Department of Health, Education and Welfare, and VISTA. Consumer Research Foundation, *Consumer Viewpoints: Critique of the Uniform Consumer Credit Code.*, ed. Richard A. Elbrecht (Berkeley, CA: Consumer Reserach Foundation, 1971). Mentions of VISTA volunteers at CEPA is in: Letter from Max Weiner to Mr. J. Alton Page, Director of Consumer Protection Program in Portland, October 11, 1971: Box 5, folder 5.

grant of \$50,000 based on CEPA's plan, but allocated the funds to another organization "without sufficient knowledge about consumer problems or organizations.")⁶⁴

CEPA was unique in refusing to be funded by the government without mediation, but for other groups and in other cases, the OEO and Model Cities programs provided direct financial support and assistance. Thanks to the efforts of Esther Peterson, the Office of Economic Opportunity included an earmarked grant for Consumer Education. Partly thanks to this, many local Community Action Agencies operated programs of consumer education, often with the local Legal Services agencies and the state or city's consumer protection governmental units, as well as with credit unions and local consumer groups – the latter sometimes evolved out of the CAA. Some CAAs applied to become members in the fledgling Consumer Federation of America, although CFA was hesitant as to whether these can become members. Probably, more than the controversial character of the program, CFA was unsure about accepting among its ranks fully governmentally funded organizations (just as it did not accept the local Consumer Protection agencies to become CFA members until the mid-1970s). Things were different with the Model Cities program, which provided grants to existing local groups, and CFA aided state and local consumer organization in exploring such funding opportunities and applying for them. Thus, for example, in 1968, the Oregon Consumer League applied for a Model Cities grant to establish consumer information and protection centers in Portland's low-income areas. Occasionally such groups would turn to CEPA to ask for guidance regarding setting these programs up. (In other cases, CEPA itself would solicit its paid instructional services.)⁶⁵

The Northwest region is the backdrop for another example, this time of a consumer group initiated by an OEO-sponsored program. This example serves also to demonstrate that the link between a particular program and a particular group is often more complicated due to the

⁶⁴ Weiner Collection, Box 4, folder 5: "Agreement between North City Area-Wide Council, Inc. And Consumer Education and Protective Association," October 29th, 1968; A Plan for the Development of a Program of Community Action in Consumer Education and Protection," December 16, 1968; Box 5, folder 5: Letter from Max Weiner to Mr. J. Alton Page, Director of Consumer Protection Program in Portland, October 11, 1971.

⁶⁵ Special Consumer Education grant as part of OEO, see Peterson, *Restless*, 125-126; CFA hesitant about accepting CAAs: "CFA Board Meeting minutes," January 1968, tabling decision regarding application from Action for Boston Community Development, Inc., in order to consider wider policy regarding such memberships and the wider implications for OEO and CFA; Helping local groups explore Model Cities Grants: "CFA Board meeting minutes," June 1968; Oregon Consumers' League application for a Model Cities Grant: "Report from the Executive Director of CFA," December 9, 1968; all in CFA Records, Box 3, folder 1. CEPA's connection with Portland Consumer Protection program regarding its Model Cities grant, and other local consumer groups: Letter from Max Weiner to Mr. J. Alton Page, Director of Consumer Protection Program in Portland, October 11, 1971: Weiner Records, Box 5, folder 5.

evolving and transforming-over-time character of such community development programs: the Seattle Central-Area Motivation Program (CAMP) was founded in the early stages of the War on Poverty, in the spring of 1964. Initially funded by the Community Action Program, it maintained close connections with the civil rights movement in Seattle, and also trained, or worked with, VISTA volunteers. In late 1966, with the changes in OEO's priorities, in large part due to the pressure coming to the White House from City Halls, CAMP also changed its character. Along with city officials, its leaders started the Seattle Model City Program, sponsored by Model Cities funds. Thanks to this initial support, CAMP continued to be active during the 1970s, continuing later to receive resources thanks to creative fund-raising strategies from other governmental grants, as well as foundations and corporate donors. Early in the 1970s, CAMP started to operate consumer programs, organized in part by the credit union associated with the program. Later in that decade, CAMP sponsored the Seattle Consumer Action Network (SCAN), serving the greater Seattle area. SCAN operated a consumer complaint hotline, published monthly newsletters, sent representatives to official governmental hearings, including federal ones, and mobilized consumers around specific issues such as food prices, utilities, public transit, etc. In 1978 it became an official member of CFA.⁶⁶

The War on Poverty was not devised as part of the consumer protection policies, but its effects nevertheless contributed to the emergence and operation of a national consumer movement during the 1960s and 1970s. In other words, the social programs of the Johnson administration included policy effects, if unintended, that helped facilitate the organization of consumers. Community Action Agencies often included consumer assistance and education as part of their agenda, and the Directory of Consumer Groups published by the federal Office of Consumer Affairs in 1976 listed about 25 such agencies, indicating that they identified themselves as part of the organizational network operating for consumers. Other social provision programs also offered grants and other resources to consumer groups, especially those operating in urban areas that concerned low-income consumers. Local consumer groups knew how to take advantage of these resources, often directly, and with the assistance of CFA, and sometimes

⁶⁶ CAMP and SCAN history, see Ivan King, "The Central Area Motivation Program - A Brief History of Community in Action" (Central Area Motivatoin Program, 1990). See also Statement of Rosella Baily from SCAN: *Grassroots Hearings on the Economy: Hearings before the Committee on Banking, Finance and Urban Affairs*, House of Representatives, 97th Congress, 1st Session, November 6, 1981, pp. 352-355. Joining the CFA, in Memorandum from Gary Rosenberg, Director of State and Local Organizing Project, to the CFA Board of Directors, Sep. 12, 1978, CFA Papers, Box 1, folder 12.

operating indirectly so as to not be dependent on such federal grants, as in the case of CEPA. The National Consumer Law Center serves as an example for the unintended policy effects that contributed to consumer mobilization. As part of the Legal Services, it focused its energies on the poor and low-income consumers. Its lawyers did not see themselves as representing consumers at large, nor did they perceive themselves as part of the consumer movement at the time. (If anything, they were more likely to affiliate themselves with the welfare rights movement, or the legal aid movement.) Yet, they enlisted their resources and expertise to advance the causes of consumer protection, and their specific projects for low-income consumers overlapped and shared goals with those of other consumer organizations, and specifically the national CFA, as demonstrated in the next section.

D. Case study: The consumer campaign against the Uniform Consumer Credit Code

On the backdrop of the great expansion of the “buy now pay later” economy during the postwar decades,⁶⁷ policymakers recognized the need for a unified, national regulatory approach to consumer credit. During the 1960s, two legislative proposals were developed in this realm: a uniform model state law, proposed by a professional body of lawyers, and a federal law, debated in the Congress for much of the decade. Coming to fruition in the same year, 1968, both proposals included some measures for consumer protection. The uniform law attempted to comprehensively codify and unify existing regulatory provisions. The federal law offered a thinner but more revolutionary approach: mandatory information disclosure in the form of the annual percentage rate. Additionally, both sought to restrain some common practices that were abusive to consumers. While not essentially contradictory, these two proposals were perceived as competing by policymakers and legislators, and also by consumer advocates. In particular, the consumer groups perceived the federal law as pro-consumers, and the uniform law as representing the interests of industry, and they launched an intensive five-years campaign against the latter. This section tells the story of this campaign, and how it brought together several disparate consumer organizations and facilitated the consolidation of a national consumer “movement”. Specifically, the campaign facilitated the spread of a network of local organizations, coordinated by the new national federation, and connected middle-class consumer

⁶⁷ See previously, chapter 3.

groups with organizations working for and among low-income populations. In the terminology of the policy feedback literature, this can be seen as both “positive” (in lending support) and “negative” (in campaigning against) regulatory policy effects of policy-changes around consumer credit. In any case, as policymakers conducted endeavors to establish a national regulatory policy, their efforts were reflected in an emerging national movement.

Until the promulgation in 1968 of both the federal law and the uniform code, the consumer credit regulatory landscape was uneven and disjointed. Consumer credit was mostly regulated under various state laws, by legislation that addressed diverse issues and particular areas, such as small loans, retail installment payments, usury laws, and more. Furthermore, due to the lack of specialized legislation, many issues of consumer credit fell under legal arrangements that were designated to regulate credit relationship between business parties - most notably, the influential Uniform Commercial Code.⁶⁸ All this meant that the legal coverage of consumer credit was partial and spotty. Consequently, during the 1960s, both federal legislators and the body that brought about the Uniform Commercial Code began, independently, to devise uniform legislative solutions concerning consumer credit. At the federal level, this resulted in the federal Consumer Credit Protection Act, better known after its first article as the Truth in Lending Act (Hereinafter: TILA).⁶⁹ Concomitantly, the National Conference of Commissioners on Uniform State Laws (NCC-USL) drafted the Uniform Consumer Credit Code (UCCC, sometimes also referred to as U3C). This section deals primarily with the latter, and the consumer movement’s campaign against it. Yet since the two acts are related, I will start with the former.

⁶⁸ The Uniform Commercial Code was drafted by two private bodies, the National Conference of Commissioners on Uniform State Laws (NCC-USL), and the American Law Institute. It was promulgated in 1952 and was widely adopted. Forty-five states adopted it within five years (after a certain revision two years after the promulgation), and eventually, in the following years, by all 50 states and the District of Columbia. Its drafting process and widespread adoption had been regarded for many years as exemplary of consensual, expert legislative drafting, although since the 1990s, and following new controversies about parts of the code there has been revisionist history questioning this narrative. See representative articles by one of the Code’s principal drafters: William a. Schnader, “The New Movement Toward Uniformity in Commercial Law—the Uniform Commercial Code Marches On,” *The Business Lawyer* 13, no. 4 (July 1, 1958): 646–75; “The Uniform Commercial Code — Today and Tomorrow,” *The Business Lawyer* 22, no. 1 (November 1, 1966): 229–32; “A Short History of the Preparation and Enactment of the Uniform Commercial Code,” *University of Miami Law Review*, January 1, 1967. For examples of the revisionist history, see Alan Schwartz and Robert E. Scott, “Political Economy of Private Legislatures,” *University of Pennsylvania Law Review* 143, no. 3 (January 1, 1995): 595–654; Allen R. Kamp, “Uptown Act: A History of the Uniform Commercial Code: 1940-49,” *SMU Law Review* 51, no. 2 (January 1, 1998): 275–348; “Downtown Code: A History of the Uniform Commercial Code 1949-1954,” *Buffalo Law Review* 49, no. 1 (January 1, 2001): 359–476; but cf. Robert K. Rasmussen, “The Uneasy Case against the Uniform Commercial Code,” *Louisiana Law Review* 62, no. 4 (June 15, 2002): 1097–1146.

⁶⁹ 15 U.S.C. ch. 41 § 1601, pub. l.

The Truth-in-Lending Act was passed in May 1968, nearly nine years after it was first introduced in Congress by Senator Paul Douglas, a Democrat from Illinois. The primary purpose of the law was to provide to consumers appropriate disclosure of information on the cost of credit. It achieved that by mandating and standardizing a few terms of the credit transaction. Two of the most important among them were the finance charges (i.e., the overall cost of credit), which the law requires would be revealed in full, and the introduction of the Annual Percentage Rate (APR), which was supposed to allow consumers to compare between different types of credit costs. (Until TILA, lenders and sellers on credit had presented the interest rate in various ways that did not allow meaningful comparison – some of them, which were particularly misleading, were barred in the law.) The historiographies of TILA attribute the bill initiative singly to Douglas, who recounted that he first came up with the idea of APR during the New Deal era, while serving on the Consumer Advisory Board under the National Recovery Act. Yet the bill encountered fierce opposition from a broad coalition, chiefly the business community — retailer groups, creditors and the banking industry — but also from the legal profession (some of whose representatives were drafting their own version of consumer credit regulation, as detailed below). The debates over TILA outlasted Douglas’s own political career, who failed to secure re-election, but, thanks to the backing of President Johnson and a continued effort by Douglas’s colleagues, the bill succeeded to eventually pass as a federal law.⁷⁰

After Douglas’s defeat in the 1966 election (to his Illinois republican competitor, Charles Percy), TILA was taken up by Douglas’s ally, Senator William Proxmire, a Democrat from Wisconsin. Agreeing to some significant compromises, especially concerning revolving credit accounts (relating to the expanding credit card industry), Proxmire managed to get the bill passed in the Senate, and Democratic Representative Leonor Sullivan from Missouri championed the bill’s passage in the House. (By adding more stringent consumer protections, including interest rate caps, she caused some industry representatives to eventually support a weakened version

⁷⁰ On TILA generally, see Carolyn L. Carter et al., *Consumer Credit Regulation: Credit Cards, Payday Loans, Auto Finance, and Other Non-Mortgage Credit*, Second edition, The Consumer Credit and Sales Legal Practice Series. (Boston, MA: National Consumer Law Center, 2015), 23–24. On its legislation’s history, see Edward L. Rubin, “Legislative Methodology: Some Lessons from the Truth-in-Lending Act,” *Georgetown Law Journal* 80, no. 1 (1992 1991): 233–308 (on Douglas’s origins of the idea of APR rooted in the NRA, p. 242); Christopher L. Peterson, “Truth, Understanding, and High-Cost Consumer Credit: The Historical Context of the Truth in Lending Act,” *Florida Law Review* 55, no. 3 (2003): 807–904; Mark E. Budnitz, “The Development of Consumer Protection of Consumer Protection Law, the Institutionalization of Consumerism, and Future Prospects and Perils,” *Georgia State University Law Review* 26, no. 4 (2009): 1147–1208; Anne Fleming, “The Long History of ‘Truth in Lending,’” *The Journal of Policy History* 30, no. 2 (2018): 236–71; SoRelle, *Democracy Declined*, 50–60.

that took these protections out – and the bill was passed.) The bill was signed into federal law on May 28, 1968. For our purposes here, it is important to note one of the factors that assisted the passage of the law: a Truth-in-Lending legislation, passed in 1966 in Massachusetts, with the active involvement of consumer advocates in that state.⁷¹

The Truth-in-Lending Act was the first instance of federal-level legislation making a step in the regulation of the expanding and controversy-inducing area of consumer credit. But the importance of the Act went beyond that. As legal scholar Edward Rubin noted, “it was the first model consumer protection statute and serves as the template for virtually all subsequent legislation in the consumer credit area. Moreover, it gains added significance [...] from the continued popularity of disclosure as a regulatory technique.”⁷² Yet, as legal historian Anne Fleming showed, celebrating TILA as promoting a “disclosure” regulatory framework, as opposed to “substantive” regulation such as interest-rates caps, is a retrospective misinterpretation, influenced by later developments. At the time of the legislation, these two regulatory forms were not perceived as contradictory.⁷³ Still, the law itself, and its wide-ranged regulations, were seen as potentially competing with existing state laws – due to an article that allowed states to apply for exemption from certain areas of the law based on their own legislation in these realms. In addition, TILA had been fiercely objected by the lobbying efforts of the credit industry for most of the decade. These two facts are important for understanding the celebration

⁷¹ One of the important points in which the Massachusetts law contributed to the passage of the federal legislation was by a negative example, that is, showing that the unified disclosure mandates had not caused severe disruption to business. See Rubin, “Legislative Methodology,” 251; Fleming, “TILA’s Long History,” 254. Rubin conjectured that the legislation in Massachusetts was resulted from the Senate Hearings on TILA, which Douglas insisted to hold outside of Washington, D.C. in various locations (including Boston). While that may be the case, it is also clear that Massachusetts consumer advocates had a great role in promoting TILA. This is reflected in the correspondence between Douglas and Father Robert McEwen, who was also advocating the federal TILA when he served on the President’s Consumer Advisory Committee. The acquaintance between McEwen and Douglas goes back to 1956, when Douglas joined the Catholic Economic Association, in which McEwen was active. McEwen filled a central role in the Senate Hearings conducted in Boston, and on the day TILA passed in Congress, Douglas wrote a thank you letter to McEwen, calling him “one of the unsung heroes in getting the Truth-In-Lending bill passed,” and noting that McEwen “marshalled the popular support which finally got the bill passed and agreed to.” McEwen Papers, Box 5, folder 19. On the lobbying efforts around TILA, see also Erma Angevine, “Lobbying and Consumer Federation of America,” in *Consumer Activists: They Made a Difference: A History of Consumer Action Related by Leaders in the Consumer Movement*, ed. Erma Angevine (Mount Vernon, N.Y.: Consumers Union Foundation, 1982), 336. Another important figure in the design of the Massachusetts law was prof. William Willier from the Boston College Law School, who would later become the Director of NCLC.

⁷² Rubin, “Legislative Methodology,” 234. While TILA was the first consumer *credit* protection law, it was not the first consumer protection law per se, and in fact, the “Truth-in-Packaging” law (Fair Packaging and Labeling Act), which was enacted two years beforehand, and after five years of controversy, also promoted consumer protection in the form of disclosure of information as a regulatory technique. See: Peterson, *Restless*, 126–30.

⁷³ Fleming, “TILA’s Long History.”

of TILA's enactment by the consumer movement, and its campaign to oppose the proposed uniform code that would ensue in the following years.

A couple of months after the passage of TILA, the National Conference of Commissioners promulgated the Uniform Consumer Credit Code, after a drafting process of four years. The Code would not become a law until adopted by a state legislature, and NCC-USL, the drafting body, had no authority. NCC-USL is a private body, consisting of volunteer attorneys appointed by their states and jurisdictions to represent them. In the previous decade, it promulgated the Uniform Commercial Code, its best-known product, which had been adopted by all states. A few years later, the Council of State Governors proposed that NCC-USL would draft a uniform law for retail installments sales. This project led the NCC-USL to realize that consumer credit requires a more thorough approach, and in 1963 a Special Committee was appointed to draft a comprehensive code handling consumer credit. Sponsored financially by the credit industry, the Committee was advised and accompanied by a twenty-person Advisory Committee. Half of the Advisory Committee were representatives of the credit industry, on its various segments, and half were public representatives, including a few that were considered consumer representatives. Assisted by comprehensive research of the American Bar Foundation on credit regulation in states' laws, the Committee considered several draft-versions since 1967, until the final version was promulgated in July 1968, and a week later adopted by the American Bar Association.⁷⁴

While the Truth-in-Lending approach was limited mostly to the measure of (a standardized) disclosure, the UCCC took a more comprehensive regulatory approach. Seeking to replace the patchwork of laws governing consumer credit in the states, it was predicated on the economic principle of "freedom of entry," alongside setting ceilings for interest rates and providing some debtors' protections. The principle that guided the drafters of the Code was that an increased credit provision would ensure price competition, and thus benefit consumers and the credit industry at large. To do so, it would be necessary to rid current state laws of the multifarious legal restrictions on credit provision by creditors and lending institutions, or at least reduce them significantly. Still, the Code drafters had not adopted a full free-market approach, and they did not suggest complete deregulation of the maximum interest-rates that were common in state

⁷⁴ For the drafting process, see George R. Jr. Richter, "The Uniform Consumer Credit Code of the National Conference of Commissioners on Uniform State Laws Uniform Consumer Credit Code," *Business Lawyer (ABA)* 24, no. 1 (1969 1968): 183–98. The ABF research was summarized in Barbara A. Curran, *Trends in Consumer Credit Legislation* (Chicago: University of Chicago Press, 1965).

laws. Instead, they proposed to set a ceiling of interest rates on credit of different kinds, which varied between 18% (annually) for most types of credit accounts, to 36% of other types, such as revolving accounts. (Some state-supervised creditors would still be exempted from these ceilings.)⁷⁵ Like TILA, the Code proposed various disclosure mandates, and it also introduced various limitations on several common credit practices that were used against consumers. Among these, the important ones were some limitations on the Holder in Due Course Doctrine;⁷⁶ on wage garnishments – the code set a limit of 25%, alongside some other restrictions on seizing wage in case of debt.⁷⁷ In addition, the Code abolished confessions of judgment.⁷⁸ The Code also provided consumers, in cases of home-solicitation transactions on credit, a right to cancel a transaction within three days.

The drafters of TILA and the UCCC were aware of each other's endeavor, and consequently there were some overlaps and interrelated provisions, despite the fact that the Code's regulatory approach was more comprehensive. Most importantly, TILA included an exemption article: if states had laws of consumer credit regulation (specifically, in the areas of disclosure mandates and wage garnishment) that are substantially similar to the TILA provisions, these states may apply for exemption from the Act's governance.⁷⁹ In fact, given this exemption article, the

⁷⁵ On ceilings, see Robert L. Jordan and William D. Warren, "The Uniform Consumer Credit Code," *Columbia Law Review* 68, no. 3 (1968): 388–96. About the freedom of entry goal, see Homer Kripke, "Consumer Credit Regulation: A Creditor-Oriented Viewpoint," *Columbia Law Review* 68, no. 3 (1968): 445–87; George W. Stengel, "Should States Adopt the Uniform Consumer Credit Code? Symposium: Uniform Consumer Credit Code," *Kentucky Law Journal* 60, no. 1 (1972 1971): 16.

⁷⁶ The Holder in Due Course Doctrine allows a holder of a "negotiable instrument" to make a claim for the instrument's value against its originator, regardless of any details concerning the performance of the transaction, or whether the current holder was a party to the transaction. That is, it allows the holder to make a claim also in cases when the holder received the instrument from a different party. In other words, applied to consumer transactions, this doctrine allows a seller of goods to use the instrument as evidence to their claims, limiting the consumer's possibility to use defense, and it also allows the seller to pass on and exchange a credit contract (for example, to a collection agency) without the consumer having a defense against the claims of the current holder (all of the above even if, for example, the goods were damaged or not provided). Holder in Due Course in consumer transactions was a common bane during the 1960s. The UCCC limited the use of the doctrine by the original side to the transaction (the creditor), but not in the case of a second or third (etc.) holders (e.g., buyers of debt).

⁷⁷ Wage garnishments allow the creditor to seize the debtor's wages in the case of debt. The UCCC prohibited the garnishment of wages before judgment and put a limit of 25% on the amount of garnished wage allowed after judgment.

⁷⁸ Confessions of judgment was another common consumer credit abuse during the 1960s. It is essentially an agreement, or a clause in the credit agreement, in which one side, the debtor, agrees that in certain cases, e.g., failure of payment, the other side (creditor) would be able to obtain judgment, usually without any other terms, such as a right of hearing or even a notice to the debtor.

⁷⁹ Article 123 to the Consumer Credit Protection Act. The federal agency that administrates TILA is the Board of Governors of the Federal Reserve System, and this is the body that would decide on the state's application.

drafters of the UCCC revised the Code following the enactment of TILA (the revision came even after a “tentative final draft” was published), to make these parts in the Code similar to those in TILA, to allow for exemption applications. The NCC-USL also called on the states, upon the promulgation of the UCCC in August 1968, to quickly adopt the Code by July 1, 1969, the date when TILA’s provisions would come into effect. On the other hand, only TILA included strict provisions regarding extortionate credit transactions: with the aim of curtailing common abuses in the area of loans, it criminalized certain types of credit transactions that were typical to loan sharks. The UCCC did not have such equivalent provisions.⁸⁰ The supposed “competition” between the UCCC and TILA added fuel to the opposition of consumer groups to the UCCC. They saw in TILA a prime achievement of consumer protection and feared that the enactment of the Code in the states would be used to void its application, due to the exemption article.⁸¹

Consumer-oriented criticism of the UCCC had begun already in the drafting stages of the Code, but after its promulgation in 1968, and despite a few consumer voices that endorsed it initially, the consumer movement launched a full-blown campaign against the Code. One of the main claims in this campaign was that the Code represented interests of the credit industry. It is important to notice that the NCC-USL emphasized that among the members of the Advisory Committee there were consumer representatives, which was indeed uncommon for this body. Yet, despite claiming that half of the twenty members were public representatives, only four could have been considered as associated, in one capacity or another, with the consumer movement: Persia Campbell, the former New York Consumer Counsel was one of them, and the three others were attorneys: one proposed by Esther Peterson, one by the AFL-CIO, and another was the Field Director of the National Legal Aid and Defender Association (NLADA). This probably resulted in the qualified endorsements that the Code received, although only part of the criticisms and suggestions made by consumer advocates were addressed in the final version. The

⁸⁰ Richter, “The Uniform Consumer Credit Code of the National Conference of Commissioners on Uniform State Laws Uniform Consumer Credit Code”; Carl Felsenfeld, “Uniform, Uniformed and Unitary Laws Regulating Consumer Credit,” *Fordham Law Review* 37, no. 2 (1969 1968): 209–46; “Competing State and Federal Roles in Consumer Credit Law,” *New York University Law Review* 45, no. 3 (1970): 487–516; Stengel, “Should States Adopt the UCCC?”

⁸¹ See, for example of this belief Angevine, “Lobbying and Consumer Federation of America,” 336: “Consumers believed the state uniform credit Commissioners intended to subvert the Federal truth-in-lending law.” See also Angevine’s statement on behalf of the CFA to the chairman of the FTC, on November 13, 1968, pp. 255–261 in *Consumer Viewpoints*, p. 256: “That provision [the exemption article] is about to offer a wholesale escape from the principal protection of the Consumer Credit Protection Act, to wholly emasculate the Act’s effectiveness. The Vehicle for this purpose is the Uniform Consumer Credit Code.”

strongest endorsement came from the White House. The President's Council on Consumer Interests issued an endorsing statement in late 1968, and so did the White House's Office on Consumer Affairs, headed by the President's Special Assistant, Betty Furness. The AFL-CIO issued a lukewarm response, leaving it to locals to decide on their approach to the Code. NLADA initially endorsed the Code, if cautiously, though it would later reverse its endorsement and join battle, alongside the consumer movement's campaign.⁸²

Other than the fear that the Code's enactment would be used to "subvert the Federal truth-in-lending law," consumer opposition to the UCCC focused on several important issues: First, the Code's interest rates ceilings were higher than ones already existing in legislation in some states, especially in California and the industrial North-East states, such as New York, New Jersey, and Massachusetts, as well as Illinois and some others. While these rates were introduced in the Code as "ceilings," consumer representatives claimed that what is presented as the maximum allowed is destined to become the norm. Second, consumer groups also advocated for stronger consumer protection than what the Code provided in various areas, for example wage garnishments – of which the Code only offered a limit of 25% of the wage (similar to the federal legislation); the Holder in Due Course doctrine, which consumer groups wanted to be abolished altogether from consumer credit transactions (this was the law in consumer credit legislation in Massachusetts); remedies for creditors (consumer groups opposed common practices in areas such as collaterals and repossessions, which the Code did not change); and stronger remedies for debtors in case of violations (the Code's remedies for debtors were mainly defensive). Another objection was to the Code's separation between the categories of "sales credit" and "loans," which restricted some of the consumer protection to only one category of transactions. Lastly, while acknowledging that

⁸² Stengel, "Should States Adopt the UCCC?" 41. For the endorsement of the PCCI, issued on December 3, 1968, see *Consumer Viewpoints*, p. 249–254. The response of the AFL-CIO was issued on February 17, 1969, and stated: "The Code is not essentially a 'consumer statute' but seeks to compromise consumer and creditor interests. While it would make a number of desirable reforms in behalf [sic] of the consumers, which should be supported, it also contains serious drawbacks from a consumer point of view. [...] The possible impact of Code enactment would vary in each of the 50 states. Each state will need to make a careful assessment of its existing legislation in comparison with Code provisions." In "Statement on the UCCC," *Consumer Viewpoints*, p. 323–324. The NLADA cautiously positive response came earlier, on November 1, 1968. It noted that "The final draft of the UCCC has gone far in correcting many of these [consumer credit] abuses. The Code does incorporate a number of the suggestions made earlier by a joint NLADA-OEO/LSP task force. It also omits a number of other suggested changes. On balance, it represents a fair compromise between the position of reputable merchants and extenders of credit and the position of the consumer. [...] with the exceptions and caveats above noted, it is recommended that all legal aid and legal services organizations lend the support of their testimony and experience to the various state legislatures in support of the enactment of the UCCC." pp. 247–8.

the UCCC did strengthen the consumer position in credit transactions in some states compared to current laws, the consumer opponents of the Code were afraid that the state legislatures would adopt the Code “as-is” – this, indeed, was the position promoted by the National Conference of Commissioners. The consumerists’ concern was that once legislation was in place, it would be much harder to alter or reverse what was already enacted.⁸³

During the last year of the drafting process, early critical voices protested against the Code, especially in regard to the instituted interest rates ceilings. The criticism came mainly from states where lower ceilings were legislated. In late 1967, the Commissioners sent the sixth Working Draft to Judge George Brunn of the Municipal Court in Berkeley, California, a prominent voice in California’s consumer protection scene. Brunn’s reply letter focused mainly on the interest rate ceilings, and it demonstrated, with calculations, how the proposed legislation would raise the maximum charges of interest rates not only in California but in other states as well (including Illinois, Massachusetts, Michigan, New Jersey, and New York). Brunn’s letter was phrased in the decorous language expected from a Judge writing to his fellow lawyers, but it served as a basis for a publication in the newsletter of the Association of California Consumers, published under the title: “Caution: Extreme Danger Ahead.” In their own introduction to their detailed analysis of the Working Draft, the lawyers from NLADA and the Legal Services at OEO diagnosed the problem with the drafters of the Code: they seemed to be attempting to appease the credit industry, so that they would back the legislation. Yet they were “not sufficiently aware of the considerable changes in the political climate regarding consumer credit [...] the consumer interests, as represented by articulate spokesmen on their behalf, have greatly advanced the cause of the consumer in various state legislatures [...] A number of new consumer conferences, councils and other organizations have recently arisen.”⁸⁴

As the lawyers of the Legal Aid and Legal Services indicated, consumer groups in various cities and states were voicing their opposition to the Code already in its drafting stages, and they

⁸³ Budnitz, “NCLC from Birth to 2017,” 14–15; Stengel, “Should States Adopt the UCCC?” “Letter to Consumer Federation of America” from Benny L. Kass, Task Force Coordinator on Uniform Consumer Credit Code,” December 11, 1968, *Consumer Viewpoints*, 283–286.

⁸⁴ See, in *Consumer Viewpoints*: Letter by Judge Goerge Brunn to the National Conference, December 28, 1967 (pp. 1-8). Reprints of articles published in *The California Consumer*: “Caution: Extreme Danger Ahead,” pp. 177–180; “How UCCC Would Raise Interests,” pp. 181–2; “Understanding the Consumer Credit Code,” pp. 183–186; “Joint Statement of NLADA and Office of Economic Opportunity Legal Service Program Re Working Draft No. 6 of UCCC, Jan. 10, 1968,” pp. 229–235, quote on p. 229.

amplified it after it was adopted. In some cases, these groups were assisted by lawyers from academia, or from the sector of legal services/aid. These lawyers analyzed the proposed Code and compared it with local laws, providing ammunition to consumer groups in their opposition to the proposed Code. Thus, for example, a Legal Aid attorney from Chicago analyzed the Code for the Illinois Federation of Consumers, and a Law Professor from Howard University prepared a critique of the Code for the Ad Hoc Committee of Consumer Protection of the District of Columbia – a coalition of civic organizations which convened a couple of years earlier to enhance consumer protection in consumer credit area in Washington, D.C. Other critical voices came from the veteran organization, the Consumers’ League of New Jersey, which maintained that “the adoption of the Code will provide less protection than our citizens now have under the New Jersey Consumer Credit Laws,” and from the rather newly established Consumers’ Advisory Council in the Department of Consumer Affairs in New York City, who felt that “consumer groups have not had sufficient time to analyze the effect of the Code,” and recommended that the legislature in New York defer action until a fuller study has been made.⁸⁵

Soon after its incorporation, in its first annual meeting in April 1968, the Consumer Federation of America resolved to oppose the Code “in its current form” as “not promoting consumers”, and it called on the NCC-USL to postpone its promulgation “until Consumer Groups have ample opportunity to present their recommendations.”⁸⁶ CFA’s opposition to the UCCC would continue and intensify after the Code was promulgated and adopted in the summer of 1968. In February 1969, Erma Angevine, CFA’s Executive Director, testified before the House Banking and Currency Committee’s Subcommittee on Consumer Affairs. The topic was the relationship between the administration of TILA by the Federal Reserve and the UCCC. Angevine quoted the recent CFA’s resolution that it is “unalterably opposed to the Code as an effort to undermine the federal law. Consumers fought for eight years to get a meaningful truth-in-lending bill through Congress. We do not intend to see its benefits taken away by state-by-

⁸⁵ In *Consumer Viewpoint*: “Suggestions of a Legal Aid Attorney,” by Robert M. Berger (Illinois Federation of Consumers), pp. 187–222; “Statement of the Ad Hoc Committee,” by Egon Guttman, pp. 165–176; “Statement of the Consumers League of New Jersey on the Proposed Uniform Consumer Credit Code,” pp. 249–254; “Report on the Uniform Consumer Credit Code, by The Consumers’ Advisory Council,” (NYC), February 3, 1969, pp. 337–356.

⁸⁶ CFA Records, Box 3, folder 1: Minutes from the First Annual Meetings of CFA, April 28, 1968; Folder 2: “Consumer Federation of America, 1968, Resolutions Preamble.”

state enactment.”⁸⁷ Angevine brought with her to the testimony three lawyers. One of them was William Willier, a law professor from Boston College. In the following months, and for the next few years, Willier would become a central figure in the campaign against UCCC as the Director of the newly established National Consumer Law Center.

Willier was a young law professor at Boston College who previously authored a book on the Uniform Commercial Code. During the years when Massachusetts reformed its consumer credit laws, Willier served as a consultant to the Massachusetts Consumers Council and had a key-role in passing the Massachusetts Truth-in-Lending law, which was more comprehensive than the federal law (for example, it included not just disclosure mandates, but also interest rate caps, and the complete abolishment of the Holder in Due Course doctrine, among other measures). After the enactment of the federal TILA, Willier also served on the Federal Reserve Board’s Advisory Committee on Truth in Lending. In January 1969, the *Massachusetts Law Quarterly* published a “dialogue” between one of the Code’s drafters and Willier. Willier’s article was titled: “A Uniform Consumer Creditors’ Code.”⁸⁸ Willier attacked the Code first on the basis of its economic principle of “free market” for credit, claiming that credit should not be governed in the same way as goods and services, but also commenting that the Code does not, in fact, provide full market competitive situation, against its drafters’ intent. Then he attacked the legal framework of credit regulation by showing the current Massachusetts laws which offer better consumer protection. In March 1969, the popular *Consumer Reports* also published an analysis of the UCCC, titled “A Consumer Credit Code ... for lenders.” In much plainer language, but on the same principles, the article criticized the Code, and the influence of Willier’s article is clear, for example in using the same calculations of interest rates. The article noted that “the influence of the credit industry comes through [in the Code] in section after section.”⁸⁹

In March 1969, Willier and Boston College received a federal grant to establish the National Consumer Law Center at the College’s Law School. For the next five years the campaign against the UCCC would be a major endeavor of the Center. In June – its first month of operation – NCLC hosted a conference on consumer problems, held in Washington, D.C., and co-sponsored

⁸⁷ CFA Records, Box 3, folder 3: Statement to the Subcommittee on Consumer Affairs, by Erma Angevine, February 25, 1969.

⁸⁸ Walter D. Malcolm and William F. Willier, “Uniform Consumer Credit Code for Massachusetts - A Dialogue, A,” *Massachusetts Law Quarterly* 54, no. 1 (1969): 34–62, Willier’s part starts on p. 53.

⁸⁹ “A Consumer Credit Code... for Lenders,” *Consumer Reports* 34, no. 3 (March 1969): 121–26.

with NLADA, with more than 50 “consumer experts”. A great deal of the conference was dedicated to the issue of consumer credit, and to the UCCC specifically. Among the speakers was President Nixon’s Special Assistant on Consumer Affairs, Virginia Knauer. (As a reminder, Knauer’s predecessor, Betty Furness, endorsed the Code after its promulgation.) Knauer’s speech was congratulatory for NCLC, and rather general in surveying various areas of consumer problems, including consumer credit. It included one paragraph on the UCCC, in which Knauer stated that the Code’s protections are stronger than the current law in some states, and weaker than in other states, and that “Many provisions of the UCCC must be changed for it to become even basically acceptable to consumers.” After the Conference, NCLC issued a press release, stating that Knauer reversed her predecessor’s stance on the Code, and concluded that the UCCC “has lost the blessing of the White House.”⁹⁰

Another speaker at the NCLC June conference was Max Weiner from the Consumer Education and Protective Association of Philadelphia. Operating for over three years among low-income consumers in the poor urban areas of Philadelphia, much of CEPA’s work focused on abusive practices around consumer credit problems. CEPA, and Weiner specifically, were held in high regard by the legal services community attorneys in Philadelphia and other cities in the North-East (in later years they considered appointing him to the NCLC Board). At the June conference, Weiner spoke in general on common abuses in the area of consumer credit. He did not address the UCCC specifically, and also warned that the federal TILA would not be a cure-all, and that further legal protections are needed. He also used the platform to promote CEPA’s method of picketing businesses as “an effective answer to the ‘holder-in-due-course’ defense.” While Weiner ignored the UCCC in that occasion, he could have told the participants that a year earlier, CEPA employed the picketing method outside the Annual Meeting of the American Bar Association in Philadelphia, in protest of their adoption of the Code.⁹¹ Other than picketing,

⁹⁰ NCLC, Box 10, folder 6: Knauer’s Speech: “Address before the Seminar on Consumers Problems;” Folder 18: “Virginia Knauer Reverses Betty Furness on Consumer Code,” Press Release, June 1969.

⁹¹ Weiner’s speech, “Truth and Fraud in Consumer Credit Sales,” June 20, 1969, pp. 503–509 in *Consumer Viewpoints*. See also *Consumers Voice* [CEPA’s newsletter] vol. 4, No. 7 (July 1969): “Truth-in-Lending no Cure-All for Consumer Ills.” Letter from Benny Kass, NLADA to Weiner from May 16, 1969: invitation to Weiner to attend the one-day working seminar on consumer problems that will serve as a “kick-off” for NCLC: Weiner Records, Box 17, folder 7. Various letters between NCLC attorneys and Weiner from 1972-1974, including the invitation to serve on NCLC Board: Weiner Records, Box 5, folders 5-6. On picketing the ABA annual meeting, see in Kripke’s address, which was printed in the special *Business Lawyer* issue: “We have pickets outside here today from a consumer organization in Philadelphia taking the position that the Code is not strong enough.” Homer Kripke, “Commentary Uniform Consumer Credit Code,” *Business Lawyer (ABA)* 24, no. 1 (1969 1968): 217.

another method of opposing the Code was through publications. Prior to the NCLC conference, a legal services attorney from California worked with Helen Nelson to produce a compendium of critical opinions and evaluations of the UCCC. The attorney, Richard Elbrecht, would later become staff at NCLC. In 1971, Elbrecht, together with Nelson, produced and updated a version of the compendium, consisting of over 700 pages of documents opposing the Code.⁹²

In August 1969, two months after the NCLC's inaugural conference on consumer problems, the Consumer Federation of America held its second annual meeting in Denver, Colorado. This, too, was quite a celebratory event. The first annual meeting was accompanied with fears – justified based on past experiences – that the Federation might have difficulties hitting the ground running. In the second annual meeting, CFA had more than a year of sweeping activity in the consumer interest to abate these fears. The energetic Executive Director, Erma Angevine, told participants that it was a challenging and gratifying year, and that “CFA's opinions are sought on a wide variety of issues and by a wide variety of organizations.” She said that “Two issues – credit and hotdogs – brought CFA to the nation's attention during the past 16 months.” On both issues, CFA was seeking to expose and challenge the components of which the law, and the sausages, were made. Ordinary consumers more likely encountered the “hotdog issue,” where CFA lobbied the USDA for stricter requirements on the contents of the meat product. But CFA was even more occupied by the “credit issue”: the fight against the UCCC. Angevine mentioned that in the first half of 1969 most CFA's resources were dedicated to this one battle (presumably, because the NCC-USL urged state legislatures to enact the Code prior to July 1969). She noted that “CFA and its member organizations led the fight throughout the country,” and managed to defeat the Code, which was only passed in two states, Oklahoma and Utah.⁹³

Despite the hitherto victory, according to Angevine, the UCCC fight would continue. To oppose the Code effectively, she felt that consumer representatives must offer an alternative model law. The National Consumer Law Center would introduce such an alternative. At the CFA annual meeting, Angevine proposed that CFA would take the leadership on this initiative, but noted the financial difficulties involved.⁹⁴ Yet, by then, that work had been already taken up by NCLC. It seems that Willier had already planned to draft a consumer-oriented alternative to the

⁹² Consumer Research Foundation, *Consumer Viewpoints: Critique of the Uniform Consumer Credit Code*.

⁹³ “Report of the Executive Director in second CFA Annual Meeting, 23-24 August, 1969 in Denver, Colorado.” CFA Records, Box 1, folder 2.

⁹⁴ *Ibid.*

UCCC even before Boston College received the OEO grant to form NCLC. With the foundation of the Center, he became equipped with the institutional basis and organizational connections to do so. Moreover, NCLC received an additional OEO grant for the task. Forming a special committee, the Center's staff was joined by Angevine and the law firm attorneys that counseled CFA, along with the aforementioned Berkeley Judge George Brunn, Elbrecht, and another Legal Services attorney, and economists or lawyers from Consumers Union, AFL-CIO, and the NAACP Legal Defense Fund. Together, they drafted the alternative that was presented, in December 1969, at a Boston College conference co-sponsored by NCLC and the National Institute for Education in Law and Poverty. About 120 Legal Services attorneys attended the conference, representatives of field offices from all 50 states, with the aim that they would become "resident experts" in their respective states. NCLC staff summarized the legislative situation regarding the UCCC and presented a first final draft of the alternative model law, entitled the National Consumer Act.⁹⁵

The drafters of the National Consumer Act (NCA) employed a broader consumer protection approach. As indicated by the proposed law's title, it went beyond the issue of consumer credit. The NCA was predicated on a general consumer protection philosophy. This was in contrast to the approach of the UCCC, which was based on the principle of expanding credit through easing access to creditors – allowing "free entry" which would presumably lower interest rates. The UCCC nevertheless instituted interest rate ceilings, in lieu of stricter state supervision and licensure of creditors. Consumer advocates claimed that these "ceilings" would become in fact the fixed price. They did not object, however, to setting the rates per se. In his economic analysis of the UCCC, prior to the drafting of the NCA, NCLC Director Willier argued that the area of credit has never been subjected to the influence of demand and supply (drawing on lessons from the 1929 crash). Therefore, he argued, like in the case of utilities, price fixing was justified, but at lower rates than the Code offered, and this should be accompanied with stricter consumer protection.⁹⁶ Such stricter protection was employed throughout the NCA provisions, not only

⁹⁵ "NCLC – Fact Sheet," October 15, 1969, NCLC Records, Box 7, folder 13; "The National Institute for Education on Law and Poverty, Conference on the Uniform Consumer Credit Code, Boston College Law School, December 17-19, 1969, Materials on the Uniform Consumer Credit Code, prepared by the National Consumer Law Center," NCLC Records, Box 10, folder 8; George Gordin, "National Consumer Law Center: Goals - To Sponsor Conference on Consumer Credit Code," *Personal Finance Law Quarterly Report* (winter 1969), pp. 10–11, copy in: NCLC records, Box 7, folder 2; Fred Hopengarten, "National Consumer Act - A Model Act for Consumer Protection," *Personal Finance Law Quarterly Report*, vol. 24, no. 2 (Spring 1970), pp. 52–54.

⁹⁶ Malcolm and Willier, "Uniform Consumer Credit Code for Massachusetts - A Dialogue, A," 55.

regarding consumer credit transactions, but also regarding consumer transactions more generally. The NCA added articles on issues such as warranties and deceptive advertising and selling practices. Moreover, the NCA also broadened the definition of “consumer”: while the UCCC used the test of the purpose of credit, the NCA was based on the bargaining power between the parties, and thus considered among consumers also farmers and even small businessmen.⁹⁷

Still, the majority of the NCA’s 180 pages concentrated on consumer credit and were a reflection of UCCC, but with revisions and alterations of all the deficiencies that consumer advocates identified in the Code. The NCA abolished the separation between creditors and sellers on credit (or loans and credit sales) – an old legacy of credit regulation that was codified in the UCCC. It enhanced lenders’ protections and remedies, limited creditors’ remedies, and went much further than the Code in abolishing or making illegal some common credit practices that were deemed abusive by consumer advocates – such as the holder-in-due-course doctrine, wage garnishments, and balloon payments. The NCA prohibited all of these in consumer transactions and even criminalized some of the practices. On the issue of interest rates ceilings, it avoided the controversies by drafting optional provisions regarding ceilings but leaving the rates in the draft blank, to be devised by each state legislature separately.⁹⁸ It also expanded on the UCCC by considering such issues that were not addressed in the Code, such as credit card liabilities and credit reporting. Lastly, it included a section that regulated debt collection practices – an area that was a source of much of the problems reported by low-income consumers – which was not addressed by the UCCC.⁹⁹

⁹⁷ National Consumer Law Center, “National Consumer Act - First Final Draft, official text with comments, January 1970, NCLC Records, Box 6, folder 19 – see definition of “consumer” in: Article 1, Part 3 (p. 16).

⁹⁸ *Ibid.*, Article 2, section 2.201. The comment to the section states: “The draftsmen take no position on what the rate ceiling should be. It is probably not advisable to become involved in lengthy arguments with industry over rate ceilings. No available data adequately supports the need for the high rate ceilings proposed in the Uniform Consumer Credit Code, although such ceilings do exist in some states. The important matter is that a state adopt a unified and consistent rate ceiling statute which applies across the board to all creditors. Discrimination in this respect often results in hardship to consumers.” pp. 33–34.

⁹⁹ Richard Elbrecht, Corresponding Sections in the UCCC and NCA, September 1, 1970, NCLC Records, Box 10, folder 9; A short summary of some of the major changes prepared in plain language, probably for distribution among legislators and non-lawyers, was prepared by NCLC: “Significant Differences between the Uniform Consumer Credit Code and the National Consumer Act,” January 22, 1971, NCLC Records, Box 10, folder 11. See also: William E. Boyd, “The UCCC and the NCA: A Comment & Comparison,” in: *Consumer Viewpoints*, 663–74; Stengel, “Should States Adopt the UCCC?”: 8–48; Mark E. Budnitz, “The National Consumer Law Center - From Its Birth to 2017” (National Consumer Law Center, 2017), 16–18, Provided from the author through personal communication.

In August 1970, NCLC Director Willier gave the keynote speech at the CFA annual meeting in which he presented the National Consumer Act and the strategy of promoting it as an alternative to the UCCC. While his audience did not need convincing regarding the NCC-USL, Willier did not spare his criticism of the institution, in what was referred to, in internal NCLC communication, as a “fire-and-brimstone” speech. Willier first reported his first-hand experience of attending a convention of the annual conclave of the National Conference (for a meeting on a different uniform law being deliberated, the Uniform Sales Practices Act). Willier testified he was “astounded” by what he witnessed. He then outlaid before the audience his analysis, that the NCC-USL as a body is ineffective, and based on smaller working committees which have no input from, nor interest in, the “advice of consumer people”. Specifically, the Committee for Consumer Protection “actually functioned as a political legislative body,” with some Commissioners even not trying to conceal their private representation of industry. He concluded, regarding the UCCC, that the NCC-USL as a body, cannot promulgate effective consumer protection legislation, since “Local Commissioners are puppets for what a small group has done and promote a product without knowing what is involved.” He also reported that the Commissioners prepared a half hour film to promote the Code, and that simply opposing the Code is no longer a viable strategy. Therefore, the approach should be presenting and promoting the National Consumer Act as “constructive opposition” and an alternative, which can be enacted in toto in the states, or in promoting specific provisions to amend and improve the Code.¹⁰⁰

Between 1969 and 1974 – when a new version of the UCCC was introduced – consumer advocates operated a country-wide and largely successful campaign against the UCCC and its adoption in states. The campaign was coordinated chiefly by CFA and NCLC, alongside state consumer associations and other local groups, including co-operatives and labor unions, who lobbied in their state legislatures. The campaign included in-person appearances and submissions of written statements to state legislatures, by NCLC staff and by CFA leadership (or by attorneys from the law firm that counseled the Federation). Table 4-a in the chapter’s appendix presents a partial list of fifteen such testimonies and statements given in different states, drawing on combined archival materials. As part of the campaign’s strategy, NCLC and CFA also advocated

¹⁰⁰ “Appearances: The Chief,” *The Grass Roots* [NCLC intra-office newsletter], issue 4, July 29, 1970, pp. 4-5, NCLC Records, Box 7, folder 18; “Outline of Remarks of Professor William F. Willier of Boston College Law School, Director - National Consumer Law Center, Before the Consumer Federation of America in Madison, Wisconsin, on August 19, 1970,” NCLC Records, Box 2, folder 19.

against the adoption of the Code among state consumer groups and local organizations. This was conducted alongside promoting the alternative NCA, especially among the legal academic community, which during these years held several symposia on the topic. Some legal academics found merits in the NCA, because of its stronger consumer protection, and even more so, thanks to its mostly unified treatment of loans and credit sales which simplified the law. One such commentator from Arizona defined the NCA as “consumer protection legislation par excellence.” While he noted that creditors’ representatives would likely react in horror, and voiced skepticism that the model Act can be enacted in its present form by any legislature, he still concluded the NCA offers “a forthright statement of the problems demanding treatment” and remedies to be considered, and that it “thus stands as a model against which conscientious legislators should test every bill offered.”¹⁰¹

That the consumer movement’s campaign was highly effective is evidenced not only by the small number of states – five altogether – that enacted the UCCC initially, but also by the convening of the NCC-USL to revise the Code in light of the criticism. Out of thirty states that introduced the Code in their legislatures in 1969, only two adopted it that year, and they were non-influential states (Oklahoma and Utah). Only a handful of others joined in the following years, even as it was introduced in all states.¹⁰² The Conference of Commissioners were aware that they would need to respond to the criticisms and, in fact, they received specific suggestions for amendments from NCLC staff. One of the Commissioners, who was among the drafters of the original Code, actually voiced a rather supportive voice about the NCA. In his informal memo to the Special Committee of the NCC-USL, UCLA law professor William Warren called the Act “a significant piece of work,” and analyzed the provisions “which meet legitimate needs of the consumers” that need to be taken into consideration. He mentioned his belief that “we can view it as a fairly authoritative statement of what the consumer movement wants.” He added that

¹⁰¹ Some of the conferences and symposia were reflected in publications. See, for example three articles (including one by two of the drafters of the UCCC) in *Columbia Law Review* vol. 68, issue 3 (1968-1969), pp. 387–519; seven articles or commentaries on the Code, including by drafters, in *Business Lawyer (ABA)* vol. 24 (November 1968), pp. 183–235; “Uniform Consumer Credit Code for Massachusetts - A Dialogue,” *Massachusetts Law Quarterly* vol. 54, issue 1 (1969), pp. 34–62; Consumer Protection Symposium including an article and more references to the UCCC in *Nebraska Law Review* vol. 49, issue 4 (1969-1970); Four commentaries or articles in *Kentucky Law Review*, vol. 60, issue 1 (1971-1972), pp. 1–74. For appreciative comments on the NCA see Stengel, “Should States Adopt the UCCC?”. For the commentator from Arizona and quotes, see Boyd, “The UCCC and the NCA: A Comment & Comparison”; see also, retrospectively “The Revised Uniform Consumer Credit Code as a Replacement for Piecemeal Consumer Legislation: The Arizona Context,” *Arizona Law Review* 18, no. 1 (January 1, 1976): 1–62.

¹⁰² See below, footnote 107.

his “bias in this inquiry is pro-consumer,” and that he leaves “to those more familiar with the creditor side of the industry the operational feasibility” of those provisions.¹⁰³ The operational feasibility was probably not very high, since the early revision drafts of the UCCC, circulated in 1972, were still met with much criticism, and were deemed as “still unacceptable to consumers” by consumer advocates. The consumer movement charged that the drafters “again failed to provide adequate protection for the consuming public, particularly for the poor.”¹⁰⁴

In light of the prospects of a revised Code, and of the disappointments from its early draft versions, NCLC lawyers repeated their tactic and once again countered the Code with an alternative that will constitute “constructive opposition”. In 1973, NCLC published a revised National Consumer Act, now entitled Model Consumer Credit Act (MCCA). This version addressed some criticisms of the NCA, and particularly incorporated lessons from and updates in recent consumer credit legislation in states and at the federal level – consequently enhancing some aspects of debtors’ protection.¹⁰⁵ Following this, the Code drafters made further changes to the UCCC draft, to appease the criticisms. The version of the Code that the NCC-USL adopted eventually, in 1974, went further toward the consumer movement’s position, as it too included several more protective measures for debtors. At this point, however, the credit industry was tepid toward the Code, and there was no enthusiastic push for state legislatures to enact it like there was five years earlier. (Plausibly, this was not just due to a lack of enthusiasm about the UCCC, but more so that industry representatives were less alarmed at that point regarding TILA, as the “threats” that the federal legislation would revolutionize the field had been proved

¹⁰³ Warren, Memorandum to the UCCC Committee and staff, February 7, 1970, NCLC Records, Box 6, folder 28.

¹⁰⁴ Memorandum from attorney Edward Berlin to Erma Angevine re: Working redraft number 3 of the Revised Uniform Consumer Credit Code, October 30, 1972. (The memo concludes: “The consumer has been promised much, given little, and asked to forego hard fought basic protections already won. Evaluating the entire Code, one must conclude that it is blatantly anti-consumer and I urge you to impress upon the membership of CFA that consumer groups, and legislators who are at all sensitive to the consumers right to equity in the market-place, must spare no effort in resisting the enactment of the UCCC as originally conceived or as Revised.”) CFA Records, Box 3, folder 10. Two NCLC attorneys (in an article published in the journal of the Legal Services community) stated: “Certainly a major factor in the failure of the revised UCCC to truly reflect consumer concerns is the failure or refusal of the drafters to consult consumers at a point in time when their views could have a meaningful impact [...] There is behind this an apparent belief that the consumer position can be somehow divined by people who do not represent the consumer interest.” The article asserts that this is an attempt of tokenism, and that “Legal Services attorneys and other concerned consumer advocates must be prepared to counter this tactic and make available to lawmakers not only the real facts but also an intelligent and viable alternative.” Blair C. Shick and George Gordin Jr., “Storm Warning: A ‘Revised’ UCCC,” *Clearinghouse Review* 6, no. 8 (December 1972): 463–67.

¹⁰⁵ Budnitz, “NCLC - From Its Birth to 2017”, 16–17, Provided from the author through personal communication.

exaggerated.¹⁰⁶) At the end of the day, less than ten states enacted the UCCC in either its 1969 or 1974 version – none of them an influential and highly populous state. The NCA/MCCA was not enacted in any state, although the 1972 Wisconsin consumer credit legislation adopted many of the NCA’s provision and mixed them with those of the Code.¹⁰⁷ Additionally, MCCA’s provisions regarding fair debt collection practices served as a basis for later federal legislation.

Consumer advocates celebrated their success at influencing changes in the proposed consumer credit legislation, and moreover, to thwart the enactment of the Code in its original version. They saw it as a victory and a proof to the efficacy of a unified effort on behalf of consumer representatives. Since this was a victory on blocking a proposed change of a regulative policy, rather than in pushing for one, it is hard to know to what extent it should be attributed to the efforts of the consumer movement, and to what extent other factors were involved. The “competition” between the federal law and the Uniform Code was not so much on the substance of regulation (ultimately, the legislative measures were complementary), but more at the level of regulative authority and administration – between the states and the federal government – in an economic and regulatory environment already moving toward the supra-state level. Other changes were already affecting this environment. Within a few years, the regulatory debates would become less relevant, as the overall trend would be to decrease regulations on the finance industry altogether.¹⁰⁸

Still, the campaign against the UCCC had significance for the consumer movement itself, beyond the question of its measure of success in blocking the proposed law. It brought together various consumer advocates and disparate consumer groups in a joint endeavor. Their perception of the campaign’s success, whether justified or not, provided a sense of efficacy and a proof to the movement’s capacities. The following two excerpts – the first retrospective, and the second contemporary – demonstrate this point. Looking back more than four decades later, a former executive of the NCLC wrote about the campaign:

“[NCLC’s] program to stop the UCCC was the first time that consumer representatives had united in a national program of opposition against uniform state legislation. In addition to

¹⁰⁶ One legal commentator suggested that the credit industry actually found surprising benefits in facing one general policy of disclosure requirements, rather than myriad of policies that vary by the state, see Felsenfeld, “Competing State and Federal Roles in Consumer Credit Law,” 514.

¹⁰⁷ Besides Utah and Oklahoma, the early UCCC version was adopted in some form in Colorado, Indiana and Wyoming; the 1974 version was legislated in Iowa, Maine, and South Carolina. It was also enacted in North Dakota but Vetoed by the Governor. Carter et al., *Consumer Credit Regulation*, 36, 41.

¹⁰⁸ Carter et al., *Consumer Credit Regulation*; Fleming, “TILA’s Long History”; SoRelle, *Democracy Declined*.

achieving its immediate objective, it provided a vehicle through which the [National Consumer Law] Center was able to make contacts and build bridges to consumer advocates across the country, building partnerships which could be utilized for future initiatives.”¹⁰⁹

The second statement comes from a speech made at the early stages of launching the campaign, in January 1969, by Judge Goerge Brunn from the Californian consumer movement, at the occasion of CFA’s third Consumer Assembly:

“The history of the 1960s has in part been the history of the rising voice of consumers. On all levels we have begun to speak – and act – with greater clarity and strength. The consumer credit code represents a last ditch effort to head us off before we get any stronger. Its sponsors hope that we will be too dumb to understand the law, too unsophisticated to resist their high-priced propaganda, and too weak to do anything about it. It is up to us to prove them wrong.”¹¹⁰

To conclude, this case study demonstrates how regulatory policy effects helped facilitate the emergence of the consumer movement. In response to proposed changes in regulatory policies in the realm of consumer credit, which consisted of competing federal and state frameworks, consumer advocates came together in implicit support of the former and explicit and strong opposition to the latter. Thus, these legislative proposals had both “positive” and “negative” policy effects that helped the coalescence and consolidation of a consumer movement, on its various components. The campaign was spearheaded by two fledgling national organizations, representing different constituencies. The Consumer Federation of America, founded by a combination of various organizations active in the national political arena with interest in consumer advocacy, alongside a coalition of state and local consumer groups, primarily representing the interests of middle-class consumers. The National Consumer Law Center was founded, as part of the War on Poverty initiatives, to respond to the needs of poor and low-income consumers. Joining forces in opposing the UCCC, the campaign could then be seen as a combined effort on behalf of consumers across classes. Furthermore, since the campaign was fought at the local level as a state-by-state campaign, it involved local consumer organizations, thus adding to the consolidation of the movement as a national one. In this, each of the two leading organizations could draw on its own grassroots network, sometimes establishing connections between them at the local level, with NCLC relying on the ranks of Legal Services field offices, and CFA activating its local and state members (some of them grew out of this

¹⁰⁹ Budnitz, History of NCLC, p. 18.

¹¹⁰ Quoted by Angevine in *Consumer Viewpoints*, 330.

campaign). As the next section shows, in the following years, national advocacy consumer organizations would continue in their efforts to foster such grassroots infrastructure.

E. Top-down mobilization: Two examples of interest groups organizing the grassroots

In contrast to the sections so far, that showed how policy effects contributed to the emergence of the consumer movement, this section deals with the relationship within the movement, between the national advocacy organizations and grassroots consumer groups across the country. These relationships are important in the context of understanding how official policies facilitated the rise of the consumer movement as a social movement. As noted in section A, the policy feedback literature has not paid sufficient attention to the effects of policies on the formation and operation of social groups. When it did, these were “elite” interest groups operating in the form of lobbying advocacy. This tendency to ignore social movements is rooted in the disciplinary bias of the policy feedback literature, which prefers to focus on interest groups; but this is also because interest groups are more likely to be acting in close interaction with policymakers and governmental officials, in other words to institutional politics. The case study analyzed in the previous section showed that this was also a common *modus operandi* of the consumer movement, which indeed consisted of national advocacy groups operating closely with legislators and officials. At the same time, it also showed that the local spread of the movement was an important component of these lobbying efforts. In other cases, and with other modes of operation as well, this infrastructure of local and state consumer groups played an important role in the consumer movement’s activities, and in its claim to national representation of millions of consumers. This section shows how this national infrastructure was developed and maintained.

The following paragraphs show two cases of such “top-down” mobilization that started from Washington, D.C. and reached across the country: the Consumer Federation of America’s cultivation of state and local consumer groups, and Ralph Nader’s establishment of the campus-based PIRGs-network. The Consumer Federation of America started as a federation, which consisted of other national organizations and advocacy/interest groups advocating for consumers (such as national labor unions and national cooperative associations), alongside a coalition of various local consumer groups. In its first four years, CFA collaborated with government officials to offer a “blueprint” for local consumer organization. Yet beyond such instructional materials, CFA’s role in relation to the grassroots remained mainly coordinating activities and

providing response to demands coming up from them. Starting in 1973, however, it faced a growing need to proactively encourage the formation of new consumer groups. Due to budgetary and organizational obstacles, CFA's "State and Local Project" never really transcended the mostly coordination function of serving as a "clearinghouse," although it made attempts, with limited success, to foster new grassroots consumer organizations. Ralph Nader's establishment of an organizational network on campuses across the country is more of a success story. Initially, emphasizing the need of experts and professionals working for "the public interest," Nader founded a host of organizations that were government-facing, focusing on federal administrative agencies and pushing regulatory and legislative federal reforms. Yet, in 1970 Nader embarked on a project that successfully mobilized students across the country to organize their own "public interest groups" and reproduce his model at the state and city levels.

From its inception, the Consumer Federation of America held a dual role. On the one hand, it was an advocacy and lobbying organization at the national level, operating with legislators and politicians on Capitol Hill. On the other hand, it was a "clearinghouse" and a coordinator for grassroots consumer groups at the local level in neighborhoods, communities, municipalities, and states. This duality was reflected in CFA's organizational structure even before it was established, and was one of the reasons that the incorporation of the Federation took two years, until an agreement on the structure was reached between the two factions: a steering committee of the local and state organizations headed by Father Robert McEwen from Massachusetts, and a planning committee for the Consumer Assembly – sponsored by over thirty national organizations including labor unions, religious groups and others – headed by Jacob Clayman of AFL-CIO.¹¹¹ Despite tensions that have always existed between these two camps (which, in 1973, grew as much as to create a rift between CFA and a split-off organization), and even though the advocacy function had always been the primary one, CFA dedicated many efforts and much resources during its first two decades to coordinate and oversee its local and state groups. It cultivated and encouraged their grassroots activities, among other things by recruiting such groups to affiliate with the Federation and by fostering the formation of new ones.

¹¹¹ "Where Do We Stand on the Proposed Federation?" *Consumer Action - Newsletter of Consumer Federation of America*, vol. I, no. 2, May 1967, p. 1, CFA Records, Box 3, folder 1; see also "A New 'Consumer Federation' Sets up Shop," *Changing Times* (Washington, United States: Kiplinger, April 1968) 19; Stephen Brobeck, "Consumer Federation of America," in *Encyclopedia of the Consumer Movement*, ed. Stephen Brobeck, Robert N. Mayer, and Robert O. Herrmann (Santa Barbara, Calif.: ABC-CLIO, 1997) 146.

In one of its earliest Board meetings, in June 1968, the topic of assistance to state and local groups came up, and the Board discussed various options of offering aid and guidance, ranging from informing groups how to apply for funds from federal programs, to putting existing local groups who are CFA members in contact with new local groups. The existing groups were to provide guidance and serve as a channel to the Washington, D.C. office, develop model laws or circulate information on existing laws, and provide further guidance to new groups, including “how to organize; how to develop programs; how to have successful meetings; how to raise money; and develop a speakers bureau.” CFA Executive Director, Erma Angevine, was put in charge of this variety of activities. She reported to the board at the end of that year that working with state members groups around the country was “one of the most stimulating experiences” of her job. “Each is unique. All are thriving. All have problems.” Still, the mighty task of coordinating local/state groups (and their problems) was left by the Board to the already busy Executive Director, and no special taskforce for this mission was created until four years later. Moreover, a communication channel between all members across the country was not established – not even a newsletter, until late 1971 – despite calls from officials stressing the need. This may indicate that there was already a groundswell of bustling activity that did not require much fostering, that the CFA’s top priorities lied elsewhere – or that others were taking care of the task of cultivating and instructing consumer groups at the grassroots.¹¹²

One body that was engaged in producing such instructional materials for establishing local consumer groups was the Office for Consumer Affairs at the White House. The Special Assistant to the President on Consumer Affairs had under her a handful of staffers, including a Director of Field Operations, in charge of assisting and developing state consumer associations. From 1965 until 1968 this was a position held by Howard Frazier, a veteran of the Tennessee Valley Authority and former employee in the Labor Department. In 1968, Frazier was replaced by Charles Cavagnaro. Frazier and his Cavagnaro collaborated with CFA members to publish in 1969 a manual for consumer groups, “Forming Consumer Organization”. The 70-pages manual includes two sections: first, How to Organize a Consumer Association - starting with “Finding the Spark” and going through “Appointing a Steering Committee,” drafting a constitution and

¹¹² “Aid to State Groups” in: Board meetings minutes from June 1968; Angevine’s quote from Report of the Executive Director, December 9, 1968; Both are in: CFA Records, Box 3, folder 1; Calls to establish an effective chain of communication with membership in all local and state areas, see Report of the President at the Second Annual Conference, August 1969, CFA Records, Box 1, folder 2.

by-laws (the manual included an example outline of both) and conducting a Charter Meeting; and a second section dealing with the everyday operating and maintaining of an association. CFA obtained one thousand copies of the manual for distribution. The preface noted that in recent years, some 45 voluntary consumer associations had formed, and that their founders “had no precedents to guide them; they had to establish them,” and that the manual builds on their experience, but calls on new groups to experiment with new approaches.¹¹³ Frazier, by the way, left his job at the government after Nixon’s election to become the second President of CFA.¹¹⁴

The manual offered a blueprint for organizing consumer associations, implicitly based on successful cases of local and state organizations that organized in the previous years. This was a common format, occasionally more explicitly drawing on a specific group. Thus, for example, in September 1972 Angevine spoke at the annual meeting of the Iowa Consumers League, and delivered an address entitled “Eleven Principles of Effective Action for Volunteer Consumer Groups.” It was based entirely on lessons learned from, and by, the Louisiana Consumers League, which she characterized as one of the most effective state groups in both winning fights for consumers and growing membership. Some of these principles conferred advice about choosing the issues to organize around – the importance of being opportunistic about high-profile issues, but also ones that speak to a large section of the public; and choosing the right tactics of organization (provide alternative solutions, do not compromise on your principles, and delegate responsibilities according to areas of interest and expertise). Still other principles related to organizing generally – both internally (have a broad base, keep your forces mobilize, but in order to do this, do not over-organize, and be completely democratic), and externally (keep good relations with the press, and know who are your politicians). More than the practical advice that these principles provided, Angevine’s address probably attests to the need of state consumer groups to receive instructions regarding organizing, and more than that, to the need felt by CFA

¹¹³ President’s Committee on Consumer Interests, *Forming Consumer Organizations*, Washington, D.C., January 1969, Roy Kiesling Papers, Box 13, folder 18; CFA Executive Committee meeting minutes from Sep. 10, 1968 (“Letters of Appreciation to Howard Frazier”), December 9, 1968 (“Consumer Association Manual”), both in: CFA Records, Box 3, folder 1.

¹¹⁴ Wolfgang Saxon, “Howard Frazier, 85; Promoted World Peace,” [obituary] *The New York Times*, June 14, 1997; In 1970 Frazier resigned from his role as CFA President, due to disagreements with the Board on the Federation’s reaction to Nixon’s appointment of the FTC Chairman (Frazier wanted to denounce the appointment, while the Board decided to simply refrain from endorsement), and he became involved in CEPA’s attempts to establish a national and international network. A few years later he became involved with a Peace Advocacy organization.

to provide such instructions. Angevine's speech was later summarized and produced as a brochure, circulated to local and state consumer groups.¹¹⁵

The efforts of the Executive Directors notwithstanding, in its first five years, CFA's activities regarding consumer grassroots organizing remained rather marginal relative to the attention it paid to federal politics. However, starting around 1973, fostering state and local consumer groups received more emphasis, and CFA embarked on a project that dealt exclusively with this issue. Possibly, this was due to a decline in the numbers of groups organizing independently, or an indication of the rising tensions between the Federation's leadership in Washington, D.C. and the rank-and-file local groups. It is also probable that this reflected CFA's need for more dues-paying members, as the substantial support that had been received previously from labor unions dwindled around then. Relatedly, this project was also responding to an initiative from Consumers Union, which saw that grassroots consumer organizing needed reinvigorating, and offered generous funding for the task. In any case, a taskforce for community organization was formed. Through the taskforce, CFA made several grant proposals to Consumers Union, for the sum of \$100,000 – for projects of organizing volunteer consumer groups. The first proposal was based, again, on the organizing experience of a specific local group – this time the Alliance for Consumer Protection from Pittsburgh, Pennsylvania. The proposal noted that “consumers with ‘like’ complaints are beginning to recognize each other and join forces,” yet claimed that this activity “is largely random, scattered, inarticulate and confused because of the absence of local organization to incorporate individual effort into effective group action.” It also acknowledged that “consumers at the local level are far less interested in key issues of national policy” of the kind that CFA is regularly occupied with. Further updates of the proposal also emphasized the critical advantages of grassroots organizing, and proposed solutions.¹¹⁶

¹¹⁵ Erma Angevine, “Eleven Principles of Effective Action for Volunteer Consumer Groups,” Remarks at the annual meeting of Iowa Consumers League, September 23, 1972, CFA Records, Box 3, folder 10; “Eleven Principles of Effective, Organized Action,” published by the Paul Douglas Consumer Research Center - Consumer Federation of America, Kiesling Papers, Box 13, folder 18.

¹¹⁶ “A Proposal to Organize New Volunteer Consumer Groups and to Develop Techniques for Insuring Their Independence and Endurance,” Task Force for Community Organization, March 15, 1973. CFA Records, Box 1, folder 7. The proposal was written by R. David Pittle, a PhD in electrical engineering and the president of the Alliance for Consumer Protection (the Pittsburgh organization). Later that year, Pittle was appointed to the federal Consumer Product Safety Commission, which was established in 1972; Memorandum from Carol Tucker Foreman, CFA Executive Director, to Consumers Union Board of Directors, January 11, 1974, re: an updated grant proposal, CFA Records, Box 3, folder 19.

Eventually, in March 1974, the State and Local Organizing Project was created, with funds from Consumers Union, which were later supplemented by a federal grant from the Office of Consumer Education. However, instead of the ambitious plans of several parallel efforts of community organization, the project eventually included the coordinating and ‘clearinghouse’ functions, a small part of the original Project’s plan. Due to funding cutbacks and other organizational problems, the project’s designated staff included essentially one person, and that position, too, saw frequent changes of personnel. Still, the project provided much needed consultation and information to consumer groups, and according to a survey conducted in 1978, most local and state groups had found it very useful. Operating mostly through the Paul Douglas Consumer Research Center (CFA’s organ which was a tax-exempt foundation), the project produced instructional materials to the rank-and-file groups, including “legislative alerts” on new federal laws, a specialized newsletter (different from the CFA regular newsletter), directories of the various consumer groups in the states and localities, and various practical guides, such as “How to Activate a Small Claims Court,” “Coping with the Energy Crisis: A Practical Guide for Community Action Agencies,” and “How to Conduct a Candidate Survey,” among others. Thanks to the federal educational grant, the State and Local Organizing Project also sponsored several workshops and conferences. Eventually, it also oversaw the formation of some new groups and the growth of CFA membership, despite the overall backdrop of decline in community organizing during the last half of 1970s.¹¹⁷

The second illustration of the top-down mobilization and recruitment comes from Ralph Nader’s organizational network, that partly overlapped with the consumer movement. In the late 1960s, Nader’s name became a synonym for the consumer movement. This was despite the somewhat aloof position that Nader and his organizations held within the expanding consumer movement. Following the publication of his 1965 exposé of America’s automotive industry,

¹¹⁷ Consumers Union grant, see Colston E. Warne, “Consumers Union’s Contribution to the Consumer Movement,” in *Consumer Activists: They Made a Difference: A History of Consumer Action Related by Leaders in the Consumer Movement*, ed. Erma Angevine (Mount Vernon, N.Y.: Consumers Union Foundation, 1982), 105–6.; Letter From Kathleen O’Reilly and Gary Rosenberg to: CFA State and Local Members, re: “Lou Harris survey of consumer movement,” 24 April 1978, CFA Records, Box 2, folder 15; Memorandum from Gary Rosenberg, Director, State and Local Projects to: Members of the Board of Directors, Re: “Outline of the Year’s Activities, July 1977 - August 1978,” September 12, 1978, CFA Records, Box 1, folder 12; CFA Pamphlet (on “The State and Local Organizing Project” and “The Paul Douglas Consumer Research Center’s National Community Consumer Education Project”), 1979, in CERN records, Box 4, folder 70; Letter from Ruth Simon, CFA State and Local Resource Center to Patty Miller from CERN, n.d.; A “member memo” from Ruth Simon to: State and Local Groups, August 28, 1980, CERN Records, Box 4, folder 71.

Unsafe at Any Speed, and more so, following the high-profile Congressional hearings that revealed the industry's illicit attempts to tarnish his reputation, Nader became in the following years a household name revered by millions of Americans. Moreover, he became the personification of the nascent consumer movement in the eyes of the popular media, the public, and his many followers – possibly also in his own eyes. This popular reputation would accompany Nader – and with him, the consumer movement at large, for better or worse – at least for the next couple of decades. Yet for the “mainstream” consumer movement – that is, the consumer advocates operating in various consumer groups and advocacy organizations – the relationship to, and with, Nader was more complicated. There has been no denial of Nader's popularity and his efficacy in bringing the consumer cause to the limelight, and in attacking entrenched inequities and challenging conventional attitudes in a broad array of fields. Furthermore, Nader impressively excelled in marshaling great resources, both in financial form – from foundations, lawsuits, and also from his personal funds – and in the form of attracting and recruiting droves of competent, young professionals to volunteer or work for long hours and on meager salaries in their eager dedication for social change.

At the same time, Nader has been a “lone wolf” who had run his operations on his own, and his relationships with consumer organizations outside his network was intermittent. Furthermore, the organizational style of Nader and his operations did not conform to the conventions of other voluntary or civic groups (and, with time, was also characterized as “autocratic” by a growing number of former associates-turned-critics). The organizations in the Nader's network were often run hierarchically and composed of professionals to a point that often seemed elitist, even to consumer groups whose members were largely academics, and certainly to those who concentrated their efforts on issues pertaining to low-income consumers. As graduates of mostly prestigious universities, the students and young professionals helping Nader – dubbed in the media the “Nader's Raiders” – were quite a homogeneous group, largely male and overwhelmingly white. In addition, even setting aside character eccentricities and understandable wars over credit and to whom it is due, many consumer advocates found Nader's rhetorical style and vehement assaults inflated, and – although fact-based – occasionally inaccurate, especially when coming from his young followers (and certainly compared to the tried-and-true scientific product-testing methodology championed by Consumers Union). Nader's hardline approach to politics suited some consumer activists, but alienated others, and it obviously tended to make

more difficult advancing political progress through compromise. Furthermore, avid consumerists were not always happy with the ever-broadening range of issues that Nader took on, including his expansion to anti-nuclear and environmental causes in the 1970s. Nor did all of them agree with the Nader-network great emphasis on legal strategies of legislation and litigation.¹¹⁸

In the late 1960s, while CFA saw (and sometimes oversaw) numerous consumer groups forming around the country, Nader focused his activities in Washington, D.C. Nader was no outsider to Capitol Hill, and his past experience included: voluntarily lobbying for Alaska statehood while a law student at Harvard, working as a consultant to Assistant Secretary of Labor Daniel Patrick Moynihan and Senator Abraham Ribicoff on car safety issues, and – after the publication of his book – attending the Congressional hearing to give a testimony. Yet his preference was, as he used to say, “to work *on* the government rather *in* the government.”¹¹⁹ Together with his “army” of Nader’s Raiders – initially students on summer breaks; with time some were hired full-time – he conducted investigative exposés into regulatory agencies, starting with an influential scrutiny of the Federal Trade Commission in 1968, and expanding to more agencies and various other areas in the following summers. The Nader’s Raiders came mostly from law schools, and primarily from prestigious universities. The elitist bent reflected Nader’s own biography but was also instrumental for the success of getting access to administrative agencies, as the professionally looking students did not bear any sign of affinity to the counterculture trend.¹²⁰ This elitism reflected also the selectivity that Nader could employ,

¹¹⁸ The secondary sources on Nader are vast, not to mention contemporary primary sources. In this chapter I rely especially on the excellent biography by Justin Martin, *Nader: Crusader, Spoiler, Icon* (Cambridge, Mass.: Perseus Pub., 2002). Other biographies include: Charles McCarry, *Citizen Nader* (New York: Saturday Review Press, 1972); Patricia Cronin Marcello, *Ralph Nader: A Biography* (Westport, Conn.: Greenwood Press, 2004). Some particularly informative contemporary and later profile articles on Nader or on his Raiders include: Julius Duschka, “Nader’s Raiders Is Their Name, and Whistle-blowing Is Their Game . . .,” *The New York Times*, March 21, 1971; Juan Williams, “Return from the Nadir,” *Washington Post*, May 23, 1982; Mark Green, “How Ralph Nader Changed America,” *The Nation*, December 1, 2015. For Nader’s relationship with consumer organizations, see Martin, *Nader*, especially 187-8, and also Colston E. Warne, “The Nader Network for Consumer Impact,” in *Consumer Activists: They Made a Difference: A History of Consumer Action Related by Leaders in the Consumer Movement*, ed. Erma Angevine (Mount Vernon, N.Y.: Consumers Union Foundation, 1982), 310–18; Peterson, *Restless*, 160–161; On “autocratic style” of leadership, and further critical voices from former associates, see in the newspaper articles by Duschka and Williams above, and also David Sanford, *Me & Ralph: Is Nader Unsafe for America?* (Washington: New Republic Book Co., 1976); Linda Charlton, “Ralph Nader’s Conglomerate Is Big Business,” *The New York Times*, January 29, 1978, sec. E; Lisa Chamberlain, “The Dark Side of Ralph Nader,” *Salon*, July 2, 2004, https://www.salon.com/2004/07/01/nader_jacobs/.

¹¹⁹ Martin, *Nader*, 152.

¹²⁰ The original group who studied the FTC consisted of seven student or graduates: three Harvard graduate students (two from law and one from the business school), three from Yale law school, and a fresh Princeton graduate. Some of them came from well-connected families. One - the only female in the group - was the daughter of a high

inundated as he was with applications. From the original crew of seven “interns” in the summer of 1969, under the newly established Center for the Study of Responsive Law Nader employed several taskforces of about one hundred staff altogether. In the following year, two hundred “summer interns” were selected from a pool of three thousand applicants.¹²¹

Nader’s Raiders’ muckraking was getting good publicity, and occasionally helped shake up and revitalize old regulative bodies and institutions such as the FTC, but at the end of the day it was not that different from investigative journalism. As Nader, and many of his applicants, were lawyers by training, his next initiative was to establish a “law firm” for the public interest. At the Consumer Assembly in the spring of 1970, Nader expressed his opinion that the big group members of CFA should “drop their pretense of consumer protection interest, and start supporting young lawyers and other professionals who wish to work as career consumer advocates.” Nader accused such members – as labor unions, consumer cooperatives and credit unions – of being ossified, and not spending their abundant resources on progressive causes. He called on them instead to “establish public interest law firms to combat the industry lobbyists.”¹²² At that time, he had already opened his own Public Interest Research Group (PIRG) in Washington, D.C. PIRG was modeled after the established D.C. law firms working for the big corporations. Nader especially wanted to establish the mirror-image of top-ranking among them, who could hand-pick their employees from the best law school graduates, and who were often also selective of the clients they took. With the settlement monies from the invasion-of-privacy lawsuit against GM, Nader started PIRG and hired about ten young lawyers from among the former Raiders and other applicants, several of them with political connections from previous job experience. Divvying up areas of expertise, he instructed them to trace the media for cases that “have the potential to benefit the broad public and consumers in general.”¹²³

While the Washington PIRG “law firm” was still in its first year of operation, Nader embarked on spreading the model country-wide. It was the first time Nader experimented with grassroots organizing; but it was “grassroots” in a rather elite settings: college campuses. The

executive at Chrysler. Martin, *Nader*, 75–80; Duscha, “Nader’s Raiders is their name”; Marlene Cimon, “Nader’s Raiders 20 Years Later,” *Los Angeles Times*, October 27, 1989; On the professional look and comportment of the group, see Martin, *Nader*, 76–77. See also Marcello, *Ralph Nader*, 42–43.

¹²¹ Martin, *Nader*, 84.

¹²² “Consumer Assembly ’70,” *Everybody’s Money*, spring 1970, pp. 16–17, in: Nelson Papers, Box 1.

¹²³ Martin, *Nader*, 123.

campus-based groups were to be student-run but backed by professionals, mostly lawyers. The ingenuity of this model solved several organizational problems at once: it provided employment to the growing number of young professionals seeking to work for social change, and specifically for Nader; it balanced the ebb-and-flow of student involvement with a permanent, guiding presence; and it devised a funding mechanism in which College administrations would serve as “collection agencies” of sorts. According to Nader and his co-author Donald Ross, in their 1972 “manual for public interest organizing,” the student-PIRG idea came to reconcile the paradox that “this country has more problems than it should tolerate and more solutions than it uses.”¹²⁴ Specifically, the handful of PIRG lawyers in Washington, D.C. were unable to deal with all the problems they encountered at the local level, while hundreds of young graduates of professional schools were looking to work in the emerging “public interest” sector, which still lacked the funds or infrastructure to provide employment to all. Spreading them across the country, employed by self-organizing student groups who would “tax themselves a nominal sum in order to hire” professionals may sound odd – but it was a remarkable success.¹²⁵ By the end of 1972, at least a couple of dozen chapters were established across fourteen states. In 1976, the White House’s Directory of Consumer Groups listed 55 PIRGs in more than thirty states.¹²⁶

Setting full-time young professionals on college campuses helped not only to harness them to deal with a variety of local problems at the state level; it also matched them with the eager yet fluctuating manpower of student volunteers. According to Nader’s biographer, Nader based this idea on his observation that the anti-war protests on campuses followed a recurring pattern of fitting with the academic calendar.¹²⁷ Furthermore, Nader noticed that the student activism of the 1960s tended to subside, and he attributed this, also, to the problem of the continuity of student activism, along with new sorts of problems that required more concerted, long-term effort:

¹²⁴ Ralph Nader and Donald K. Ross, *Action for a Change: A Student’s Manual for Public Interest Organizing* (New York, NY: Grossman Publishers, 1971), 3.

¹²⁵ *Ibid.*, 50–51.

¹²⁶ Morton Mintz, “Students Forming Nader-Type Units,” *Washington Post* December 7, 1972, in: MoPIRG Records, Box 5, folder 161; on the White House Directory see analysis in chapter 3.

¹²⁷ Specifically, Nader saw the vigorous demonstrations after the breakout of the My-Lai Massacre story on November 1969, and wondered what would have happened had the story been revealed during the summer months. See Martin, *Nader*, 124–5. This observation is echoed in an article published by Nader to explain the PIRGs concept and recruit supporters: “Student activities are plagued by recurring problems. Students’ lives suffer from gaping discontinuities: Activities follow the academic cycle. [...] Who ever heard of a July peace demonstration?” Ralph Nader, “Student Action Groups Thrive,” *The Cleveland Plain Dealer*, November 15, 1972, in: MoPIRG Records, Box 5, folder 161.

“In the 1960’s students led the way onto the freedom buses [...] were the first to recognize the horrors of the Vietnam War [...] Today, no less than then, students can give direction to this country. [...] but] the old strategies and structures of the student movement must be altered to meet new realities. Though the ideals may remain the same, the problems do not. For example, equal opportunity today no longer involves the small Southern motel or movie theatre. It centers on the corporation – distant, highly anonymous, powerful far beyond a cadre of small-town police [...] Problems that absorbed students in the 1960’s tended to be visible, localized, and susceptible to solutions by direct citizen action. Abuses today tend to be hidden. [...] It is often revealed only by painstaking documentation of corporate hiring practices, by searches of government files [...] Solutions are also more complex, requiring knowledge of law, economics, and [...] science and engineering.”¹²⁸

Nader devised such a solution, in the form of student activist groups that would hire permanent professional staffers. These were the Public Interest Research Groups, or PIRGs.

The funding mechanism offered for the PIRGs was probably the most inventive aspect of this unique model of student activism, but also the most controversial. To finance the student PIRG activity, including hiring full-time staff, Nader suggested “a voluntary [student] fee increase with a guaranteed refund provision,” in other words, that the college or university add an additional fee, of \$2-3 per year, to the student activities fee already collected. Essentially, it was similar to the Book-of-the-Month “negative response” model, or to union dues check-off. This fee increase would occur only after the majority of the student body approve it in a referendum vote or petition, and there would be an optional refund mechanism to students who would it. Obviously, this would require the cooperation of the administration.¹²⁹ In their “manual,” Nader and Ross explained why sporadic fund-raising initiatives are not appropriate as a funding mechanism for PIRGs, and they presented their recommended option as a compromise between a voluntary

¹²⁸ Nader and Ross, *Action for a change*, 22–28.

¹²⁹ Nader and Ross, *Action for a Change*, 33–39; Martin, *Nader*, 126, 132; MoPIRG sets an example for a state PIRG in which the financing mechanism indeed worked according to the original plan set by Nader and Ross, see Missouri Public Interest Research Group Bylaws, adopted May 15, 1973, Article III: Financing mechanism; MoPIRG Records, Box 1, folder 5. Early on, the chapter at Washington University still did not generate the funds that organizers had hoped for, as it was only collected from undergraduate students, with a sizable number of them, about 1000, asking for a refund. This still left that chapter with an annual budget of \$12,000, which allowed them to hire part-time “supervisors” from among the University staff, pay for office and supplies, and allocate several hundred dollars for a few projects each. “Short of goal, Council plans \$12,000 budget,” *Wash U. Student Life* November 12, 1971, and other reports from the student paper: MoPIRG records, Box 5, folder 161; In subsequent years, as the fee became routinized on several campuses, the funding mechanism worked more smoothly, at least for a few years, though they were regularly re-evaluated by university administrators, see, e.g., “Evaluation of Student Activity Fee at the University of Missouri-Columbia, Report Submitted to Chancellor Herbert W. Viehland, President, Missouri Students Association,” January 6 1975, MoPIRG Records, Box 15, folder 302. In other states, the ‘check-off with possible refund’ was not approved or voted down by university administrations. Later, Nader would suggest a similar check-off system to finance “Residential Utility Consumer Action Groups” or “Citizen Utility Boards” (CUBs) which would be collected by utility companies, see Drew Hyman, “Citizen Utility Boards,” in *Encyclopedia of the Consumer Movement*, ed. Stephen Brobeck (Santa Barbara, Calif.: ABC-CLIO, 1997).

“positive” check-off and a mandatory fee. Internal guides to PIRG leadership show political sophistication, especially around the issue of getting the approval from the university administration, and they included instructions about how to research the university governance structure, map the board of trustees, negotiate with the university administration, etc.¹³⁰ In practice, in various states or campuses the funding mechanism was not approved as suggested, and even in cases where it was, its renewal was not guaranteed, and would create problems. Still, when it did work, and for the time it did, this funding mechanism was a highly effective way to solve the perennial problem of resources.

In the fall of 1970, Nader and his staff launched an intensive campaign to establish the PIRG network on campuses, and they would continue this campaign with vigor for the next couple of years at least. As first targets for a state-wide, campus-based PIRG foundation, Nader’s team chose Oregon and Minnesota – two states with a history of progressive/populist bent and student activism. The campaign would assume a similar pattern in subsequent states. Nader would come to address the student body, and during his speech would pitch the PIRG idea and explain the funding model. At that time, Nader was an extremely popular speaker, and his speeches had the potential of drawing audiences of hundreds, if not thousands in the large state universities. Within a few days or weeks, his “lieutenants” would follow – initially, these were lawyers from the original Washington, D.C. PIRG; later on, a specialized staff – and work out the details with interested students. It was an intense canvassing campaign: in the fall of 1970, Nader visited Oregon three times in less than two weeks, once visiting eight different colleges on a single day. Donald Ross, Nader’s chief PIRG organizer and later the director of the New York PIRG, traveled to forty states and visited hundreds of campuses. Based on the successful organization of the Oregon and Minnesota PIRGs, Nader and Ross published in 1971 a book that offered a manual and a blueprint for student organizing, *Action for a Change*. Importantly, however, although the PIRGs were based on the same model, they were intended to be independent organizations, each deciding on its own agenda and projects.¹³¹

A detailed narrative of the organization of the Missouri PIRG can serve as an example for this form of top-down mobilization. In March 1971, Nader came to address campuses in the St.

¹³⁰ Nader and Ross, *Action for a change*, 34–37; Internal guide in: “A PIRG Organizer’s Notebook (Designed to Supplement Action for a Change by Nader and Ross)” 1974, MoPIRG Records, Box 1, folder 6.

¹³¹ Martin, *Nader*, 126–132; Nader and Ross, *Action for a Change*; Mintz, “Students Forming Nader-Type Units”; Al Senia, “The New Student Activists,” *Change* 6, no. 8 (1974): 29–33.

Louis area. Nader was picked up from the airport by the president of St. Louis University's student activities board, third-year college student Tom Ryan. Ryan would later establish the "Center of Student Action" on the university's campus, and organize a referendum in which an annual \$4 refundable fee-increase was approved by a majority of students. Similar campaigns were run by students on campuses of Washington University and Fontbonne College, and two chapters of "Missouri Public Action Council" were formed. Together, the three organizations joined finances and forces, and with an annual budget of \$36,000, hired two full-time staffers: an executive director (a recent college graduate) and an office administrator. In the spring of 1972, Nader's staffers, including Donald Ross, made several visits to St. Louis campuses to oversee the group's activities, and organize a chapter at the University of Missouri-St. Louis. Despite a sparsely attended meeting and skeptic faculty, the students there too approved establishing a chapter with the increased fee. In the summer, the chapters on the four campuses joined to form MoPIRG, and the full-time executive director (who left for law school) was replaced by a lawyer coming from the Washington, D.C. PIRG. A couple of years later, chapters were founded on other University of Missouri campuses, in Columbia and Kansas City. MoPIRG's driving force, Tom Ryan, continued to be active during his senior year and later as a law student. After graduating, he became himself the executive director, until the end of the decade. (In this capacity, he also served as a Board member of CFA.)¹³²

Despite being fostered from above and based on the same model, the PIRGs were designed as independent organizations. To a large extent they were – though their projects remained usually within the Nader-framework of "public interest," as consumer and environmental protection, and scrutiny of governmental agencies and services. The Missouri PIRG, for example, focused in particular on a consumer protection agenda. Its projects included: investigation into credit practices of used car dealers, opposition to interest rate increases on small loans in the state of Missouri, attempting to abolish the Holder in Due Course doctrine in Missouri, a campaign to establish a Small Claims Court in Missouri, investigation into deceptive advertising practices (conducted both at the local and state level and at the national level, with

¹³² The narrative is based on various college and local newspaper clippings from MoPIRG records, Box 5, folder 161, but especially informative were Ann Telthorst, "Nader's raiders hit UNSL," *UMSL Current*, January 27, 1972; Mary Glynn, "CSA seeks to foster public interest," *UMSL Current* February 24, 1972; "Nader Co-Author to Speak," *Wash. U. News*, April 7., 1972; Robert J. Bryne, "Student Consumer Center Growing in Strength, Aims," *St. Louis Review*, July 14, 1972.

petitions to the FTC), drafting consumer protection legislation proposals at the municipal level for St. Louis and at the state level, product and food safety campaigns which included a safety survey of space-heaters and lobbying around a restaurant sanitation bill, and consumer education for the public. The organization was active on other “public interest” fronts as well, such as campaigning for an ombudsman for the St. Louis jail, public education around new laws regarding women’s equality, lobbying for workers’ compensation law and landlord-tenant law at the state level, and more. Like other PIRGs, MoPIRG was indeed independent, despite maintaining connections with the national PIRG network. Occasionally, this network would engender campaigns that went beyond one state, such as bottle deposit bills and holiday “toy safety” reports, but these were usually based on success of independent campaigns in a local PIRG, which were copied elsewhere – not coming from a centralized “headquarters.” A national “headquarter” for the PIRGs was established only in 1984.

To conclude, the two examples showed in this section – CFA’s “State and Local Project” and Nader’s campus-based PIRGs project – both operated as top-down mobilization endeavors, coming from the consumer movement’s “headquarters” in Washington, D.C. In the case of CFA, this was part of the organizational identity of the Federation, which sustained an ongoing tension between its activities that focused on national policies and its role as coordinator and national representative of local and state consumer groups. The latter role grew organically from CFA’s organizational structure initially, but after a few years, and on the backdrop of growing tensions and dwindling public enthusiasm, revitalizing the grassroots became an important task to retain the “federation” role of the organization and to justify its claims to represent millions of the nation’s consumers. In the case of the Nader’s PIRGs, this top-down mobilization was meant to reproduce at the local level a new model of political activity by “public interest” professionals, which proved effective at the national level, while at the same time taking advantage of the reformist and progressive tendencies of a specific constituency: college students. Both the Consumer Federation of America and the Nader’s Raiders (and the original PIRG) focused most of their activities on federal policies, through lobbying and research, and with channels of access to institutional politics in Washington, D.C. In that, they exemplified the classic definition of interest groups. Yet these interest groups also sought to mobilize, establish and cultivate organizational activity across the country, both to lend support to their activities in the capital, and to encourage similar undertakings in states and local settings. They prepared “blueprints” for

consumer organization and assigned designated staff with the task of engaging with local, grassroots mobilization. Underexplored by the policy feedback literature – whose attention has emphasized interest groups and not their “social movement base” – these two cases show the significance that consumer interest groups saw in fostering the grassroots nationwide.

F. Conclusion

This chapter looked at the connections between institutional politics and governmental policies and between the emergence of a national social movement for consumer protection and representation – the consumer movement. Within the social movement literature, such connections have been usually examined through the lens of the political process / opportunity structure theory, highlighting how changes and variations within the political environment and context create opportunities for actors seeking to promote social change. Such a framework can also be applied to the consumer movement’s story. In this framework, the consumer movement emerged within the context of a political economy that emphasized mass consumption and a political cultural environment that celebrated citizens as consumers. Increasing prices and inflationary trends since the mid-1960s, combined with outdated regulatory framework, brought forth aggrieved consumers to organize and demand protection and representation. Additionally, within this socio-political context, the consumer movement benefitted from enlisting the population of reform-minded, young, middle-class and mostly white professionals – a generation of baby-boomers coming of age on the backdrop of the civil rights movement, who sought to contribute to social change, but were uneasy with the radical turn of the latter movement. Lastly, against the backdrop of greater war spending and controversies around social security programs, the consumer cause was perceived by politicians as less costly and more consensual, therefore making the political system more amenable to accept such claims on behalf of consumers. While this story would be largely correct, it adopts the implicit assumptions of a pre-existing aggrieved population finding political opportunities to promote its causes. In particular, it would miss the effects that institutional politics had on the rise of political activism on behalf of consumers.

This chapter examined these direct and indirect policy effects on the emergence of the consumer movement, drawing on insights from the policy feedback theory. Looking at the influences of institutional arrangements and specific policies, the policy feedback theory is helpful to explain how the political system can affect the rise of group consciousness and group

capacities to organize and mobilize. Yet, since it was developed primarily in the political science discipline, this literature has tended to pay little attention to policy effects on social groups, and on social movements in particular. Instead, it focused on individual political behavior, and when considering social groups, on elite interest groups. This chapter demonstrated the theory's usefulness to explain the rise of a social movement. Specifically, it showed how the creation of a broad policy regime of consumer protection, as well as other policy programs of social provision, facilitated the creation of a social movement of consumer advocates with a shared consciousness and shared recognition in the importance of protecting and representing consumers. The chapter showed how civic consumer organizations grew out of, and in parallel to, the establishment of political bureaucracy for consumer representation in states and in the federal government. It also demonstrated how these groups benefitted from governmental anti-poverty policies, as they were able to obtain financial resources that these policies afforded by highlighting the relevance of consumer protection to poor populations. Moreover, the nascent consumer movement was assisted in its efforts by the National Consumer Law Center, an organization that provided legal expertise for consumers, that was established as part of the War on Poverty programs.

The emergence of the consumer movement was therefore facilitated by a combination of direct organizational effects of consumer protection policies and indirect resource effects of anti-poverty programs. Moreover, this combination also contributed to the movement's forming agenda to center on consumer issues that cut across classes, bringing together representatives of middle-class consumers and advocates for low-income consumers. These effects were shown in the case-study of the campaign of the consumer movement against the Uniform Consumer Credit Code. Responding to new regulatory policies regarding consumer credit, and in particular, adjudicating between two policy frameworks that were deemed as competing, various consumer groups and organizations came together in support of one framework (a "positive" effect), the federal rule instituting mandatory disclosure of interest rate in a standardized form. More importantly, they also joined forces in opposition to another framework (a "negative" effect), a uniform code proposed as state legislation. Crucially, both regulatory frameworks sought to institute national policies, but the latter one was to be implemented at the state level. Thus, another policy effect resulted from the requirement to manage this campaign state by state, which contributed to the spread of consumer organization activities across the country and to the consolidation of the consumer movement nationally. The last section in the chapter showed

another facet of this national spread, examining an aspect which has been underexplored in the policy feedback literature – the relationship between nationally focused interest groups and grassroots, nationwide mobilization. Taking the examples of CFA’s efforts to sustain its role as a national federation, and the grassroots mobilization of campus-based PIRGs by Ralph Nader’s organizational network, this section narrated the efforts of consumer advocates to foster and maintain their social movement base.

The effects of the consumer protection policy regime were most apparent in providing organizational, financial, and regulatory incentives that led to the formation of interest groups. At the same time, they also facilitated the emergence of a broad social movement, brought together by collective action and a mutual sense of sharing a distinct political identity. The next chapter turns to this latter aspect. Before that, I should briefly comment on the notion of unintended consequences that was referred to throughout this chapter. Clearly, history is ample with examples of unintended consequences, including the effects of policy programs and regimes. Nevertheless, the question is worth raising, whether it was precisely the diffused character of consumers as constituency, that led to the dynamic explored in this chapter, where a diverse set of policies facilitated the formation of a shared community of consumer advocates and activists seeking to mobilize the larger consumer population. The next chapter picks up on this question and the challenges of mobilizing a diffused constituency, with regard to collective identity.

Appendix 4. Table 4-a: Consumer advocates' state appearances/contacts against the UCCC

Date (mo., year)	State	Organization	Name + form of contact	source
1969	New Jersey	Consumers' League of New Jersey	Statement on proposed UCCC	CV*, pp. 249-254
1969	Connecticut	Legal Services**	W. Breetz with N. Littlefield, statement at comm. hearings	CV*, pp. 357-385
Feb. 1969	New York	Consumers' Advisory Council, Dept. of Consumer Affairs, NYC	Report sent to the legislature	CV*, pp. 337-356
Oct. 1969	California	Assoc. of CA cons.	Don Vial, statement at comm. hearings, CA legislature	CV*, pp. 513-522
		UAW, local 887	Henry Lacayo, statement at comm. hearings, CA legislature	CV*, pp. 511-512
Nov. 1969	Iowa	CFA	Edward Berlin, attorney, at subcommittee hearing, IO legislature	CFA records, Box 3, f. 3
Feb. 1970	Oklahoma	CFA	Statement to Federal Reserve Board (opposing OK exemption from federal law due to UCCC)	CFA records, Box 3, f. 5
Feb. 1970	Oklahoma	NCLC	Brief to Federal Reserve Board (opposing OK exemption from federal law due to UCCC)	CV*, pp. 641-650
May 1970	Utah	CFA	Statement to Federal Reserve Board (opposing UT exemption from federal law due to UCCC)	CFA records, Box 3, f. 5
Feb. 1971	Indiana	NCLC	Open Letter from Willier to the Legislator of Indiana	NCLC rec, Box 10, f. 12
March 1971	(uniform letter to states?***)	CFA	Letter from Angevine to "President of State Senate and Speaker of State House" re: UCCC	CFA records, Box 3, f. 8
May 1971	Virginia	CFA	Edward Berlin, attorney, statement at the Virginia Consumer Credit Study Commission	CFA records, Box 3, f. 8
Jan. 1972	New York	NCLC ⁺	George Gordin, testimony at Law Revision Commission hearings	NCLC rec., Box 10, f. 13
March 1972	Florida	NCLC	Blair Shick, statement before Florida legislature	NCLC rec., Box 10, f. 14
June 1972	California	NCLC	George Gordin, Statement to California Senate subcommittee on judiciary	NCLC rec., Box 10, f. 20
Nov. 1972	All states	CFA	Press Release, Angevine, opposing the call by the National Business Council for Consumer Affairs to adopt UCCC	CFA records, Box 3, f. 10
March 1973	Montana	CFA/AFL-CIO	A letter from CFA attorney to Director in Montana State AFL-CIO analyzing the Code introduced in MT	CFA records, Box 3, f. 16

* *CV = Consumers' Viewpoint: Critique of the Uniform Consumer Credit Code*, Richard A. Elbrecht, editor; with an introduction by Helen Nelson. 1971. Berkeley, CA: Consumer Research Foundation.

** The statement was co-authored by Breetz, an attorney at the Neighborhood Legal Services at Hartford, CT, and Littlefield, a law professor at the University of Connecticut School of Law, who has "been active in Connecticut with consumer groups" analyzing the Code.

*** The one-page letter addresses laws and consumers "in your state," but does not mention specifics, and seems like a uniform letter sent to multiple / all states.

+ In Feb. 1972, Willier also appeared before the New York Law Revision Commission in opposition of the proposed revised UCCC; at that point in time, Willier was no longer the Director of NCLC. (NCLC rec., Box 10, f. 19).

Chapter 5. Collectivizing consumers: A movement “looking for its grassroots”

“The consumer movement started from the White House down,” said in a 1970 interview Helen Nelson, a prominent American consumer advocate, “and [it] is still looking for its grassroots.” Nelson was the first Consumer Counsel of California from 1959, when the position was formed, until the end of 1966, when she was dismissed by the newly elected governor Ronald Reagan. An economist by training, she later became the director of the Center of Consumer Affairs at the University of Wisconsin-Milwaukee Extension. In 1970, she was also a Vice President of the Consumer Federation of America, among other positions in consumer organizations. Nelson belonged to a relatively small cadre of professionals, who led the national advocacy efforts on behalf of consumers since the early 1960s and shepherded the movement into the period when it took off, in the late 1960s and early 1970s. Like many of these professional consumer advocates, Nelson believed that consumers should be represented in the government by experts, and that to counter the organized lobbying of businesses, consumers need consumer lobbying done by professional lobbyists. But she acknowledged the importance of grassroots activity, which she believed the consumer movement “is still looking for.”¹ There was a large measure of historical truth in this observation that the consumer movement started “from the White House down.” There were hardly any organized rank-and-file consumer groups in 1962, when President Kennedy, in his Special Address to the Congress, defined the four “basic rights of the consumers” – a declaration of rights that was drafted in by Nelson in her capacity as California Consumer Counsel.²

¹ Nelson’s quote is from Sheila Wolfe, “Consumers Lack Organization,” *Chicago Tribune*, July 26, 1970, sec. 1, p. 5; [also quoted in: Lawrence B. Glickman, *Buying Power: A History of Consumer Activism in America* (Chicago: University of Chicago Press, 2009), 299]; Nelson also mentioned in the interview that “the consumer movement doesn’t have a grass roots because it’s not a grass roots activity. Lobbying is a professional thing. A bus-load of women can’t do it in one afternoon.” In another place, Nelson wrote about her experiences as the Consumer Counsel of California, and stressed that a major part of her was “to build up constituency” and public support, in the face of business opposition to consumer protection, and “explaining to people some of the wrongs that were in existence.” At the same time, Nelson also mentions California labor unions and the Berkeley Co-op as pivotal in the support of the consumer program. See Helen Ewing Nelson, “Consumer Representation at the State Level: California,” in *Consumer Activists: They Made a Difference: A History of Consumer Action Related by Leaders in the Consumer Movement*, ed. Erma Angevine (Mount Vernon, N.Y.: Consumers Union Foundation, 1982), 228–46, p. 233, 238.

² Helen Ewing Nelson, “The First Consumer Counsel in California,” an Oral History Conducted 1979 by Julie Shearer,” in *Pat Brown: Friends and Campaigners* (Berkeley: Regional Oral History Office, The Bancroft Library, University of California, Berkeley, 1982) pp. 43–44 in the interview.

Nevertheless, in 1970, the time of Nelson's statement was made, there was already some consumer grassroots activity in various American cities and states. This consumer organization went back several years – to the “supermarket protests” of housewives in fall 1966 and to other forms of local consumer mobilization in the years since. Grassroots activity of consumer groups was happening, even expanding.³ This was, in part, also thanks to the White House. As a matter of fact, one of the factors that boosted the 1966 protests was the backing it received from the White House Special Assistant for Consumer Affairs, Esther Peterson. As seen in the previous chapter, Peterson was also pivotal in prodding the coalition of consumer organizations that met during 1965-6 to form the Consumer Federation of America.⁴ In that sense, too, then, there was truth to the statement that the consumer movement “started from the White House down.” Still, this statement should be interpreted to reflect a couple of tensions that beset the consumer movement during the 1970s and were surely felt by its national leadership and people like Nelson. The first was between this national, Washington-based leadership on the one hand, and the smorgasbord of local, rank-and-file consumer groups around the country on the other. The latter did not always rally behind their central “leadership,” and often felt they had different, even if not contradictory, interests. The second tension stemmed from the numerical gap between the actual membership in consumer organizations and the overall consumer population. Even in cases where this membership reached massive numbers, it was still only a small fraction of the size of the purported constituency – dozens of millions of American consumers.

This chapter deals with these tensions, which relate to the consumer movement's unity and coherence as well as its outreach and scope, by exploring the concept of collective identity. Specifically, it examines three underlying processes that comprise the identity-work conducted by consumer groups: boundary-work, consciousness-raising, and politicization of everyday life. The concept of collective identity had enjoyed great popularity in social movement research in the 1990s, but since then it has come under criticism for being too analytically imprecise and prone to reification. Still, it remained useful for studying of the cultural-ideational basis of

³ On the “supermarket protests” and food boycotts of 1966, see footnote 35 below and the text to it. See also chapter 3; and on consumer grassroots organization in the late 1960s see also in chapter 4, section E.

⁴ Erma Angevine told how in the 1966 conference of the coalition, Consumer Assembly, in Washington, D.C., “Peterson urged the group to form a consumer federation to bind the coalition together,” in Erma Angevine, “Lobbying and Consumer Federation of America,” in *Consumer Activists: They Made a Difference: A History of Consumer Action Related by Leaders in the Consumer Movement*, ed. Erma Angevine (Mount Vernon, N.Y.: Consumers Union Foundation, 1982), 334.

collective action and has recently regained attention and renewed theoretical elaboration. It is especially useful and interesting, as will be explained below, for studying the fundamental puzzle of the consumer movement, namely, the capacity to mobilize for collective action around a diffuse and all-embracing category such as consumers. Following recent calls to “rethink” collective identity and recommit to its processual and dynamic roots, I structure the chapter along the original typology of a collective identity processes that was introduced by Verta Taylor and Nancy Whittier, who were among the first to consider collective identity in American social movement research. Taylor and Whittier demonstrated three processes that coalesce to form collective identity in movements. These processes are related to the group boundaries, to its shared consciousness, and to negotiations around the self-understanding of the group members.⁵ I study these processes in the consumer movement.

Like in other cases of collective action, the challenge of collective action among consumers is a dual one. The empirical, political challenge of activists to mobilize their constituency is reflected in the analytical challenge to sociologically understand this mobilization. Yet in the consumer case, this challenge is more pronounced, and it is derived from two distinct problems. One is the general, Olsonian problem of collective action, parsimoniously defined as “the free-rider problem” – which is exacerbated in the case of consumers due to the enormous group size of potential beneficiaries. A second problem is unique to the contents of the consumer category and stems from the alleged characterization of consumers as politically passive and apathetic (this was commented by numerous social critics, especially in the postwar period).⁶ Studying collective identity processes in the consumer movement, it is thus particularly useful to probe into the underlying processes of collective identity. This allows to tackle the analytical challenge of collective action and to understand how consumers activists and advocates sought to overcome these problems. To achieve collective identity, boundaries have to be drawn,

⁵ Verta Taylor and Nancy Whittier, “Collective Identity in Social Movement Communities: Lesbian Feminist Mobilization,” in *Frontiers in Social Movement Theory*, ed. Aldon D. Morris and Carol McClurg Mueller (New Haven, Conn.: Yale University Press, 1992), 104–29. See more about collective identity in section B below.

⁶ See Mancur Olson, *The Logic of Collective Action: Public Goods and the Theory of Groups*, vol. v.124, Harvard Economic Studies, (Cambridge, Massachusetts: Harvard University Press, 1965) for the collective action problem. Of the many critiques of postwar mass-consumer society’s individualism and political apathy, two notables are David Riesman, *The Lonely Crowd: A Study of the Changing American Character* (New Haven: Yale University Press, 1950); C. Wright Mills, *White Collar; the American Middle Classes*. (New York: Oxford University Press, 1951). See also Daniel Horowitz, *The Anxieties of Affluence: Critiques of American Consumer Culture, 1939-1979* (Amherst: University of Massachusetts Press, 2004).

consciousness has to be developed, and a political self-understanding needs to be negotiated. But how are boundaries delineated for a category like the consumer, that seemingly has no boundaries in a capitalist society? Similarly, how is consumer consciousness developed, especially vis-a-vis some “others”? In other words, how does one develop a political consciousness – in the conception of politics that distinguishes “us” from “them” – when “all of us” are consumers? Lastly, how is political meaning imbued, in the more pedestrian understanding of politics, to a category that is deemed inherently apolitical?

The historical research presented here shows that a collective identity of the consumer movement was indeed conceived, negotiated, and upheld by the advocates and activists who populated consumer groups and organizations. At the same time, the chapter also demonstrates the challenges they encountered in carving a collective identity for their consumer constituents and in attempting to mobilize them. Drawing on a distinction proposed by William Gamson, between the movement layer and the solidary/category layer of collective identity,⁷ it is possible to say that on the *movement level*, consumer groups and organizations construed a distinct collective identity. They drew and negotiated boundaries regarding who are movement members that can legitimately speak on consumers’ behalf and developed an oppositional consciousness that was based on a clear distinction between consumers and consumerists – and their “enemies” in the business community. With regard to the *solidary* or *categorical level*, when the consumerists attempted to exercise the consumer collective identity to politically mobilize their constituents, they often turned to political imagery as well as tactical tools based on consumers as individuals. While these were effective ways to underline and demarcate consumers as members in a group or a shared category, they were also individualizing, and thus self-undermining for identifying and exercising the political capacity of consumers as a group.

In the following sections of this chapter, I show these claims along the three processes of collective identity. In section A, I outline the theoretical framework to discuss collective identity in social movements. Section B examines boundary-work in the consumer movements in two parts. In the first subsection I show how the movement’s leadership, especially in the Consumer Federation of America, negotiated processes of boundary-drawing at the level of the *movement* to determine who can be considered legitimate representatives of consumers. In the second

⁷ William A. Gamson, “Commitment and Agency in Social Movements,” *Sociological Forum* 6, no. 1 (March 1991): 27.

subsection I turn to the social-psychological issue of “internal” boundaries between multiple identities. I examine other collective identities that “competed” with the consumer identity as motivating for action regarding consumer issues. Section C focuses on consciousness-raising by investigating the consumers’ movement processes of honing oppositional consciousness, dividing the world to businesses on the one hand and consumers on the other hand. This was an effective way to attain a sense of collectivity among the movement members, the consumerists. Yet in appealing to the wider consumer constituency, the power imbalance was often underscored by drawing on imagery of the lone, individual consumer versus “Big Business” (and often also “Big Government”). This reaffirmed the association of consumer identity with political weakness and disorganization. Lastly, in section D I look into collectivizing through the process of “politicization of everyday life.” This section examines an important mechanism that the consumer movement and its groups employed: the consumer complaint. The consumer complaint was an effective mechanism for politicizing consumers through mobilization, recruitment, and public education. It highlighted and sought to rectify the power imbalances in the marketplace that affected consumers in their everyday life. At the same time, consumer complaints were based ultimately on an individualizing logic that was self-undermining for achieving collective identity.

A. Theory: The processes underlying collective identity in social movements

To analyze the processes of mobilization taken by the consumer movement, this chapter uses the theoretical lens and conceptual framework of collective identity in social movements. Collective identity is defined, essentially, as a shared sense of “we-ness” and “one-ness” among a group’s members. It is conceptualized as the members’ “identification of, identification with, and attachment to some form of collectivity in cognitive, emotional and moral terms,” and associated with a potent sense of collective agency.⁸ The collective identity concept has been central to the study of social movements since the early 1990s and it enjoyed great popularity at the turn of the twenty-first century. Since then, its popularity has declined, in part due to allegations that “it has

⁸ Scott A. Hunt and Robert D. Benford, “Collective Identity, Solidarity, and Commitment,” in *The Blackwell Companion to Social Movements*, ed. David A. Snow, Sarah A. Soule, and Hanspeter Kriesi (Malden, MA: Blackwell Pub., 2004), 440, 449–50.

been forced to do too much analytically.”⁹ In lieu of collective identity, scholars of social movements focused mostly on the concept of boundaries, which has been seen originally as one of several components that comprise a movement’s collective identity. Despite its decline, the concept of collective identity has remained useful in the analysis of social movements. Moreover, it has recently gained renewed interest, with a call to “rethink collective identity” and a renewed emphasis on its processual and emergentist character.¹⁰ In this chapter, I follow this call, and I indeed seek to stress that understanding the consumer collective identity should be predicated on the processes that compose it. I do this by going back to the seminal article that introduced the concept of collective identity to American sociology,¹¹ as it, too, was based on a processual approach. The chapter is therefore structured along the component-processes identified in that seminal article: boundary-work, consciousness-raising, and politicization-through-negotiation.

To understand what is particularly useful in the concept of collective identity to study social movements, it is helpful to consider the intellectual history of this concept. Social movements’ scholars started turning their attention to collective identity in the late 1980s and the 1990s, as part of new theoretical approaches that highlighted cultural aspects in collective action. Several intellectual trends coalesced to influence these developments. First, this was a part of “the cultural turn” – a broader shift in the social sciences toward culture, with special emphasis on the significance of concepts such as self and identity in political contexts.¹² Second, and more specifically in social movement scholarship, scholars found value in collective identity following a critique against the then-predominant structural approaches in the field. Based on assumptions about pre-existing collective actors with recognized interests, the structural approaches were criticized for sidestepping key questions in the explanation of collective action, especially those relating to the dynamic motivation to action.¹³ Lastly, and most influentially for the concept of

⁹ Francesca Polletta and James M. Jasper, “Collective Identity and Social Movements,” *Annual Review of Sociology* 27 (2001), 284.

¹⁰ Patricia Ewick and Marc W. Steinberg, *Beyond Betrayal: The Priest Sex Abuse Crisis, the Voice Of The Faithful, and the Process of Collective Identity* (Chicago: The University of Chicago Press, 2019).

¹¹ Taylor and Whittier, “Collective Identity in Social Movement Communities.”

¹² Victoria E. Bonnell, Lynn Avery. Hunt, and Richard Biernacki, *Beyond the Cultural Turn: New Directions in the Study of Society and Culture*, ACLS Humanities E-Book. (Berkeley, Calif.: University of California Press, 1999); Kate Nash, “The ‘Cultural Turn’ in Social Theory: Towards a Theory of Cultural Politics,” *Sociology* 35, no. 1 (2001): 77–92.

¹³ Polletta and Jasper, “Collective Identity and Social Movements”; Hunt and Benford, “Collective Identity, Solidarity, and Commitment.”

collective identity, American scholars were inspired by the continental literature on “New Social Movements,” and particularly the works of Alberto Melucci. These works stressed that in post-industrial society, social movements are characterized by a strong emphasis on a shared identity as a key element of belonging to the movement and participation in it.¹⁴

During the 1990s, collective identity enjoyed much popularity as an explanatory concept in social movement research, until critical voices were expressed against its overuse. The concept was popularized by a seminal paper, published in 1992, studying collective identity in radical feminist groups. Verta Taylor and Nancy Whittier emphasized the symbolic-interactionist theoretical roots of the concept and identified three processes underlying the construction of collective identity: (1) the construction of group boundaries; (2) the development of shared consciousness; and (3) the negotiations that group members undertake to politicize the self and everyday life.¹⁵ During the 1990s, collective identity had been used widely to analyze various aspects of collective action. While originally used by continental sociologists in respect to specific kinds of “new” social movements, it was now applied with a broader interpretation. Taylor and Whittier, for example, argued for its applicability to all forms of collective action.¹⁶ Snow and McAdam noted critically the impression that identity is the key concept in social movement research.¹⁷ Indeed, soon enough the concept of collective identity has come under

¹⁴ Alberto Melucci, “The New Social Movements: A Theoretical Approach,” *Social Science Information* 19, no. 2 (May 1980): 199–226; Alberto Melucci, “The Process of Collective Identity,” in *Social Movements and Culture*, ed. Hank Johnston and Bert Klandermans (Minneapolis: University of Minnesota Press, 1995), 41–63. See also Hank Johnston, Enrique Laraña, and Joseph R. Gusfield, “Identities, Grievances, and New Social Movements,” in *New Social Movements: From Ideology to Identity*, ed. Enrique Laraña, Hank Johnston, and Joseph R. Gusfield (Philadelphia: Temple University Press, 1994), 3–35. The “New Social Movements” encompass, according to their students, a wide variety of social currents in the post-industrial society: from fundamentalist religious movements to progressive movements such as the women’s rights, LGBT, and the environmental movements, and unto lifestyle movements like the “New Age” and alternative medicine. They are seen as distinguished from the “old” social movements that focused on class-politics with the ultimate manifestation of the labor movement. As a matter of fact, Melucci specifically argued that the turn to identity was affected by an increasing control of the capitalist system over areas beyond production, like consumption and interpersonal relations.

¹⁵ Taylor and Whittier, “Collective Identity in Social Movement Communities.”

¹⁶ “[I]dentity construction processes are crucial to grievance interpretation in all forms of collective action, not just in the so-called new movements.” *Ibid.*, 105.

¹⁷ “One could easily get the impression that identity is the key concept in social movement research today, as one work after another refers to identity politics (Garner 1996; Darnovsky, Epstein and Flacks 1995; Taylor and Raeburn 1995), contested identities (Taylor 1996), collective identities (Friedman and McAdam 1992; Hunt 1991; Melucci 1989; Taylor and Whittier 1992), insurgent identities (Gould 1995), and identity movements (Gamson 1995),” p. 41: David A. Snow and Doug McAdam, “Identity Work Processes in the Context of Social Movements: Clarifying the Identity/Movement Nexus,” in *Self, Identity, and Social Movements*, ed. Sheldon Stryker, Timothy J. Owens, and Robert W. White (Minneapolis: University of Minnesota Press, 2000), 41–67.

attack as being too widely used and too broadly applied, and researchers claimed it “has been forced to do too much analytically.”¹⁸

At the same time, the scholarly use of the concept of identity itself has been denounced as counterproductive both within and outside the context of social movements. In a strongly critical paper, Rogers Brubaker and Frederick Cooper claimed that even though “identity” is a “category of practice” that needs to be explained, as a “category of analysis” (i.e., as an analytical concept) it is “riddled with ambiguity, riven with contradictory meanings, and encumbered by reifying connotations” that persist despite the insistence on constructivist rhetoric. They called, therefore, to forego this concept and replace it with other terms.¹⁹ Indeed, in the past two decades, while not abandoning the collective identity concept altogether, social movement scholars have concentrated on other concepts for the study of group elements in movements, and primarily, on the concept of boundaries. Boundary-work has been highlighted as central to movements in both senses of boundary-drawing and boundary-spanning. Boundary-drawing is explained as means of strengthening group belonging among members.²⁰ Boundary-spanning has been described as important to movements in crossing across racial, class, nationality, and organizational identities within and across movements to account for the emergence of collective action.²¹

Additionally, while scholars of social movements have continued to use the concept of collective identity in their analyses,²² theoretical accounts of the concept highlighted some of the

¹⁸ Polletta and Jasper, “Collective Identity and Social Movements,” 284.

¹⁹ Rogers Brubaker and Frederick Cooper, “Beyond ‘Identity,’” *Theory & Society* 29, no. 1 (February 2000): 1, quote is from p. 34.

²⁰ E.g., Grace Yukich, “Boundary Work in Inclusive Religious Groups: Constructing Identity at the New York Catholic Worker,” *Sociology of Religion* 71, no. 2 (2010): 172–96; Elizabeth A. Bennett et al., “Disavowing Politics: Civic Engagement in an Era of Political Skepticism,” *American Journal of Sociology* 119, no. 2 (September 1, 2013): 518–48; Patricia Ewick and Marc Steinberg, “The Dilemmas of Social Movement Identity and the Case of the Voice of the Faithful,” *Mobilization: An International Quarterly* 19, no. 2 (June 1, 2014): 209–27.

²¹ William G. Roy, *Reds, Whites, and Blues: Social Movements, Folk Music, and Race in the United States*, Princeton Studies in Cultural Sociology (Princeton: Princeton University Press, 2010); Jeffrey Haydu, “Consumer Citizenship and Cross-Class Activism: The Case of the National Consumers’ League, 1899–1918,” *Sociological Forum* 29, no. 3 (September 2014): 628–49; Michelle Gawerc, “Constructing a Collective Identity Across Conflict Lines: Joint Israeli-Palestinian Peace Movement Organizations,” *Mobilization: An International Quarterly* 21, no. 2 (June 1, 2016): 193–212; Dan Wang, Alessandro Piazza, and Sarah A. Soule, “Boundary-Spanning in Social Movements: Antecedents and Outcomes,” *Annual Review of Sociology* 44 (2018): 167–87; Dan J. Wang, Hayagreeva Rao, and Sarah A. Soule, “Crossing Categorical Boundaries: A Study of Diversification by Social Movement Organizations,” *American Sociological Review* 84, no. 3 (June 2019): 420–58.

²² E.g., Stephen Valocchi, “The Importance of Being We: Collective Identity and the Mobilizing Work of Progressive Activists in Hartford, Connecticut,” *Mobilization: An International Quarterly* 14, no. 1 (February 1, 2009): 65–84; Tara R. Fiorito, “Beyond the Dreamers: Collective Identity and Subjectivity in the Undocumented Youth Movement,” *Mobilization: An International Quarterly* 24, no. 3 (September 1, 2019): 345–63.

tensions that surround it. One of them is the classical sociological tension between an individual and the group. Some scholars treat collective identity as a psychological feature of the individual (in his or her identification with a larger group), whereas for others, this is a group feature or a collective trait.²³ The former, individualistic interpretation has implications for scholars who treat identity as a psychological component of the self. One important implication is the existence of multiple identities within an individual, which can be in competition with one another. In this regard, Sheldon Stryker developed the notion of “identity salience,” referring to the probability of an identity to be activated in a situation. The notion denotes a hierarchy between competing, multiple identities,²⁴ with the competition having potential repercussions for collective action.²⁵ Multiple collectivities can exist even with the latter interpretation, which emphasizes *group* identification. For example, William Gamson suggested that collective identity be thought of as manifesting in three embedded layers: an organizational layer, a movement layer, and the solidary layer (the example Gamson gave is the distinction between the National Organization of Women, the feminist movement, and women in general).²⁶

Another tension that caused debate regarding the concept relates to the question about whether or not, and to what extent, collective identity should be understood as a process – as opposed to a product. While few researchers of social movements would disagree with the critiques against the “folk” conception of identity as essential and reified, not all views of collective identity subscribe to a constructivist understanding of identity. Moreover, not all constructivist views similarly emphasize collective identity’s processual aspects. While its

²³ See Cristina Flesher Fominaya, “Collective Identity in Social Movements: Central Concepts and Debates,” *Sociology Compass* 4, no. 6 (2010): 393–404.

²⁴ Sheldon Stryker, “Identity Competition: Key to Differential Social Movement Participation?” in *Self, Identity, and Social Movements*, ed. Sheldon Stryker, Timothy J. Owens, and Robert W. White (Minneapolis: University of Minnesota Press, 2000), 21–40. See also Jan E. Stets and Peter J. Burke, “Identity Theory and Social Identity Theory,” *Social Psychology Quarterly* 63, no. 3 (2000): 224–37.

²⁵ See multiple identities as an example of hindrance to mobilization: Michael T. Heaney and Fabio Rojas, *Party in the Street: The Antiwar Movement and the Democratic Party after 9/11*, Cambridge Studies in Contentious Politics (New York, NY, USA: Cambridge University Press, 2015). At the same time, the capacity of actors to hold multiple identities and to undergo identity shift can also facilitate collective action over-time. On identity shifts, see Doug McAdam, Sidney G. Tarrow, and Charles Tilly, *Dynamics of Contention* (New York: Cambridge University Press, 2001), 167–69, 181–86, 244–46. For example of identity shifts facilitating collective action over time, see Roger V. Gould, *Insurgent Identities: Class, Community, and Protest in Paris from 1848 to the Commune* (Chicago: University of Chicago Press, 1995); Debra King, “Operationalizing Melucci: Metamorphosis and Passion in the Negotiation of Activists’ Multiple Identities,” *Mobilization: An International Quarterly* 9, no. 1 (February 1, 2004): 73–92.

²⁶ William Gamson, “Commitment and Agency in Social Movements,” *Sociological Forum* 6, no. 1 (March 1991): 27.

conceptualization as a key factor in collective action is rooted in a processual understanding,²⁷ some scholars underscore that conceiving collective identity as a *product* is crucial for understanding its functionality, that is its function as a basis for collective agency.²⁸ On the other hand, in a recent call to “rethink collective identity,” Patricia Ewick and Marc Steinberg advocated for a renewed commitment to the processual understanding of collective identity. To the accusations in essentialism, expressed by writers like Brubaker and Cooper, Ewick and Steinberg responded by arguing that it is precisely the phenomenological experience of “identity as more or less stable and essential” that is to be explained by the analytical category of collective identity. And they advocated an interpretation of this category as emergentist and composed of processes. They sought to highlight the concept’s “dynamic, dialogic, and dilemmic” character, by attending to the tensions and contradictions whose maintenance and reconciliation allow collective identity to be experienced as coherent and concrete. According to Ewick and Steinberg, collective identity can be analyzed through three dimensions that bear a tension between sameness and difference: the temporal (how a group meaningfully constructs its self-perception over time); the external-relational (how collective identity is achieved through differentiation from and identification with others outside the group); and the internal-relational (the relationships between group members and the containment of conflicts and differences among them).²⁹

In this chapter, I answer Ewick and Steinberg’s call to utilize collective identity and recommit to its processual conceptualization by attending to its underlying processes. Yet despite the utility of their new typology of tensions, I choose to revisit the original typology proposed by Taylor and Whittier in their seminal 1992 article. By doing so, I wish to demonstrate and renew the processual understanding that undergirded the original concept. As a reminder, these three types of processes are boundary-drawing, consciousness-raising, and negotiation-through-

²⁷ E.g., Melucci, “The Process of Collective Identity.”

²⁸ David A. Snow and Catherine Corrigan-Brown, “Collective Identity,” in *International Encyclopedia of the Social & Behavioral Sciences (Second Edition)*, ed. James D. Wright (Oxford: Elsevier, 2015), 174–80. On this debate see also Flesher Fominaya, “Collective Identity in Social Movements”. A broader theoretical discussion on the distinctions between processes and their products, perceived as outcomes, in sociology, see Andrew Delano Abbott, *Processual Sociology* (Chicago: The University of Chicago Press, 2016) ch. 6, The Idea of Outcome, and specifically on pp. 173–4 in relation to social movements.

²⁹ Ewick and Steinberg, *Beyond Betrayal*, Ch. 1.

politicization of daily life.³⁰ The first, boundary-work, has been most widely studied, as noted above, in the social movement literature. In reference to the consumer movement, boundary-drawing is perhaps the most challenging, as “consumers” can rightly be seen as an all-inclusive category. In other words, a category without boundaries. I highlight here two processes of boundary-work: one, the “external” boundary-drawing, especially the one conducted by the national leadership of the movement in the Consumer Federation of America, as a form of gatekeeping/screening and “purifying” the movement to make ensure its commitment to and representation of consumers. Two, the “internal”-psychological process of negotiation between multiple identities, as a result of the potential “weak salience” of consumer identity in relation to other identities. The second collective identity process highlighted by Taylor and Whittier is consciousness raising. Here, I follow the sociological literature that has emphasized the importance of oppositional consciousness in social movements. Lastly, I examine the understudied process of “negotiation and politicization of the self and everyday life.” I show a central mechanism that consumerists propagated to exercise this process of politicization: the consumer complaint.

B. Drawing boundaries in a boundary-less category

Dealing with the question of collective identity, much of the social movement literature has concentrated on the first of the processes delineated by Taylor and Whittier: the construction and demarcation of boundaries, or boundary-work.³¹ The category of consumers and their collective identity pose a particular challenge to these boundary-work processes. In a capitalist society, everybody is a consumer; the consumer category is supposedly one that has no boundaries. Still, the work of consumer advocates and activists within the 1960s-70s consumer movement shows that they had faced salient questions about the legitimacy of belonging to the consumer movement, or at the very least, of the legitimacy of representing consumers. The first subsection

³⁰ As a matter of fact, the process of “boundary-work” can be seen as existing in both Ewick and Steinberg’s “external-relational” and “internal-relational” dimensions the negotiation between sameness and difference, as in both dimensions, members of the group are occupied with making distinctions among themselves and between themselves and others. The extreme end of “difference” in the “external-relational” dimension can also be seen as resembling “consciousness raising” to the extent it relates to oppositional consciousness, as will be discussed below.

³¹ See, for example, Yukich, “Boundary Work in Inclusive Religious Groups”; Mario Diani and Katia Pilati, “Interests, Identities, and Relations: Drawing Boundaries in Civic Organizational Fields,” *Mobilization: An International Quarterly* 16, no. 3 (September 1, 2011): 265–82; Wang, Piazza, and Soule, “Boundary-Spanning in Social Movements,” 167–87.

of this section looks at the national organization of the Consumer Federation of America (CFA), in its attempts to make these evaluations of who “belongs” (or get to belong) to the movement and who doesn’t. For the leaders and decisionmakers of CFA, many of them seasoned either in consumer advocacy or in political activism within other social movements, it was clear that the task is up to them to make these judgment calls. Still, they did not speak in one voice, and disputes emerged as to the question of who gets to speak for the consumers, who gets to speak as “official” representatives, and how.

A separate challenge stemming from the universality of the consumer category relates to other identities that can serve for mobilization, along with or against the consumer collective identity. In this I draw on the social-psychological notion of multiple identities. According to this notion, identities can be at times interdependent or complementary and at times competing and potentially conflicting. Social movement scholars have shown how multiple identities can play in different ways in relation to mobilization.³² Especially important in this regard is Stryker’s notion of “identity salience,” denoting a hierarchical relationship between multiple identities.³³ In relating this notion to the universal and boundary-less character of the consumer collective identity, I draw on the Simmelian idea that identification of an individual with a group tends to decrease with the increase in group size, and vice versa.³⁴ In other words, the prediction is that among multiple identities that are possible, the consumer “identity salience” would tend to be weaker compared to other identities of more exclusive groups.

We may distinguish between two types of boundary-work that movement members perform: external and internal-psychological. First, the boundary-work they do to distinguish themselves from others (boundaries in the sense of drawing circles around the group). This can be referred to as *external* boundary-work. Second, the social-psychological negotiation between

³² See the discussion above, in section A, in footnote 25 and the text to it.

³³ Stryker, “Identity Competition: Key to Differential Social Movement Participation?” See also the discussion above, footnote 33 and the text to it.

³⁴ Georg Simmel, “Group Expansion and the Development of Individuality,” in *On Individuality and Social Forms: Selected Writings*, ed. Donald Nathan Levine, The Heritage of Sociology (Chicago: University of Chicago Press, 1971), 251–93. Simmel’s philosophical jargon doesn’t explain this point in very clear terms, but that is the ultimate point behind formulations such as: “The narrower the circle to which we commit ourselves, the less freedom of individuality we possess; however, this narrower circle is itself something individual, and it cuts itself off sharply from all other circles precisely because it is small. Correspondingly [...] the larger whole is less individual as a social group. Thus, the levelling of individual differences corresponds not only to the relative smallness and narrowness of the collectivity, but also – or above all – to its own individualistic coloring.” (p. 257); and: “intensified individualization within the group is accompanied by decreased individualization of the group itself, and vice versa, wherever a certain portion of the drive is satiated.” (p. 259).

complementary, and potentially conflicting, multiple identities – this can be referred to as *internal-psychological* boundary-work. It can assist mobilization by drawing on, or appealing to, other collective identities besides the “weak” consumer identity. This work will be shown in several of the consumer groups I examine: the professional identity and welfare-rights movement identity of the lawyers of NCLC; the student identity of MoPIRG members, and the citizen collective identity that they appealed to in their mobilization attempts in their community; and the Black identity in the case of the members of CEPA. In all these cases, multiple identities served as a source for mobilization for and as consumers.

The next two subsections demonstrate, therefore, the boundary-work along these lines: the external boundary-drawing of the leadership of CFA as to who gets to be subsumed in the movement, and the internal boundary-negotiation between multiple identities of members in the consumer groups NCLC, MoPIRG, and CEPA. Each section demonstrates an aspect of identity-work and boundary-work that was required due to the universal character of the consumer category and collective identity. The external boundary-drawing was required to substantiate legitimacy claims of constituency representation by those who saw themselves as the national leaders of the movement. The internal-psychological boundary-work – drawing and crossing boundaries between multiple identities – is related to the universality of the consumer category and its consequent weakness in salience relative to other identities. Negotiation of multiple identities was required as part of the mobilization efforts, to imbue political meanings to the consumer collective identity. While it helped solving the salience problem, it in some cases confirmed pre-existing associations between the category of consumers and political passivity.

External boundaries: The Consumer Federation of America, gatekeeping, and “who belongs?”

In its early years of existence, the Consumer Federation of America was both invigorated and marred by internal debates and disputes about the composition of its membership: Who gets to belong to the national coalition of consumer groups, and in what format? Three issues were particularly controversial. First, which local and state groups can be accepted to the Federation as representing consumers in their respective localities? Second, what should be the status of labor unions, a major political force and also primary financial contributors to the nascent Federation? And third, what is status of consumer officials in governmental bodies and in businesses? The first question was decided on an ad-hoc basis. The Consumer Federation of America did not

accept individual members, and upon receiving applications from individuals, they were encouraged to join consumer groups in their cities and states. However, not all such groups were welcomed to join the federation either – some were denied membership based on questionable organizational structure; others decided voluntarily to withdraw. The second issue was trickier: apart from the established Consumers Union, labor unions were among the largest organizations affiliated with CFA and also responsible for a significant amount of financial support to it, along with electric cooperatives and credit unions. The issue was resolved by adopting an organizational structure that distinguished between voting members and supporting/associate members. As for consumer officials from governmental and business, CFA adopted a policy that denied their membership in the Federation, but the issue continued to beset the organization and at one point even led to a split within the movement.

The controversy about the legitimacy of local groups can be exemplified by a few cases that stemmed from Denver, Colorado. In the fall of 1966, the city was the locus from which sprang a nationwide protest of housewives about rising meat prices. During these “meat boycotts,” many groups were created ad-hoc. Some quickly evaporated after the short-lived protests, but others resulted in more established consumer groups in various localities and states.³⁵ Among them, there was also at least one aspiring national group, although its mandate to speak for American consumers was questionable. The United National Consumer Association, Inc. (or: TUNCA) was formed by a group of individuals, mostly businessmen, who provided the initial finances. They approached the Denver housewife Mrs. Paul West to be a president of the organization. Following the figurative and literal embrace that she received from the House White Special Assistant on Consumer Affairs, Esther Peterson (who came to visit Denver during the protests), West was portrayed in the media as the leader of the demonstrations that swept many cities and suburbs. Reporting on the awakening of consumers, an article from July 1967 listed TUNCA among about 30 other consumer organization across the country. Aptly titled, “Who Speaks for

³⁵ See Monroe Friedman, “The 1966 Consumer Protest as Seen by Its Leaders,” *The Journal of Consumer Affairs* 5, no. 1 (July 1, 1971): 1–23; “American Consumer Boycotts in Response to Rising Food Prices: Housewives’ Protests at the Grassroots Level,” *Journal of Consumer Policy: Consumer Issues in Law, Economics and Behavioural Sciences* 18, no. 1 (1995): 55; *Consumer Boycotts: Effecting Change through the Marketplace and the Media* (New York: Routledge, 1999), 76–78, 227–46; Elizabeth Cohen, *A Consumers’ Republic: The Politics of Mass Consumption in Postwar America* (New York: Alfred A. Knopf, 2003), 367–69; Greg Daugherty, “The Forgotten Protest Movement of the 1960s,” *Money*, October 19, 2016, sec. Everyday Money, <https://money.com/housewives-revolt-anniversary-forgotten-protest-movement/>; LaBarbera-Twarog, *Politics of the Pantry*, 80–95.

the Consumer Now?” the article mentioned that TUNCA’s founders, along with Mrs. West, “Are self-elected directors in charge; members can offer suggestions but not vote.” The article observed a contrast among consumer activists between “militant consumers” of the past, who tended to come “from the ranks of professionals, such as economists and home economists,” and contemporary organized consumers who seem to be, on average, sophisticated, well-educated middle-class individuals, but without necessary expertise on consumer affairs.³⁶

Still in the process of formation then, the Consumer Federation of America (CFA) was not mentioned in the article’s list, although it already had several affiliate organizations (including several of the groups listed). Even before formally incorporating in December 1967, the Federation began to distribute a low-budget newsletter among its member groups. The first two issues, from March and May 1967, reveal a fascinating clash between the officials of CFA and TUNCA. In the first issue of *Consumer Action*, as the newsletter was titled, some details on TUNCA were reported, out of its corporation Charter. It was highlighted that dues-paying members will be denied votes, and that Esther Peterson emphasized that her office neither sponsored nor endorsed the organization. The second issue of *Consumer Action* featured a copy of a long letter sent from Father Robert McEwen, a Boston College economist and the future first president of CFA, to Jack Cram of TUNCA’s board, following a meeting of the two in Washington. McEwen’s tone is suspicious, even condescending. He is “perplexed” at some of Cram’s answers during the meeting and “even further depressed” by his inability to answer other questions. “You appear to want to be the Washington representative for Consumers of America,” writes McEwen, but highlights Cram’s lack of experience in the consumer field, lack of knowledge in consumer literature (beyond reading Consumer Reports), and inability to answer whether TUNCA would be involved in lobbying. Furthermore, McEwen was disturbed by the business connections possessed by the members of TUNCA’s board.³⁷

The exchange can be interpreted as both gatekeeping exercise by a professional (and in the characterization of Kiplinger’s article, “militant”) consumer advocate and, perhaps more likely, as stemming from genuine suspicion toward an initiative that might take advantage of kindled

³⁶ “Who Speaks for the Consumer Now? More and More Organizations Are Forming. Who Belongs? What Do They Do?” *Changing Times* (Washington, United States: Kiplinger, July 1967).

³⁷ “Consumer Action – Newsletter of Consumer Organization Federated,” vol. 1, no. 1 (March 1967), on p. 2: T.U.N.C.A.; Vol. I, no. 2 (May 1967), “More on T.U.N.C.A.” on p. 5, and a copy of the letter pp. 6–7; both newsletters are in CFA Records, Box 3, folder 1.

grassroots interest for personal gains. But the questionable TUNCA was not the only local organization that exemplified the strains between CFA leadership and other consumer groups. Following the second CFA Annual Meeting, that took place in Denver in 1969, two other groups came to conflict with the Federation. One of them also had claims for national representation: The National Housewives for Lower Prices was headed by a woman from Aurora, Colorado, who also attended the Annual Meeting and visited CFA offices in Washington. The group applied to become a CFA member, but the Federation Executive Director, Erma Angevine, reported to CFA Board that the group did not present any bylaws, only incorporation papers, and noted her concern from the concentration of powers, and her “impression that the officers are in fact the group.” She recommended not to accept the group into membership. Another group, the Colorado Consumers Association, was already a CFA member, but following the Annual Meeting decided to publicly resign from the organization. However, due to their failure to pay their dues, the Executive Director decided not to accept their resignation, but rather consider them “simply one of the member groups that did not pay their dues,” and were therefore removed from membership. She further warned the Directors of CFA that the dues affair and the interactions with the group during the Annual Meeting did “not suggest consumer leadership to me” and recommended to make no efforts to re-instate them in the Federation.³⁸

As these examples indicate, the more seasoned consumer advocates on the CFA staff and Board indeed acted as movement gatekeepers for consumer groups that mushroomed in the late 1960s and early 1970s in a period of rising consumer political awareness. As minutes from various meetings of the Federation’s Executive Committee and Board of Directors attest, CFA’s staff made great efforts to inquire about consumer groups around the country. This was done both to recruit new groups to join the Federation, and at the same time to screen and examine applications from groups to join and check whether they are “genuine” representatives of consumer membership. Thus, for example, in the Angevine’s report to the Board from June 1972, she notes various state and local groups that are “ready for help and affiliation with CFA.” On others, she reports that they received organizational or even financial help from CFA but did not respond to calls to join (one of these groups, the Tennessee Consumer Alliance, decided to form and join the expanding Philadelphia-based CEPA, which was itself a CFA member).

³⁸ CFA Records, Box 1, folder 2, “Report of Executive Director to the CFA Board of Directors, November 3, 1969”.

Another group from Utah is reported to be rejuvenating and “is again taking on a consumer look rather than the Better Business Bureau front it had become.” The group’s president asked to be reinstated, after failing to pay dues in the previous year.³⁹ These notes demonstrate that the Consumer Federation of America saw itself as not only a coordinator of consumer collective action, but also as an arbitrator as to the legitimacy of various groups to “belong” to the national movement.

Besides local and state consumer groups, questions of membership rose with regard to labor unions and consumer officers in government and businesses. Labor unions were accepted as “supporting members” within the unique organizational structure that CFA developed. This structure gave consumer groups, including consumer cooperatives, voting rights according to the size of their membership (which also determined the dues’ amount they would owe). Each group received one vote in the Annual Meeting for its first 100 members (or less), and another vote for each additional 100 members, up to a maximum of 10 votes. Supporting members, however, had only one vote, regardless of their membership size, although the dues they owed were based on size too. The “supporting members” category included mostly labor unions, both local and national, but also some professional or academic associations. This unique structure ensured, in principle, that consumer groups would have considerable voice in CFA decision-making, although most of these groups were rather small, with the exception of several national consumer organizations (such as Consumers Union) and some local or national co-operatives. Additionally, labor unions did receive significant representation on the Board of Directors, and thus were more influential on the Federation policies than the formal bylaws indicated.⁴⁰

Labor unions were exceptional – and desirable – members, even in the status of supporting only, thanks to their political clout as well as financial support. But at the end of the day, though not consumer groups, they were also seen as comprised of consumers – the workers who constituted their memberships. A different challenge was posed by the question regarding the status of “consumer officials” in governmental bodies and businesses, who were responsible in their respective offices to deal with consumer affairs. The first CFA President, Father McEwen, was one of the prominent advocates who sought to bring in government and business officials in

³⁹ CFA Records, Box 1, folder 4, “Executive Director’s Report to Executive Committee, June 12, 1971”.

⁴⁰ The structure is elaborated in the bylaws and meeting minutes from the first years of CFA. See especially: “What is Consumer Federation of America – a fact sheet,” (7 January 1972), CFA Records, Box 1, folder 6.

some form into the Federation. Yet his attempts faced a fierce opposition from other members of the fledgling Federation. CFA Board members welcomed these officials' attendance in annual meetings. They encouraged "communication and cooperation" with them, or at least with the governmental agencies. However, they were not willing to accept them as members in the Federation.⁴¹ During the 1970s, both of these groups established their own separate professional associations: The Society of Consumer Affairs Professionals in Business (established in 1973) and the National Association of Consumer Agency Administrators for government officials (established in 1976-77).⁴² In November 1975, CFA Board allowed state and local governmental consumer protection offices to become non-voting, associate members in the Federation.⁴³

In 1973, a year that saw countrywide consumer protests against rising food prices, and also several fierce disputes within the consumer movement,⁴⁴ a new national consumer organization was formed out of a handful of groups that withdrew their membership from CFA. Consisting of both consumer organization and individuals, the Conference of Consumer Organizations (COCO) decided to take an independent route. Its members were frustrated with CFA due to two separate issues: the lack of attention given to local and state group, and their vision, ignored by CFA, about direct coordination and negotiation with businesses. Spearheaded by McEwen and a few other advocates from local and state consumer groups, many of them academics, the new organization explicitly invited government consumer officers and consumer affairs business officers to join their ranks. While some of these groups later reaffiliated with CFA, COCO continued to exist until the mid-1990s. From the mid-1970s until the mid-late 1980s, it conducted joint panels and roundtables with certain industry representatives from various industries, especially large utility companies (e.g., AT&T, PP&L), but also national trade associations such as the American Petroleum Institute, the National Pharmaceutical Council, and

⁴¹ In 1969, a special committee that McEwen appointed to examine the inclusion of governmental official unanimously rejected the idea, while noting that it encourages their participation in annual meetings as non-members, and that "CFA will continue to develop communication and cooperation" with them. "Report of Committee on Extending Membership Privileges to Governmental Consumer Protection Agencies," p. 3 in minutes of second CFA Annual Meeting, August 22-23, 1969, Denver, Colorado, CFA Records, Box 1, folder 2.

⁴² See Barbara B. Gregg, "National Association of Consumer Agency Administrator," in *Encyclopedia of the Consumer Movement*, ed. Stephen Herrmann Brobeck (Santa Barbara, Calif.: ABC-CLIO, 1997); Louis Garcia, "Society of Consumer Affairs Professionals in Business," in *Encyclopedia of the Consumer Movement*, ed. Stephen Brobeck (Santa Barbara, Calif.: ABC-CLIO, 1997). See also McEwen, "Plenary Session - Partnerships Pay Dividends," below, footnote 45.

⁴³ "Local Consumer Offices can now Join CFA," *CFA News* (November 1975), 4.

⁴⁴ Only one of the disputes is brought here. Others are featured in other chapters.

the Direct Selling Association. The joint panels dealt with various issues related to consumers, most notably deregulation of utility companies.⁴⁵

A last example for the potential porous boundaries of the consumer movement comes from a conservative, pro-free-market consumer group. Consumer Alert was established in 1977 by conservative figures, politically connected within and outside of the Republican Party. The group was founded by Barbara Keating-Edh and assisted by a generous loan from corporate money (by a company owner who was a close associate of former president Nixon). Previously, Keating-Edh was a senate candidate for the Conservative Party in New York (in 1974) and an assistant to U.S. Conservative Senator James Buckley (in 1975-6). Consumer Alert advocated vehemently against government regulation, for consumer choice in the marketplace, and for competitive markets as the most efficient form that benefits consumers. Claiming to be a nation-wide, grassroots organization, the organization's newsletters, "Consumer Comments," included dissemination of information on various issues like recalls and new consumer legislation. At the same time, the newsletter also showed the oppositional stand of the group to most goals promoted by most consumer groups. For example, the organization opposed mandatory safety measures implemented in cars, such as seatbelts and airbags, as well as other mandatory safety measures promoted or supported by most consumer groups. Consumer Alert battled not only governmental regulation, but also other consumer groups. One of its utmost legal successes was to challenge the funding model that supported PIRGs on university campuses. The organization's survey brought forth a Rutgers student who sued the University (represented by another conservative legal fund) to end the mandatory fee collection. Consumer Alert also opposed other, non-mandatory forms of fees-collection that used to finance PIRG chapters.⁴⁶

⁴⁵ McEwen, "Conference of Consumer Organizations." The information about COCO is also based on various issues of the organization's newsletters (INTERCOM), CERN Records, Box 4, folder 2. Especially important is a speech that Robert McEwen gave at a Luncheon Address at the Consumer-Utility Conference in Pennsylvania, November 1986, and is reprinted in the December 1986 newsletter: "Plenary Session – Partnerships Pay Dividends" (in his address, McEwen reflects on the history of his days as the first CFA President, and the establishment of COCO in 1973). It should be emphasized that the membership of COCO, older and mostly academic, differed from CFA leadership not so much in being less adversarial to business. Rather, while CFA saw its main goals as lobbying in Washington, D.C. on behalf of consumers for protective policies, COCO members wanted to exercise the model of consumer-industry unmediated negotiation, taken after a corporatist model of labor and industry direct negotiations.

⁴⁶ Consumer Comments issues from 1981-1982 at CERN Records, Box 4, folder 45. On Consumer Alert see also Loree Gerdes Bykerk and Ardith Maney, *U.S. Consumer Interest Groups: Institutional Profiles* (Westport, Conn.: Greenwood Press, 1995), 81–83; Eleanor Blau, "From Darien, a New View of the Consumer Battle," *The New York Times*, January 8, 1978, sec. Connecticut Weekly; "Barbara Keating-Edh Obituary (1938-2021), from the Modesto Bee," Legacy.com, February 7, 2021. On the legal battle against PIRG funding, see also Donald Janson, "Rutgers

Clearly, Consumer Alert was not a member of the Consumer Federation of America (in fact, in 1989, it established another organizational network, National Consumer Coalition, of like-minded right-wing policy groups). It is also questionable to what extent it can be considered a voluntary, grassroots consumer group, based on its generous corporate funding and the political connections of its leaders. (In 1980, Keating-Edh was appointed to head President Reagan's transition team of the Consumer Product Safety Commission. She recommended, by the way, to abolish the Commission. Another co-founder of Consumer Alert was John Sununu, a Republican politician from New Hampshire who was elected governor in 1983, and in 1989 became Chief of Staff to President George H. W. Bush).⁴⁷ These connections suggest that Consumer Alert was part of the trend in the late 1970s of the mobilization of businesses, who developed their own forms of citizen grassroots groups – or possibly a “fake” grassroots (or “astroturf”) group. Still, nominally, even if not substantively, Consumer Alert was a consumer organization with a purported membership that reached 500-600 in the first year of its existence and a few thousands in later years. Whether or not its pretense to these numbers was truthful, the organization claimed to speak on behalf of all American consumers, and it found audience among Washington, D.C. politicians as a representative of ordinary consumers.⁴⁸

As these examples show, despite the universal and all-embracing character of the consumer category, or perhaps precisely because of it, the question of boundaries in the consumer movement was an acute one. Seeing its role as the “voice” of the consumer movement, CFA's leadership engaged in invoking the consumer identity of members of various local groups. At the same time, it guarded the boundaries of who gets to be included within the national Federation and in what format. Thanks to its location in Washington, D.C. and its connections with the

Senior Presses Fight to Abolish Mandatory Fee to Advocacy Group,” *The New York Times*, November 11, 1981, sec. B; Janet Gardner, “Fee Battle Grows beyond the Campus,” *The New York Times*, April 10, 1983, sec. 11.

⁴⁷ For National Consumer Coalition and John Sununu, see Bykerk and Maney, *U.S. Consumer Interest Groups*, *Ibid.* On funding sources and Reagan's appointment, see Morton Mintz, “Transition Consumer Aide Heads Group Largely Funded by Business,” *Washington Post*, December 31, 1980.

⁴⁸ See Edward T. Walker, *Grassroots for Hire: Public Affairs Consultants in American Democracy*, Business and Public Policy (Cambridge: Cambridge University Press, 2014), on “astroturf,” pp. 32–38, on business mobilization in the late 1970s, pp. 64–66; see also Mark Megalli and Andy Friedman, *Masks of Deception: Corporate Front Groups in America* (Essential Information, 1991), 80–84 on Consumer Alert. For membership numbers, see: United States Congress House Committee on Ways and Means Subcommittee on Trade, *Import Relief for the Domestic Industrial Metal Fastener Industry: Hearings Before the Subcommittee on Trade of the Committee on Ways and Means, House of Representatives, Ninety-Fifth Congress, Second Session ... February 27, March 7, 1978* (U.S. Government Printing Office, 1978), Statement of August Fromuth from Consumer Alert, 43 (500-600 members); and Bykerk and Maney, *U.S. Consumer Interest Groups*, 82 (claims of 6000 members).

political establishment there, CFA gained national political prominence that assisted to the Federation's claim to be *the* representative of American consumers. Yet the question that was raised in 1967 in the *Kiplinger's article*: "Who speaks for the consumer (now)?" continued to accompany the movement during its heyday years from the late 1960s until the early 1980s.

Internal-psychological boundaries: Multiple identities as facilitators/hinderers of mobilization

The consumer collective identity was not the only collective identity – and sometimes not the primary one – that mobilized activists and advocates to politically act for the consumers' interest and on their behalf. These activists and advocates built on and invoked other collective identities – professional, semi-professional, and civic – for the goals of consumer mobilization and to promote consumer protection. In some cases, members of consumer groups found those other identities important for their own mobilization and self-understanding as consumer advocates. Such was the case, for example, with the professional identity of lawyers working at the National Consumer Law Center or with the student identity of the members of the PIRGs. In other cases, consumer activists appealed to multiple identities in their attempts to mobilize other consumers to act politically: specifically, they appealed to their identity as citizens alongside their identity as consumers. The analysis below shows the importance of multiple identities for the purpose of mobilizing consumers, even more than in other cases where multiple identities were involved to mediate or bridge between different groups. It also suggests that in their drawing on and appeal to other identities, the consumer movement members in fact reaffirmed the presumed weakness of the consumer collective identity for mobilization. An exceptional case is that of the radical group Consumer Education and Protective Association (CEPA), whose majority Black membership had to straddle between their collective identities as Black American and consumers. Usually, these two identities strengthened one another in mobilizing for Black, low-income consumers, but in other times, a tension between the identities surfaced.

Acting from a different identity than that of the consumer is most apparent in the case of the lawyers from the National Consumer Law Center. While the organization functioned at times as a "legal counsel" of sort for the consumer movement at large, its main function was to give support and expert assistance to the Legal Services attorneys in field offices around the country in service of their low-income clients. The lawyers at NCLC therefore saw themselves not as consumers, but first and foremost as representatives of consumers as part of their professional

identity, commitment, and obligation. Along the professional identity as lawyers, they maintained a unique identity of Legal Services lawyers, promoting social justice among low-income population. But NCLC lawyers represented not only low-income consumers. The Center saw the policies it advanced as pertaining to and improving the situation of consumers generally. A promotional article about NCLC in a financial magazine aimed at middle-class readership stated: “The primary aim is to help the poor with their consumer problems, but many of those problems are the same for everyone, regardless of income, so any results they achieve are bound to help people in all classes of society.”⁴⁹ Either way, however, NCLC lawyers were working *for* consumers out of their professional identity as lawyers, and not necessarily out of identifying themselves as or with consumers.

Still, in their professional identity as lawyers, and organizational identity as a “backup center,” NCLC advocates felt justified to speak for the consumers on various matters of consumer protection legislation and policies, especially in front of governmental and legislative bodies. The following paragraph is a typical example of NCLC’s documents and testimonies:

“The National Consumer Law Center, Inc. is a non-profit corporation incorporated [...] for the purpose of promoting and protecting the interests of low income consumers. In furtherance of this purpose, the Center renders technical assistance and research support to the 2,800 lawyers in over 900 legal services offices throughout the country who represent persons without resources to retain private counsel.”⁵⁰

It should be noted that notwithstanding their professional identity as lawyers, the lawyers of NCLC probably saw themselves as part of a social movement, but this was the “legal services” movement, or the welfare rights movement – influenced by and partly overlapping with the civil rights movement. This was the motivation behind much of these mostly young, mostly middle- and upper- class lawyers to work in the Legal Services field, and this movement’s collective

⁴⁹ “These lawyers work for consumers,” *Changing Times* (July 1970), 17–19; in: NCLC Records, Box 7, folder 3.

⁵⁰ NCLC Records, Box 4, folder 37: “Request for a Formal Hearing Before the Board of Governors of the Federal Reserve System Re: Application of First Railroad and Banking Company of Georgia for Prior Approval to Acquire CMC Group, Inc. and its Subsidiaries,” May 1974. Similar phrases and paragraphs can be found in various testimonies of NCLC lawyers before Congress Committees, administrative agencies, and similar bodies. In a similar vein, when asked how NCLC decided which issues were the most urgent to focus on or how was the representation of consumers thought of by the NCLC staff, a former Executive Director answered along the same lines: namely, that thanks to the ongoing contact of NCLC staffers with attorneys in field offices (some of NCLC staffers were themselves in similar positions prior to coming to NCLC), and since these attorneys were in daily contact with their clients the consumers, they felt that they have a good grasp on consumers’ problems and needs. (Phone interview with Mark Budnitz, January 27, 2020.)

identity was much more influential for them than the consumer movement, which was depicted as more relevant to middle class Americans.⁵¹ Still, in practice NCLC was part of the organized consumer movement, as demonstrated in the joint campaign the CFA and NCLC launched against the Uniform Consumer Credit Code,⁵² and in their participation in the concerted campaign of the movement to establish an independent federal consumer protection agency.⁵³ In later decades, NCLC executives served in leadership roles in CFA and other consumer organizations.⁵⁴ Nevertheless, because of their unique position, and out of the professional identity as lawyers (and possibly their identification more with the welfare rights movement), it is not rare to see remarks about the consumer movement from NCLC staff that are made in an observational tone, almost from an external point of view. Take, for example, the following comment of NCLC Executive Director:

“Without presuming to ‘represent’ consumers, I would like to focus on the principal reason for the lack of effective legislative efforts from the consumers’ perspective. [...] the consumer interest has largely been represented by governmental institutions since consumers are rarely organized and even more rarely have the resources to do little more than complain”.⁵⁵

It is hard to imagine a similar remark coming from the activists at MoPIRG or CEPA, and surely not from the advocates in CFA. These activists and advocates might have shared the sentiment about the hardships of organizing consumers, but they saw themselves as part of the solution, and as an organic part of “organized consumers”.

The members of MoPIRG have probably been more willing to presume to “represent” consumers and act on their behalf. But MoPIRG, like other PIRGs, was a student organization. Thus, its members’ collective identity as students was present and highlighted, especially in internal academic communication, in attempts to recruit other members from the student body, or

⁵¹ As indicated also in the interviews with former executives of NCLC.

⁵² For example, NCLC Records, Box 2, folder 19, "Outline of Remarks of Prof. William F. Willier, Director of NCLC, Before the Consumer Federation of America," August 29, 1970. The joint campaign against the UCCC was discussed in chapter 4.

⁵³ As an example, see the statement of NCLC senior attorney in front of a Congress subcommittee in fervent support of the proposal: NCLC Records, Box 2, folder 23, "Statement on H.R. 14, 15, 16 and Related Bills, by George Gordin, Jr., Senior Attorney," 1971.

⁵⁴ For example, Will Ogburn, the Executive Director of NCLC between 1987 and 2016, served as President or Vice President of the Consumer Federation of America several times since the 1990s.

⁵⁵ "Remarks of Richard Hesse, Executive Director of the National Consumer Law Center before the National Conference for State, County and City Consumer Affairs Administrators," June 19, 1974, NCLC Records, Box 2, folder 20.

in appeals to educational administrations to establish chapters on campuses. For example, in the proposal to establish a MoPIRG chapter on University of Missouri-Columbia campus, the PIRGs are referred to as “a new form of student activism,” building on, but separate from, “the student movement of the Sixties.” The document noted that when “students engaged in interdisciplinary public interest research, [they] can successfully overcome the weakness inherent in many student programs, and work toward the resolution of social and economic problems.”⁵⁶ Admittedly, this proposal is written for the eyes of university administrators. It is reasonable to assume that it overemphasized the student identity (as well as the educational value in the organization’s activities) for this reason. But similar emphases were made in instructional materials about recruiting students on campus to become active at the PIRGs:

“Why should students and not some other groups be approached? Students in the '60s showed themselves particularly sensitive to probelems [sic] ignored by other groups which all too often were blinded by their own vested interests or apathy. But while students as a whole were not apathetic, neither were they particularly effective when it came to pragmatic results.

[...] While many students still say, “What can *I* do?” the PIRGs have demonstrated that students, engaged in inter-disciplinary public interest research with a full-time professional staff, can successfully overcome the weakness and transitory nature of past student movements.”⁵⁷

If the PIRGs indeed employed a new form of student activism for the “public interest,” their members saw pursuing the consumer interest as main part of this interest. Each PIRG was an independent organization, and groups’ priorities and activities varied. Some PIRGs highlighted environmental or other goals of public interest, but almost all of these groups pursued the goals of consumer protection. MoPIRG was particularly adamant on the consumer protection front. To demonstrate this, the list of reports, manuals, and guides that MoPIRG published during the late half of the 1970s included: “The Consumer Complaint Guide”; “How to Sue in Small Claims Courts”; “A Citizen's Guides to the Equal Credit Opportunity Act”; another “Citizen’s Guide to the Fair Credit Reporting Act and the Federal Privacy Act”; and a report entitled “Prescription

⁵⁶ MoPIRG Records, Box 1, Folder 6. Circa 1976.

⁵⁷ “A PIRG Organizer’s Notebook (Designed to Supplement Action For a Change by Nader and Ross),” 1974. MoPIRG Records, Box 1, Folder 6. In the early 1970s, there were also a few national conferences organized on “Student Consumer Action,” which features speakers the consumer movement, including officials of CFA and of CEPA, see “Letter of invitation to the first Student Consumer Action Conference,” 1971; “Program of the Second National Conference on Student Consumer Action” October 1972, in: Weiner Records, Box 17, folders 7, 4, respectively. See also report on the conference in: *Consumers Voice* vol. 7, no. 6 (1972).

Drug Pricing: The Politics of Pills and Profit”. MoPIRG members were also very active in promoting consumer representation, in fighting misleading advertising in Missouri and nationally, and in other areas of consumer protection.

The student and staff activists at MoPIRG did not just act on behalf of consumers. They also engaged in consumer mobilization and attempted to motivate community members to act and participate in their initiatives – mainly in lobbying initiatives. This was done through requesting citizens to express concerns on specific issues to public officials. In 1980, at the wake of the Raegan’s victory in the Presidential election, MoPIRG initiated a “MoPIRG Citizen Lobby,” and recruited community members to this program – at one point reaching around 275 members. It delivered to them “Citizen Lobby Alerts” about issues of concern such as deregulation policies, appointments of public officials, etc. These “citizen lobbyists” were asked to write to or call legislators, the Governor, or the media about these various issues. In the language surrounding this Citizen Lobby and its alerts, the group appealed to their “lobbyists” as both consumers and citizens, and these two collective identities were often used interchangeably. Here are a couple of excerpts from the recruitment announcing this program, with added emphases:

“MoPIRG works on local, state, and national issues which affect us all as *citizens* and *consumers* [...]

Citizens can reclaim the power to determine the direction of government and their own lives through *citizen action*. Getting involved is what makes democracy work [...] The key to making government more responsive to the public interest is building a *strong citizen base* that can represent *consumer* interests [...] Government can ignore the interests of *consumers* only as *citizens* are unorganized. When the individual voice of one *citizen* is joined with a chorus of tens of thousands, government officials begin to face the music.”⁵⁸

One thing is noticeable in the language of the last excerpt: while “consumers” and “citizens” are treated interchangeably, the word “consumers” appear in reference to consumer *interests* or their *representation*, whereas in relation to political activity – organization, base, voice, etc. – it is the word “citizens” that is used. A similar division recurs also in the language of the different Citizen Lobby Alerts that it sent to the public: while “consumers” appear in connection to their representation or interests and the costs incurred on them, “citizens” are linked to their voice and their action (this is also apparent in the overall name of the program: Citizen Lobby).⁵⁹

⁵⁸ Emphases added. “MoPIRG Citizen Lobby”. MoPIRG Records, Box 1, folder 6.

⁵⁹ Here are a couple other examples of this claim: (1) From a Citizen Lobby Alert re: Natural Gas Decontrol (c. 1982): “Dear *Citizen* Lobbyist, Your immediate action is urgently needed to persuade your Congressperson and

As these examples and others in the group's literature show, even when the student/consumer activists invoked the consumer collective identity for mobilization, they did so alongside another collective identity – that of citizens – and it was the latter that was associated more immediately with political action. In comparison, the collective identity of consumers was associated with the passive position of assumed needs, costs that are incurred upon it, or at best, being represented. Thus, MoPIRG activists, themselves acting from the multiple identities of students and consumers (or consumer advocates), made appeals to the multiple identities of their constituents: as consumers who are being affected by policies, and as citizens who are requested to express their voice to affect these policies.

MoPIRG's rhetoric, then, retained the association between consumers and apolitical passivity. In contrast, the Consumer Education and Protective Association (CEPA) presented a different version that linked consumer collective identity to political activity, including electoral politics. Operated initially among Black, urban constituency, CEPA connected, therefore, the consumer collective identity to political empowerment, and specifically, empowerment of Black, low-income consumers. CEPA was co-founded in 1966 by two friends: Max Weiner, a Jewish real estate agent and mortgage finance expert, and Garland Dempsey, a Black World-War II veteran, a mechanic, and long-time owner of a vehicle repair shop. The two founded CEPA along with Ambler Bailey, a retired Black worker who was an active union member as an employee of Campbell Soup Company and was one of the first claimants whose consumer issue CEPA addressed. Focusing initially on consumer abuses within the city of Philadelphia, CEPA was a community organization of the Saul Alinsky type, and it used the tactics of picketing to protest consumer abuse, especially against Philadelphia businesses. Alongside this activity, CEPA leaders founded a "Consumer Party" that consistently (though never successfully) participated in local and state elections. With an overwhelming majority of Black members, at

Senator to oppose efforts to decontrol natural gas prices. Decontrol of natural gas will effect [sic] everyone. Our gas bills will triple, inflation will soar and unemployment will worsen. This issue is of critical importance to *all consumers* across the nation. [...] CONCLUSIONS: *Citizens* need to demand that Congress take the following steps to protect them [...] *Consumers* need price controls to continue. We need to act now! Inaction will cost us *as consumers* more money on our energy bills, and will only add to the already massive profits of oil and gas companies." (2) From a Citizen Lobby Alert re: appointment of two public positions in the Missouri government (n.d.): "Dear MoPIRG *Citizen* Lobbyist: It is imperative that the persons chosen have a demonstrated record of public service and an understanding of the needs of *consumers*. A Public Service Commission with sympathies for the plight of the middle and low-income *consumers* is necessary if the *citizen* voices for energy conservation programs, fair utility rates and public participation in setting regulatory policy are to be heard." Both documents are in: MoPIRG Records, Box 1, folder 6: "Citizen Lobby Alerts". Italic emphases added, underlines are in the origin.

least in its first decade of existence, CEPA's actions bridged the Black and consumer identities.⁶⁰ Yet the tension between these identities sometime surfaced, especially around its political electoral component.

Speaking on behalf of and working among low-income consumers in an urban setting, CEPA's organizers and members saw the consumer and Black collective identities as complementary. CEPA organizers often spoke on behalf of Black consumers, protesting their lack of representation and the dismissal of their unique problems in discussions on consumer issues. Occasionally, CEPA protested the issue of "redlining" by banks and insurance companies both on the pages of its newsletter, *Consumers Voice*, and in protests in the streets. The group's leadership regularly participated in NAACP conferences in Philadelphia on consumer fraud and other problems, and CEPA members often picketed or protested alongside NAACP and PUSH to highlight discriminatory business and employment practices. In governmental forums related to consumer presentation, CEPA members protested against the absence of Black representation. Thus, for example, in the Senate hearings for the nomination of David Dennison to the Chair of the Federal Trade Commission in 1970, CEPA representatives appeared and urged the Committee of Commerce to consider Black candidates for nomination to this position. Similarly, in a consumer conference organized by Pennsylvania Governor in 1972, CEPA members in the audience protested against the lack of diversity in the list of the conference speakers (in response, a member of the group was invited to speak extemporaneously).⁶¹

⁶⁰ Along the years, several "profile" articles on CEPA appeared in Black-owned magazines that catered mostly for African-American middle class readership. In these stories, Weiner's role in CEPA was sometimes minimized, if mentioned at all, and other leaders of CEPA were highlighted. See, for example "The Big Swindles," *Pride* vol. 1, No. 2 (November-December 1967), pp. 14-17 (features also the story of the founding of CEPA, tells it was assisted by officials of C.O.R.E. - the Congress on Racial Equality - and mentions as the co-founders Dempsey, Bailey and Weiner, in this order - Weiner is described as "a white friend"); Roger Meltzer, "Make the Law Respect the People," *Philly Talk*, Sep. 1970, 26-28; Len Lear, "The Fraud Fighters," *Philly Talk*, January 1973, pp. 52-59; Lear, "How Philly blacks battle against business rip-offs," *Sepia*, May 1976, pp. 40-46. All articles are from CEPA records, Box 13. Information about CEPA's Black membership are from these: The 1973 article notes that "it has always been 90% black" (Lear, "The Fraud Fighters," p. 57) and the 1976 notes at least 75% of the Philadelphia members are Black (Lear, "How Philly blacks battle," p. 44) - these figures are corroborated in the pictures that appear in the organization's newsletter, *Consumers Voice*. Additional biographical materials on Dempsey are from CEPA Records, Box 5, folder 11.

⁶¹ Examples of *Consumers Voice* articles about "redlining" can be found in Volume 10 (1975), issue no. 5&6, p. 3: "'Redlining' on Mortgage Loans Kill Neighborhoods," asserting that "'redlining' and racial discrimination by banks and mortgage companies are big contributing factors to the creation of ghettos and the decay of many city neighborhoods"; and in Volume 12 (1977), issue no. 2&3, p. 3: "Oppose Companies' Discrimination: Demonstrated against Insurance Redlining," reporting about a CEPA demonstration against "redlining" in Philadelphia "to dramatize the unfair practice of charging Philadelphia motorists" high auto insurance rates based on their residential addresses. HSP, CEPA Records, Box 4. Participation in NAACP conferences, see: "NAACP Officials Meet; Discuss

While CEPA members used their status as a consumer group to highlight racial discrimination and exclusion, they also framed problems that were often seen as stemming from racial tensions in socio-economic and consumer terms. In this, CEPA was not alone. The late 1960s were characterized by what historian Lizabeth Cohen called “the discovery of the low-income consumer,” which often (though not always) meant the Black, inner-city consumer. Notable in this regard was the publication of sociologist David Caplovitz’s book, *The Poor Pay More*, with the telling subtitle, *Consumer Practices of Low-Income Families*. First published in 1963, based on his dissertation, the book and the author gained attention following Caplovitz’s testimony in Congress in 1966, after which the book was republished and widely read. (In its preface to the 1967 edition, Caplovitz mentioned CEPA among “a few promising grass-root programs that have sprung up without the aid of federal funds.”) Between the book’s first edition and that testimony, American cities experienced a series of disturbances in Black, urban areas, and Caplovitz’s explanation of these as “consumer revolts” found receptive audience. Established after even more widespread urban unrests in the summer of 1967, The Kerner Commission echoed much of this approach in its famous 1968 Report. Of its list of twelve “deeply held grievances,” almost all were about socio-economic factors, and it specifically included “discriminatory consumer and credit practices” as one of them. Alongside underscoring the inadequacy of housing and education conditions as well as municipal and governmental welfare and other programs, the Report included, in the chapter on “Conditions of Life in the Racial Ghetto,” a section about “exploitation of disadvantaged consumers.”⁶²

Consumer Fraud,” newspaper clipping from May 11, 1968, HSP, CEPA Records, Box 17, folder 4; “Program of Pennsylvania Conference of NAACP, 34th Annual Convention, October 1968,” Winer is speaker on the panel session “Educating and Protecting the Consumer,” CEPA Records, Box 17, Folder 6. On Dennison’s hearing, see *Nominations - 1970: Hearings before the Committee on Commerce*, United States Senate, 91st Congress, Second Session, Serial No. 91-89: “David Dennison, Jr. to be a Commissioner of the Federal Trade Commission, Hearings of Oct. 6, 1970”, pp. 66–70 (Garland Dempsey’s statement), 70–76 (Statement of Mrs. Clarissa Cain, President of CEPA International, Inc.), 77–91 (Statement of Max Weiner). On the Pennsylvania’s Governor consumer conference, see Robert A. Reilly, “Blacks Most Exploited, Says Consumer Group at Harrisburg Conference,” *Philadelphia Inquirer*, Mar. 23, 1972, p. 17. The article reports that the conference “was thrown into a turmoil” when Weiner stood up at the end of the State Attorney General’s welcome remarks and said: “Black people are the most exploited and there is no reason why they shouldn’t be heard at this conference. This is an institutional oversight.” Later in the conference, CEPA’s Grievance Chairwoman, Adelyne Matthews, was invited to speak at the platform.

⁶² Cohen, *A Consumers’ Republic*, pp. 355–6. David Caplovitz, *The Poor Pay More: Consumer Practices of Low-Income Families*, First Free Press Edition, A Report of the Bureau of Applied Social Research, Columbia University (New York: Free Press, 1967) – CEPA mentioned on p. xxiv); See also Norman I. Silber, “Discovering That the Poor Pay More: Race Riots, Poverty, and the Rise of Consumer Law,” *Fordham Urban Law Journal* 44, no. 5 (November 1, 2017): 1319–28.

CEPA's leadership shared this approach to the analysis to the events, as its members knew all too well about the abusive market practices of lenders and other merchants which afflicted inner-city residents. During the turbulent summer of 1967, with protest events occurring in more than 150 American cities, a series of articles appeared in the group's newsletter that highlighted this socio-economic interpretation of the "riots." One article, for example, asserted that it was "not 'outside agitators' but conditions inside the ghettos cause riots." In response to a popular allegation (about outside agitators), the article responded that this claim is "an insult to the intelligence of the people living in the ghettos. Does it take an 'outside agitator' to make the people realize the conditions under which they are living?" The article ironically remarked that outside agitators would not be able to cause "riots" in the more well-to do neighborhoods of the city, and that many of the "'respectable' residents of these communities make their living from the ghetto areas, squeezing and gouging the poor people. [...] There are some 'outside agitators' who are stirring up unrest," the article continued, but they are not the ones that are blamed by the media and government officials. Rather, they are "greedy finance company officials who hire the Sheriff to break into people homes to collect bills that are the result of swindling poor people." Moreover, on top of bolstering the message that economic conditions are at the root of the riots, CEPA put the blame to these conditions on the political leadership and especially the two-party system. This was a way to publicize its own Consumer Party, which was established earlier that year and was running a candidate in the 1968 municipal elections:

"[T]he very swindlers that the reports say have to be wiped out are in control, or at least strongly influence, the political parties that run the city, state and federal governments who are supposed to do the cleaning up. These swindlers make their political contributions [...] and] support Democratic or Republican candidates in the elections. [...] [T]he only hope of cleaning up the consumer fraud which everybody recognizes is largely responsible for ghetto unrest is through [...] a CONSUMERS PARTY, run by and for the consumers. When Consumers Power takes over, that will mean the end for the swindlers."⁶³

In protesting on behalf of Black and low-income consumers and in framing the "riots" in consumer-economic terms, CEPA found the consumer identity to be compatible with the Black identity. In its political program, however, these two identities had the potential to clash, as CEPA and its Consumer Party messages explicitly emphasized socio-economic and class issues

⁶³ *Consumers Voice*, vol. 2, no. 8: "Not 'Outside Agitators But Conditions Inside Ghettos Cause Riots,'" *Consumers Voice*, vol. 2, no. 7: "Swindlers' Political Influence Blocks Action Against Frauds," p. 4. See also vol. 2., no .9: "Poor Are Looted, Terrorized: Slumlords, Finance Co.'S, Unscrupulous Merchants, Auto Dealers, Insurance Co.'s, Home Improvement Co.'s, Create Riotous Conditions," p. 1.

over race. CEPA ran electoral candidates, the majority of whom were initially people of color, in municipal and later state elections from 1968 until the late 1990s (throughout the 1980s, also for federal Presidential and Congressional elections in Pennsylvania). In 1967, the Consumer Party collected more than 12,000 signatures, which ensured the Party ticket a place on the 1968 ballot. Co-founder Dempsey and Clarissa Cain, among others, ran as candidates to City Council. For the Mayoral candidate, the Consumer Party ran Rev. Leonard Smalls, a pastor and civil rights activist. Three out of the five party's candidates were Black. A month before the elections, the *Consumers Voice* issue published an article in response to accusations that "the Consumers are splitting up the Negro vote." Under the title "Consumers Candidate Unite People," the article reads:

"The Consumers are not splitting anybody's vote. The Consumers are uniting the people — all the people, black as well as white — around a fighting program — and outstanding candidates, tried, tested, and true — for the people's interests.[...] When a consumer votes for Consumers Party candidates, that voter is not splitting anything, he is BUILDING A NEW INDEPENDENT POWER THAT ONE DAY WILL SWEEP ASIDE ALL THE CROOKS, THE SWINDLERS, THE GYPS, AND THE OPPRESSORS OF THE PEOPLE - AND THEIR POLITICAL PUPPETS, WHITE AND BLACK."⁶⁴

In a similar message, in October 1969, Consumer Party candidate to City Council, Fred Barnes referred to the Democratic slogan "get tough on crime": "We know what the Power Structure means when they cry 'get tough about crime' [...] They mean 'Black boy stay in your place.' They mean 'get tough' on the poor people, the poor blacks, the poor whites and the poor Puerto Ricans."⁶⁵ Barnes' use of the phrase "Power Structure" (capitalized in the origin) indicates the class analysis that CEPA applied. Two decades later, in a much different political context during Reagan's presidency, (and writing on behalf of a quite different, and less Black, CEPA) Weiner published an op-ed in the *Philadelphia Tribune*, which made this analysis explicit. Racism, he writes, is not an eternal human trait, but rather a by-product of a social system and social structures, which is divided into the rulers and the oppressed. As long as that system is in existence, "that ruling class will breed racism as an essential tool maintaining itself in power, keeping white and Black people divided, fighting each other instead of uniting to overthrow their common oppressors."⁶⁶

⁶⁴ *Consumers Voice*, vol. 2, no. 10 (October 1967), "Consumer Candidates Unite People," p. 3. Capitalized in origin.

⁶⁵ *Consumers Voice*, vol. 4, no. 10 (October 1969), "N. Phila Protest 'Takes Over' 6-Block Area," p. 3.

⁶⁶ Max Weiner, "Racism is not Eternal," *The Philadelphia Tribune* (April 1, 1986), p. 10-A.

In CEPA's (and Weiner's) philosophy, then, the consumer collective identity was indeed linked to political demands, and specifically, to a class-based analysis or view of society. For this reason, too, the uniting potential of the consumer identity was more important for political action than racial identity, as expressed in Weiner's political analyses like the one above (and others that he published regularly in CEPA's newsletter). But CEPA was rather exceptional in this view (and indeed, not coincidentally, the only consumer group that founded a political party). As the analysis of multiple identities in the other groups demonstrated, consumer activists drawn on the consumer collective identity to mobilize consumers to action. At the same time, they also often built on and appealed to other identities, either of the activists themselves as professional or students; or of the constituencies they were attempting to mobilize. These constituents were addressed citizens when they were asked to act, and as consumers when they were not. In this way, most consumerists (with the exception of CEPA's activists and a few other groups) continued to affirm the political tenuousness of the consumer collective identity.

To conclude this section, in drawing and maintaining the boundaries of the consumer collective identity, the consumer movement members faced two types of challenges. An "external" challenge stemmed from the universal and all-embracing character of the consumer category: to decide "who gets to be included" in the group and who gets to speak for the group-members. An internal (and social-psychological) challenge stemmed as well from the category's universality and diffuseness, and from its consequent relative weakness compared to other identity-categories. In the first case, regarding external boundaries, this was an explicit challenge, and it was addressed explicitly by the movement's leadership, especially in the Consumer Federation of America. The Federation's officials exercised gatekeeping regarding the legitimate speakers on behalf of consumers and engaged in debates about which populations can be included in the "movement." The question was raised especially regarding the status of consumer-related organizations which were not consumer civic groups strictly-speaking. These debates relate to the collective identity on the movement level, of consumerists. The movement's leaders had less of a problem regarding the second, internal challenge because they acted not out of a consumer identity per se, but as consumer-*representatives*, or consumerists. Similarly, other groups in the consumer movement often invoked professional or semi-professional identities when acting *for* consumers and not necessarily *as* consumers – such as in the case of lawyers, academics, and students. Other groups, usually at the grassroots level, whose members did act

collectively as consumers, sometimes encountered the problems of the weak consumer collective identity in its potential clashes with more action-oriented, politically salient collective identities, such as racial identities, gendered identities (as “housewives”) or even the “citizen” identity.

C. Fostering oppositional consciousness: Big Business versus “the little consumer”

If boundary-work helps forming collective identity by delineating the group, a related but different process is that of developing a distinct group consciousness. According to Taylor and Whittier, developing group consciousness constitute collective identity in that it “imparts a larger significance to a collective.” They define it as “the interpretive frameworks that emerge from a group’s struggle to define and realize members’ common interest in opposition to the dominant order.”⁶⁷ As they emphasize, a group commonly raises consciousness vis-à-vis some “others,” whether real or imagined, who often represent “the dominant order” or some other perceived threat to the group. Consequently, social movement research has concentrated on the component of consciousness in the context of *oppositional* consciousness. Like boundary-drawing, this too may constitute a particular challenge to a consumer collective identity due to the all-inclusivity of the category. However, as this section shows, the consumer movement cultivated a distinct “us versus them” consciousness: consumer versus businesses. The process of consciousness-raising is often analyzed here through framing processes – the term and conceptualization that has become predominant in the social movement literature to describe the connection between individual cognition and socio-cultural structures and discourses.⁶⁸ This section therefore focuses on the discursive framing of oppositional consciousness by the consumer movement. It shows how consumerists drew in their communication an opposition between consumers and their representatives on one side – with the former often portrayed as weak, individual consumers – and powerful, big business, often exploiting consumers and influencing the government on the

⁶⁷ Taylor and Whittier, “Collective Identity in Social Movement Communities,” 114.

⁶⁸ On frames as connecting the individual cognitive level and the socio-cultural level, in the form of structures and ideological systems that are manifest in schemas and discourses, see William Gamson, “Social Psychology of Collective Action,” in *Frontiers in Social Movement Theory*, edited by Carol McClurg Mueller and Aldon D. Morris (New Haven, Conn.: Yale University Press, 1992), 65–68. On framing processes see Snow et al., “Frame Alignment Processes, Micromobilization, and Movement Participation,” *American Sociological Review* 51, no. 4 (August 1986): 464–81; Robert D. Benford and David A. Snow, “Framing Processes and Social Movements: An Overview and Assessment,” *Annual Review of Sociology* 26 (2000): 611–39; Hank Johnston and John A. Noakes, *Frames of Protest: Social Movements and the Framing Perspective* (Lanham: Rowman & Littlefield Publishers, Inc., 2005); David Snow et al., “The Emergence, Development, and Future of the Framing Perspective: 25+ Years Since ‘Frame Alignment,’” *Mobilization: An International Quarterly* 19, no. 1 (2014): 23–46.

other side. While this served to fortify a shared sense of fate among consumers and consumerists against their “enemies,” it also reaffirmed the stereotype of consumers as individualized and politically ineffectual.

In social movement research, the process of consciousness-development has often been linked to a specific kind of political consciousness: oppositional consciousness. The concept of oppositional consciousness builds on studies of the working-class that looked into the development of class consciousness (with Thompson’s *The Making of the English Working Class* being the prominent example). Yet, with the “new social movements” of the late half of the twentieth century, scholars extrapolated the process of consciousness-raising to any kind of oppressed group facing a system of social domination.⁶⁹ Oppositional consciousness, thus, was defined as “that set of insurgent ideas and beliefs constructed and developed by an oppressed group for the purpose of guiding its struggle to undermine, reform, or overthrow a system of domination.”⁷⁰ Morris and Braine proposed a triple typology of movements: general liberation movements, equality-based special-issue movements (e.g., the pro-choice movement), and social responsibility movements. The consumer movement falls under the latter category, as its members do not come necessarily from an oppressed group, but rather “choose[s] to assume and internalize the appropriate movement identity.” Its members therefore “must develop almost from scratch their collective identities, appropriate injustice frames and an oppositional consciousness,” and, in contrast to liberation movements, cannot tap into a pre-existing segregated culture.⁷¹ In the consumer movement, this could have proved as particularly challenging due to the universality of the consumer status – everybody, without exception or opposition, is a consumer. However, this was not the case, and the activists in consumer organizations maintained a clear oppositional consciousness, which they attempted to foster

⁶⁹ Aldon D. Morris, “Political Consciousness and Collective Action,” in *Frontiers in Social Movement Theory*, ed. Carol McClurg Mueller and Aldon D. Morris (New Haven, Conn.: Yale University Press, 1992), 351–73; Gamson, “Social Psychology of Collective Action,” 65–71; Sharon A. Groch, “Oppositional Consciousness: Its Manifestation and Development. The Case of People with Disabilities,” *Sociological Inquiry* 64, no. 4 (Fall 1994): 369–95; Jane J. Mansbridge and Aldon D. Morris, *Oppositional Consciousness: The Subjective Roots of Social Protest* (Chicago: University of Chicago Press, 2001).

⁷⁰ Morris, “Political Consciousness and Collective Action,” 363.

⁷¹ Aldon D. Morris and Naomi Braine, “Social Movements and Oppositional Consciousness,” in *Oppositional Consciousness: The Subjective Roots of Social Protest*, ed. Jane J. Mansbridge and Aldon D. Morris (Chicago: University of Chicago Press, 2001), 36-37.

among their constituents. This injustice framing tapped into a well-known American cultural trope of contrasting the “little man” with the big establishment, especially big business.

The formulation of this opposition is made very clear in analyzing various communications related to the movement. Here, for example, is how this opposition was explained by Betty Furness, former Special Assistant to the President on Consumer Affairs, to the audience at a 1971 symposium on “the challenges of consumerism”:

“The consumer game is a game everybody plays whether they want to or not. The world is roughly divided into two teams. On the one side are the consumers; on the other, the people producing things for them to consume. The consumer game is a difficult game, in part because one team seems to have invented the rules while the other team has been left to guess what they are. [...] the one team has the advantage of putting up other people’s money while the consumers put up not only their money, but also their health, safety, and convenience.”⁷²

Of course, the members of the consumer movement knew, and had to face the problem, that this division into “two teams” is not as simple. Consumers also participate in the workforce, and “the people producing things” are in themselves consumers. Nevertheless, consumer activists and advocates consciously maintained the adversarial worldview, as can be demonstrated in the following excerpt from a memoir of Californian consumer activist Roy Kiesling:

“There are thus surprising depths to seemingly trivial issues that have arisen in [...] dialogs, over this past decade, between “us” and “them,” even at the same time that it has often been quite unclear who “us” and “them” really are. [...] we are talking now about the marketplace, which is always a place where some of us are buyers and some of us are sellers. [...] If there is any single new perception or awareness that lies at the foundation of the consumer movement of the 1970s, it is the realization that methods are being used in the marketplace that go far beyond any traditionally accepted limits of persuasion, cajolery, or even manipulation. They amount, ultimately, to *coercion*. We who looked and thought hard about the problems of the marketplace began to understand that we were seeing exercised of unbridled and unconscionable power, usually in the hands of large corporations, [...] Through our help, the consumers of America began to see themselves, quite correctly, in the bizarre role of a persecuted majority.”⁷³

A similar logic, even more clearly distinguishing between the “us” of consumers and “them” the businesses, is given by CEPA activist and founder Max Weiner when confronted with this question by a young Terry Gross in an interview on a Philadelphia radio station in 1981:

⁷² Betty Furness, “Rising Consumer Expectations,” in *The Challenge of Consumerism: A Symposium*, ed. E. Patrick McGuire (The Conference Board, 1971), 15. The symposium was organized by the Conference Board, a politically moderate business membership organization. The speakers included business executives, academics and government officials, but there was no speaker from any consumer organization. Furness was the closest among the speakers to “represent” the consumer movement’s views.

⁷³ Roy A. Kiesling, *Report to Those Most Concerned: A Memoir of the U.S. Consumer Movement 1970-1980*, ed. John Brady Kiesling, Amazon Kindle Edition (Self-published, 2012), ch. 1. (Kiesling’s memoir was published posthumously in 2012 but was written in 1981. The edition published was minorly edited in 1993.)

TG: “What does engulf us together as consumers? Because we’re all consumers. Even the people who raise the rates are consumers of something.

MW: “Well, it’s true; but *we look upon the consumers as sort of as “We against them;” “Us against them.”* It’s true, the people who raise the rates are consumers. But we’re talking about the people who pay the bills, not those who raise rates. And we’re trying to organize the bill-paying... *the average, ordinary, everyday bill-paying consumers.* We know that *bank presidents, insurance executives, utility executives* are also consumers, but they have very little difficulty in paying the bills that we encounter. [...] We realized that what consumers had to do was to organize and confront the people who control the marketplace. We realized that *we had to come into opposition* with those who are setting the rates, making the decisions upon which and with which we had to live.”⁷⁴

The communications of CEPA give ample examples to such oppositional rhetoric of “us against them”, especially in its newsletter, *Consumers Voice*, which adopted the slogan “Let the Seller Beware.” Like the picketing lines and rallies that the group organized in front of businesses and government offices, the issues of the newsletter repeatedly call to “fight the swindlers” and “wipe out consumer fraud” and similar headlines.⁷⁵ Such militant language and rhetoric were not unique to the militant CEPA, nor to the protests of low-income consumers whom CEPA organized. In the late 1960s and early 1970s, such oppositional language was in fact very common among more mainstream publications about consumerism or the consumer movement, catering to middle-class consumers, including suburban women consumers.⁷⁶

Of course, this framing of “the innocent consumer,” versus unscrupulous Big Business is not new, and it draws upon a familiar cultural trope that goes back at least to the turn of the twentieth century. In its 1960s-70s consumer movement rendition, it was probably influenced by the broader political and cultural environment of the period, with the various protest movements and New Left making headlines, and with counterculture becoming basically an element of mainstream culture. Still, in the context of the consumer movement, it is interesting that the rhetorical militancy was appropriated to describe the relationship of consumers to businesses,

⁷⁴ “Organizing Consumers with Max Weiner,” *Fresh Air* (Philadelphia: WHYY, June 18, 1981), Fresh Air Archive. Emphases added.

⁷⁵ As an example, see “City Hall Rally Pushes Fight Against Frauds,” *Consumers Voice*, vol. 1, no. 2 (October 1966), 1; or the electoral ad for the Consumer Party that calls: “Clean the Crooks and Grafters Out of City Hall! Drive the Swindlers Out of Business,” in *Consumers Voice*, vol. 4, no. 4 (April 1969), 4. Other examples: “Consumer Organization Fight for Recognition at Governor’s Conference,” *Consumers Voice*, vol. 7, no. 4-5 (April-May 1972), 4; “Consumers Battling Inflation: Fight Back on Every Front,” *Consumers Voice*, vol. 9, no. 12 (December 1974), 1.

⁷⁶ To note just a few examples, Sidney K. Margolius, *The Innocent Consumer vs. the Exploiters* (New York: Trident Press, 1967); David Sanford, *Hot War on the Consumer* (New York: Pitman Pub. Corp., 1969); Lucia Mouat, *The Consumer Fights Back* (Boston, MA: Christian Science Pub. Society, 1970); Goody L. Solomon, *The Radical Consumer’s Handbook* (New York, Ballantine Books, 1972).

and that the combative tone was often used even when the tactics involved were not particularly confrontational. As a matter of fact, even the tried-and-true method of price comparison was depicted in confrontational and militant language. For example, the grassroots consumer group San-Francisco Consumer Action published in 1973 a consumer guide entitled "Break the Banks!" While SFCA often used, like CEPA, confrontational tactics of picketing and demonstrations, this guide was essentially a price-survey of services and fees charged by banks and other financial institutions in California. It was thus employing a rather conventional practice, which has been in use by consumer groups and even competing businesses for decades. Still, the rhetorical choice for the title highlights an oppositional stance, as did the announcements on the publication, noting that it "reveals many unfair and deceptive banking practices."⁷⁷ In a similar manner, in a report on a price survey of grocery stores conducted by the Tennessee Consumer Alliance, an incidence is described in a language that highlights the hostility and power imbalance between the consumer activist and seller:

"When a surveyor encountered a supermarket manager who 'took away his survey sheet and 'requested' that he not take any more prices,' the surveyor went on to other stores. On a second try, however, the manager 'not only again ejected me from the store,' says the surveyor, 'but he gathered his stockboys at the door to threaten me on my way out about what would happen to me should I return. I wonder what he had to hide.'"⁷⁸

Such militant rhetoric often characterized the actions of grassroots groups, who were keen to engage in direct action. Furthermore, even the established leaders of the more mainstream Consumer Federation of America repeatedly expressed the oppositional stance in language that referred to the movement's "enemies." This characterization can be seen already during the nascent attempts to organize consumer groups on a national scale, following the hostile response of the business community to these attempts. In 1966, while these efforts were still championed by him and a handful of others, Father McEwen was astounded by "the way much of American business react to the organized complaints of consumers." He asserted, "I view this violent reaction as an open invitation to extremism and conflict [...] an examination of the defensive and hostile reaction of business to consumer complaints can lead only to the conclusion that business

⁷⁷ "Break the Banks - a shoppers' guide" *CFA Consumer News and Comments* (January 1974), p. 7.

⁷⁸ "Consumers on the March" *News from CFA* (November-December 1971), p. 7.

is unwilling to treat seriously a serious spokesman for the consumer point of view.”⁷⁹ On this backdrop, it is not surprising that even McEwen, who later advocated for direct negotiations between consumer advocates and business, used the militant metaphor of “enemies.” On the celebratory occasion of CFA second annual conference, he was happy to refute “our enemies” who predicted “that this effort to organize U.S. consumers would come to naught just as surely as all previous attempts.”⁸⁰

In 1972, CFA was already several years old, and while still beset with financial and other organizational problems, the threats that the organization would not last must have seemed less ominous. This probably allowed a more lighthearted approach toward the movement’s still fierce opposition. CFA announced that it would award a “Questionable Service Award” recognizing “the consumer enemies” at the 1972 Consumer Assembly (as a concomitant to the Distinguished Service Award that the Federation began to grant in the previous year). The Award was introduced as follows:

“Consumers have plenty of enemies these days, some of whom are speaking regularly and frequently about the organized consumer as a threat to the American system. Belatedly, CFA decided to “honor” the adversaries of the consumer and, at the same time, inject a few laughs into the otherwise dead-pan seriousness of Consumer Assembly '72. The result will be “CFA's Blackouts of 1972 -- Belated Recognition of the Forces Which Have Labored to Keep the Consumer in the Dark.” [...] to individuals and organizations which have tried to do in the consumer; perhaps to those who call us the “disaster lobby” or “the most serious threat to free enterprise since Lenin.” [...] Please send in your nominations of the people who have said the nastiest things about us.”⁸¹

The humorous tone and character of the event should not belie that this event too demonstrates a method of developing oppositional consciousness, as part of strengthening the consumer collective identity. Other examples of fostering such oppositional stance took graver tones. The following letter from a consumer was published in CFA’s newsletter, apropos campaigning the Food and Drugs Administration for childproof containers for medications and poisonous products. As part of its mobilization efforts, CFA encouraged consumers to send their comments to the FDA, and brought a few examples, including this:

⁷⁹ Quotes from McEwen’s Presidential Address to the annual conference of the American Council on Consumer Interests in 1966, brought in McEwen, “Plenary Session – Partnerships Pay Dividends,” (1986) see footnote 45.

⁸⁰ McEwen, “Report of the President to the Second Annual CFA Convention,” August 23, 1969, in: CFA Records, Box 1, folder 2.

⁸¹ “CFA to Recognize ‘Consumer Enemies’ - Send in Your Nominations” *News from CFA* (November-December 1971), p. 3.

“It is truly indicative of our warped priorities in this nation when businesses are allowed to promote and sell dangerous household materials with less than maximum protective methods...Manufacturers will cry that they will have added expenses [...] Let them cry. Parents with poisoned youngsters have cried, too, and children are more important than anyone's profits.”⁸²

As these examples and others demonstrate, members of the consumer movement maintained oppositional consciousness of “us against them.” This approach listed on the side of the adversaries the “consumers’ enemies,” namely business, portrayed especially as big, profit-seeking, and organized in their efforts to thwart efforts of consumer protection. On the other side of the equation, it is interesting to note that often in the consumer movement’s discourse stood not the organized consumer groups, the movement members, but their constituents, the general consumers. To quote Max Weiner from the abovementioned interview, these were “the average, ordinary, everyday, bill-paying consumers.” Moreover, often in the movement’s communication, this was not the consumers in plural, but the single consumer – the “little man,” or every so often, woman. Of course, this was a discursive strategy that helped to emphasize the injustice frame of the power imbalance between the consumers and their opposition in the form of big business. However, this strategy often served to reaffirm the stereotype of the consumer as weak and ineffectual rather than mobilize consumers as a group to engage in collective action. A graphic example – extreme though not atypical – is shown in image 5-1: a caricature from one of CFA's newsletters that uses the Jolly Green Giant mascot of the food company Green Giant Co. The item accompanying the caricature told that the company hired lobbyists to oppose the consumer movement’s campaign for an independent federal consumer protection agency. It also mentioned that it was only one of the firms in the Grocery Manufacturers Association, which alongside other trade associations and industries mounted the opposition to the movement’s campaign. But Giant and their mascot were chosen to symbolize the concerted corporate opposition. Other communications also occasionally referred to corporations as Giants or to the specific brand.⁸³

⁸² “Consumers Responding to Poison Prevention Packaging,” *News from CFA* (October 1971) p. 4.

⁸³ A reference to the Green Giant, see Stephen A. Newman and Nancy Kramer, *Getting What You Deserve: A Handbook for the Assertive Consumer*, A Dolphin Book; (Garden City, N.Y.: Doubleday, 1979), Chapter 1, “Green Giants and White Knights: Advertising.” Another example for the referral to consumer adversaries as giants can be found in the words of Kay Pachtner, president of San Francisco Consumer Action, in a focus article that the CFA newsletter dedicated to the group. Her quote reads as another demonstration for the oppositional consciousness that emphasizes the adversary relations: “The giants dictate what we'll manufacture, how we'll use raw materials and

Figure 5-1: "The Unfriendly Green Giant," from CFA News⁸⁴



Aside from this imagery of businesses as giants, another common metaphor in the consumer movement's discourse is that of David and Goliath. This metaphor again demonstrates how oppositional consciousness was fostered to illustrate the power imbalance between big business and the single, "little" consumer. It was invoked, for example, by the director of the National Consumer Law Center:

"Perhaps the most important deficiency in the approach of the past decade has been the fact that the governmental institutions which have represented the consumer interest [...] have themselves been without the necessary resources to adequately represent consumers. In virtually every area of consumer law those seeking to make the case for the consumer have been cast in to the fray with the proverbial slingshot to face the Goliath of the moment. For its part, the industry seeking to have legislation adopted or defeated is better organized and better financed."⁸⁵

It should be noted that the NCLC Director spoke here to an audience of governmental officials, who were in charge of consumer affairs offices. His address was on the issue of the

energy, how much tax money will go into our permanent war economy instead of into 'people' programs [...] These decisions are being made in secret corporate meetings, by executives whose cynical contempt for the public welfare borders on the criminal. These giants have the regulatory agencies securely in their pockets, saddling consumers with the financial burden of an ineffectual bureaucracy". ("FOLKS: Focus on Local Consumers: Consumer Action," *CFA News* (Sept. 1975), 1.

⁸⁴ "The Unfriendly Green Giant," *CFA News* (November 1974), 2.

⁸⁵ "Remarks of Richard Hesse, Executive Director of the National Consumer Law Center before the National Conference for State, County and City Consumer Affairs Administrators," June 19, 1974. NCLC Records, Box 2, folder 20.

representation of the consumer interest in the government. This issue stood at the heart of the central campaign of the consumer movement, especially the Washington-based leadership in CFA and in other consumer lobbying groups. The need for consumer representation in the government was justified on the same grounds that fueled the development of oppositional consciousness, that is, the power imbalance between everyday consumers and the powerful business, who exerted their influence on government as well. For example, the CFA Executive Director explained the need for the proposed consumer protection federal agency by saying:

“Nobody in government works full time for the people [...] Laws already on the books fail to be implemented because under the existing system business and industry dominate regulatory agency decisions – decisions which affect the daily lives of all citizens.”⁸⁶

Focusing most of their lobbying efforts in attempts to influence government officials and administrative regulators, CFA advocates were usually careful in their language not to draw an opposition between consumers and government. Still, government and business were often portrayed as collaborating in opposing the consumers. For example, reporting on the resignation of an FDA executive to join a multinational company, CFA noted that “this kind of musical-chairs switch between regulators and the regulated” was not uncommon, and “didn’t do much to enhance the credibility of FDA’s integrity.”⁸⁷ In other cases, CFA advocates used the purported business influence on government as a mobilizing incentive in their calls on consumers to contact government officials and exert counter pressure to industry’s influence. These calls were meant either to protest policies deemed detrimental to consumers or even to express support when pro-consumer policies were considered. For example, regarding a USDA regulation that CFA promoted, they wrote to their consumers urging them to send their written support: “So USDA *doesn't get cold feet*,” one item stated, “consumers should be sure this agency has plenty of support for its proposed [...] new regulation [...]”⁸⁸ In other cases, in organizations such as MoPIRG, oppositional discourse was used that put more clearly business and industry besides government, contrasting them with citizens and “the average person” on the other side. A typical line from a brochure that MoPIRG authored to the public reads: “Our *economic system* and

⁸⁶ “A Consumer Protection Agency This Year?” *News from CFA* (November-December 1971), p. 1.

⁸⁷ “FDA on Upswing with Open Door Policy... Almost,” *CFA News and Comments* (June 1972), 6.

⁸⁸ “Support Needed for New Bacon Packaging Regulation,” *CFA News and Comments* (June 1972), 3. Emphasis added.

government structure has grown so large that *the average person* has little to say about the major economic and political decisions that affect us all.”⁸⁹

To conclude this section, the discursive analysis of the consumer movement’s communication and messages clearly shown that oppositional consciousness was developed to form the consumer collective identity. In this opposition, on the one side stood consumers and their representatives, and on the other side business, especially big and organized, often portrayed as greedy and unscrupulous. Moreover, developing oppositional consciousness within the consumer movement can be seen on two overlapping collective levels: the movement level and the constituency, that is, the solidary/category level. On the movement level, consumerists maintained a clear sense of opposition with the business community, often referred to as the “enemies” of the movement. On the solidary/category level, and in the context of fostering oppositional consciousness among their consumer constituents, consumer activists and advocates used rhetoric and metaphors that emphasized the power imbalance between big business and the “ordinary consumer,” thus tapping into a familiar American cultural trope which posits “the little man” (or woman), or “ordinary citizen,” against “the establishment”. In this context, opposition was drawn between consumers to not only big business, but occasionally also the government. Yet the latter was portrayed less as opposing consumers per se and more as prone to the influence of big business. In drawing the opposition in this way, and in highlighting the powerlessness of the “little consumer,” consumer advocates grounded the justifications for their prime political demand of having consumer representation in the government. At the same time, in building on this imagery and stereotypes of the weak, individual consumer, the consumer movement fostered oppositional consciousness in ways that reaffirmed the political fragility of the consumer identity.

D. Politicization of everyday life: The consumer complaint as a vehicle of mobilization

The third and last component among the processes of collective identity formation that Taylor and Whittier identified is also the least studied in the social movement literature. This is the process they referred to as “negotiation” or “politicization of everyday life.”⁹⁰ Taylor and

⁸⁹ "Citizen Lobby / Join MoPIRG brochure," MoPIRG Records, Box 1, folder 6. Emphases added.

⁹⁰ Taylor and Whittier, “Collective Identity in Social Movement Communities”; see also Hunt and Benford, “Collective Identity, Solidarity, and Commitment.”

Whittier took the term “negotiation” from the symbolic interactionist tradition to highlight the “process by which social movements work to change symbolic meanings” in everyday situations, and the actions that movement members “use to resist and restructure existing systems of domination.” Their theoretical framework emphasized this everyday aspect of the movement’s identity-work in order to “distinguish analytically between the politics of the public sphere, or world transformations directed primarily at the traditional political arena of the state, and the politics of identity, or self-transformation aimed primarily at the individual.” The negotiation, then, refers to the latter, and it pertains to “forms of political activism embedded in everyday life that are distinct from those generally analyzed as tactics and strategies in the literature on social movements.” In the 1960s-70s consumer movement, this aspect of negotiation and politicization was demonstrated by the emphasis that consumer organizations put on consumer complaints. As I show in this section, consumers groups took great measures to encourage consumers to complain, and they provided them with instructions, with legal and practical information, and with useful frames of thought and scripts of action to do so. All of this was destined to prompt consumers to view themselves as aggrieved citizens, deserving to be heard and addressed, and to have their complaints redressed.

In other words, while the consumer movement was involved in “the politics of the public sphere” in their various lobbying efforts and endeavors to achieve consumer representation at the federal government level, it also persistently engaged, especially through its rank-and-file groups, in this more everyday form of politics and politicization of their constituents. They did that by informing consumers on their rights in the marketplace, instructing and encouraging them to express their voice when aggrieved, and making a dent in the power imbalance between business and “ordinary people.” In that sense, the vehicle of consumer complaint was a form of politicization of everyday life, and, in their emphases on “assertive training” for consumers, the politicization of the self (perhaps combining the feminist insight that “the personal is political” with the Marxian insight the economic realm is by definition political). Thus, the consumer complaint and its propagating by the consumer movement constituted identity-work, which provided consumers with a political understanding of their identity as consumers and with matching actionable scripts. At the same time, however, consumer complaints were based on individual cases, and more often than not they were perceived and handled on individual bases, even when taken on by the consumer groups as part of their movement activity. Therefore, like

drawing opposition between big business and the ordinary consumer, this process too, of politicization and negotiation, allowed for the formation of a consumer collective identity. At the same time, however, it was often self-undermining for mobilizing consumers to collective action.

Nowadays, the right of unsatisfied consumers to complain to a business or a government agency seems to be taken for granted, if not even a characteristic of American culture (perhaps especially of white, middle-class American culture – attributed especially to women). Yet this was not always the case. During the late 1960s, it was not obvious to American consumers – neither middle-class individuals, nor, certainly, lower-income consumers – that they should or even could complain about businesses and business practices they deem unfair. In 1969-1970, a *Christian Science Monitor* reporter published a series of articles about consumer problems, consumer protection initiatives, and the consumer movement, which was then reprinted in a booklet entitled “The Consumer Fights Back.” In the introductory chapter, the author wrote:

“Spurred on by occasional success stories and their own rising indignation, a growing number of consumers are choosing to speak up loudly for what they see as their buyers’ rights. [...] To some degree this challenge to the establishment holds the same kind of excitement for adult shoppers, who see that the marketplace is not as it should be, as it does for student dissidents working on war moratoriums and helping the poor. Certainly it’s a big shift from the mid-1960’s. Mrs. Esther Peterson recalls: ‘I felt we’d never get anything done until we made people realize they were consumers, to start questioning things they’d been taking for granted.’ Today, she admits, she has ‘real satisfaction in that awareness.’”⁹¹

In remarking about “making people realize they were consumers,” Peterson implicitly adumbrated the connection between collective identity, grievances, and mobilization to action. Obviously, people who made purchases already knew they were consumers, but Peterson referred to the task that consumer activists took upon themselves to activate this identity as a collective one. A way to achieve this collective identity was to emphasize that consumers were united by their grievances - which were individual in their specific details, but nonetheless shared basic and structural features (of dissatisfaction with the marketplace, and the inability to resolve this dissatisfaction within the marketplace) – and to use this identity as a justification for claim-making. In other words, raising consumer awareness was a mission for the consumer movement, and the form of interaction that complaints constituted was a vehicle to do so. This was done by providing venues and forums for consumers to complain, by studying and

⁹¹ Mouat, *The Consumer Fights Back*, 2–3.

researching the complaints thoroughly, and by engaging in consumer education through teaching consumers that they can and should complain and showing them how to do so.

Probably the first civic organization established to receive and handle consumer complaints, and certainly the first one to utilize a specialized phone line to do so, was Call for Action, founded in 1963. Unsurprisingly, it was founded in New York City, where consumer protection legislation had been developed since the late 1950s, and where Consumer Protection governmental units had already existed at both municipal and state levels. Operated by volunteers, the consumer-complaint “hotline” was initiated and first directed by media personality and philanthropist Ellen Sulzburger Straus. Straus and her husband owned a local radio station, which housed the “hotline” in its offices and publicized it in its broadcasting. This model spread to other cities and local media stations, and, in 1969, Call for Action established a national office in Washington, D.C. with branches in various cities, which were most often housed at local radio or TV stations. The volunteers instructed callers on how to handle their complaints, provided numbers and references of proper bureaucratic agencies or corporate offices, and at times would follow up themselves. The association with a media station obviously boosted the efficacy of the volunteers’ ability to handle complaints. Oftentimes, the off-the-air “hotline” service would combine with an on-air call-in radio or TV program. In 1978, Call for Action had over 40 local branches and about 2500 volunteers. (This count does not include other “hotlines” for consumer complaints that were copied in other media stations). It is perhaps questionable whether Call for Action fits the definition of a “social movement organization,” and whether its volunteers should be considered members of the consumer movement, but the model was in any case effective in informing consumers about ways to complain. It certainly coincided with and informed the work of the consumer movement at the time.⁹²

Besides the “consumer complaint centers” of Call for Action volunteers, various local consumer groups operated their own avenues for consumers to send and voice complaints. This was sometimes in the form of hotlines, and other times in providing a local contact of the group to bring up consumer grievances and complaints about specific businesses and purchases. Another form of consumer organizing around complaints resulted in grassroots organizing that

⁹² Shirley L. Rooker, “Call for Action,” ed. Stephen Brobeck (Santa Barbara, Calif.: ABC-CLIO, 1997). See also “Ellen Straus, Who Founded ‘Call for Action,’ Dies at 69,” *Washington Post*, February 27, 1995. On the St. Louis station: MoPIRG records, Box 2, folder 44; The 1978 data is from: Charles B. Cleveland, “Call for Action Combines Volunteers and Radio to Get Problems Solved,” *Illinois Issues*, January 1978.

rallied direct actions and more confrontational tactics. Two local groups provide examples for this form of organizing. One is the Consumer Education and Protective Association (CEPA) that operated initially in Philadelphia's neighborhoods. CEPA built its reputation around handling individual complaints, and it also used complaints as a recruitment tool of membership and resources. Complainants were asked to join the Association as members, to contribute an initial small sum of money (\$10, or \$25 for complaints about amounts larger than \$100), and to donate to CEPA 10% of the total amount received from the business as a result of handling the complaint. Complainants were also asked to participate in the actions that were taken in order to resolve their complaint. These included direct negotiation with the business, publicity, attending public meetings, and picketing – the tactic usually taken when the complaint was not resolved after an initial negotiation attempt. The group's newsletter is filled with "success stories" of individual complaints, often featuring the happy complainant holding the check they received from the business as a refund.⁹³

Another example comes from the group San Francisco Consumer Action (SFCA). SFCA was established in 1971 around a "complaint hotline" that operated from an office set up "in a nook donated by a San Francisco church." Following the flood of complaints that the group volunteers received over the phone, they utilized a van as a "mobile complaint unit". Soon enough, San Francisco Consumer Action also started to use the methods of picketing and staging demonstrations to protest against specific businesses. A few years after its foundation as a volunteer-based group, the organization hired full-time staff and started conducting and issuing price surveys of different products and services. Later in the 1970s, the organization expanded its activity to lobbying for legal reforms, and in the 1980s it veered toward serving the constituency of low-income consumers, providing educational materials in multiple languages. This expansion to new constituencies may indicate the declining need, over the 1970s, to "educate" and assist middle-class consumers in bringing forth their complaints. But the group continued to operate its complaint hotline, "Consumer Switchboard," throughout the end of the 1970s, and continued to operate a complaint hotline as it expanded nationally and shifted toward focusing on consumer

⁹³ Examples of a Complaint Form and an Authorization Form are found in HSP, CEPA Records, Box 4, folder 1. For a couple of examples of "success stories," see "Picketing Settles Dispute: Girard Discount Corporation Ends Harassment of Co-Signer," *Consumers Voice*, vol. 5, no. 1 (January 1970), p. 7; "Longest Picket in CEPA History: Apple Storage Settles," *Consumers Voice*, vol. 5, no. 12 (December 1970), p. 1–2.

advocacy and education in the 1980s and the 1990s. Its activity during the 1970s shows the use of complaints as a mobilizing tool, a strategy shared by the larger consumer movement.⁹⁴

In 1974, Ralph Nader's Center for Study of Responsive Law established a Consumer Complaint Project that aimed to conduct a systematic study of consumer complaints. The research was coordinated by a Center's staff lawyer, Arthur Best, with the supervision and cooperation of a couple of professors of Business Administration. The research was assisted by the volunteers of Call for Action, who conducted the survey in their respective cities. Overall, more than 2,400 interviews were conducted in 34 cities. The findings of the study were released in 1976 and were also published in a few subsequent academic publications. In the report's media release, its authors emphasize the need to distinguish between perceiving complaints and voicing them. In both of these components of the complaint process, the study found deficiencies that hindered consumers from getting solutions to their problems. It also found the consumers are influenced by a sense that it is somehow illegitimate to complain, and this affects both aspects of perceiving their problem and voicing a complaint about it. Unsurprisingly, this tendency was greater among consumer of lower income.

Furthermore, the study found that of the problems that consumers did perceive, they voiced their complaints only in about a third of the cases. Of these voiced complaints, only a little more than a half were satisfactorily resolved. The bottom line of the study was indicated in the title of the news article reporting it: "Consumer Urged to Complain More." The study made several suggestions for reforms to encourage more complaints, including expansion of the Small Claims courts in the states, training advisers in consumer law, and establishing consumer groups to help express such complaints. The study might have prompted the Consumer Federation of America to publish a brochure about "How to Form a Consumer Complaint Group."⁹⁵ In addition, the study emphasized the need for consumer education that would help consumers learn about the possibilities to complain.⁹⁶

⁹⁴ Henry Weinstein, "Spotlight: Inside a Consumer Group," *The New York Times*, February 9, 1975; Linda Sherry, "Consumer Action," ed. Stephen Brobeck (Santa Barbara, Calif.: ABC-CLIO, 1997); see also the group's history on the organization website "Consumer Action - The Evolution of Consumer Action," Consumer Action, October 2018, https://www.consumer-action.org/about/articles/evolution_of_consumer_action/; newsletters of the organization, mostly from 1979 to 1982 (the period of the organization's transition to advocacy), can be found in CERN Records, Box 4, folder 37.

⁹⁵ CFA Records, Box 7, folder 6.

⁹⁶ "Press Release: Nader and Call for Action Release Consumer Complaint Report," June 14, 1976; Associated Press, "Consumers Urged to Complain More," *Washington Post*, section C. p. 24 (June 14, 1976). Both in CERN

One such initiative of consumer education was a program training how to become an “assertive consumer.” This program was taken by the oldest national consumer organization, the National Consumers’ League, that had been reinvigorating its ranks since the beginning of the 1970s. At the end of 1976, the organization launched this program, first tested in metropolitan Washington, D.C., and then expanded nationally. The program’s purpose was to “link information and confidence-building on an individual basis to the enforcement of consumer laws.” It therefore combined factual knowledge – about new consumer legislation in the credit area (“Truth in Lending,” credit reporting, and more) and product warranties in particular – with “assertiveness training.” The training workshops disseminated written manuals, but also included role playing lesson-plans and homework assignments in the community. The program worked on the principle of “train the trainers”: to the pilot program, 50 people were invited from 25 community organizations, including local affiliates of national groups such as the League of Women Voters and community service agencies for senior citizens, low-income consumers and pre-released inmates. They underwent the training themselves and were provided with the training and educational materials. They were then sent to conduct the trainings in their own communities and organizations. In the first pilot year, over 600 people were trained in the “Assertive Consumer” program. In the second year it expanded to four other locations in which “trainers” would be trained, and 4,500 individuals passed through the program. Some local groups made changes and adaptations according to their needs. For example, a senior citizens consumer group highlighted assertiveness regarding medical services and housing, and for a low-income consumers group, the materials about credit reporting and loan refusals were replaced with materials on loan sharks and credit unions.⁹⁷

Another initiative of consumer education was taken up by the MoPIRG, who published in the summer 1976 a “Consumer Complaint Guide”. The guide was written specifically for consumers in the St. Louis area. It was publicized as prepared “especially for consumers who are tired of poor merchandise, high prices, and questionable business practices,” as a tool that enables them

Records, Box 3, folder 29. In the following years, the research’s results were published in academic venues, and eventually as a book: Arthur Best and Alan R. Andreasen, “Consumer Response to Unsatisfactory Purchases: A Survey of Perceiving Defects, Voicing Complaints, and Obtaining Redress,” *Law & Society Review* 11, no. 4 (April 1, 1977): 701–42; “Consumers Complain—Does Business Respond,” *Harvard Business Review* 55, no. 4 (August 7, 1977): 93–101; Arthur Best, *When Consumers Complain* (New York: Columbia University Press, 1981).

⁹⁷ Sandra L. Willett, “Consumer Education: An Activist Approach,” in *Consumer Activists: They Made a Difference*, ed. Erma Angevine (Mount Vernon, N.Y.: Consumers Union Foundation, 1982), 288–93.

“to fight back and use this handbook as an aid.” The 40-pages booklet is designed with big and clear font, and the text is accompanied with cartoons and illustrations. It was written by one of MoPIRG staffers and sold to the public for \$1 and to students for half price. The introduction acknowledged that “we all have experienced consumer problems,” and stated that “the consumer who shrugs off poor merchandise, high prices, and questionable business practices will never solve these problems.” However, it said, “There is a real skill to being a consumer complainer and stating your case in an intelligent manner. This skill will produce a high success rate in resolving consumer complaints.” The guide itself was divided into three chapters, with the first chapter explaining how to enhance the general “skill” of being a consumer complainer, and the next two providing concrete information. The first chapter, for example, instructed consumers how to approach the business about which there is a complaint in “direct action,” and it also provided guidelines to writing a complaint letter and a letter sample.⁹⁸

In the next two chapters, the guide brought useful and updated information for St. Louis consumers, and it detailed relevant advice specific to the area. In its second chapter, the guide listed avenues that consumers can turn to in case that approaching the business directly did not resolve the complaint. These varied from the local Better Business Bureau, through the St. Louis Call for Action branch, and unto local and federal government offices and agencies. One of the avenues highlighted in the guide was the Small Claims court of St. Louis, which opened in the same month of the publication of the guide, August 1976. (Since its inception in 1971, MoPIRG was very active in advocating and lobbying for a Small Claims court in St. Louis.⁹⁹) The last chapter of the guide informed consumers about their rights under federal and state consumer law – once again, MoPIRG was itself involved in lobbying for influencing some of the laws mentioned, especially at the state level. The legal explanations were brought in plain and actionable language, on topics such as “Door-to-Door Sales,” “Borrowing Money,” “Opening Your Credit File,” and “Buying a Car”. It should be remembered here that the late 1960s and 1970s saw an enormous change in the legislative framework regarding consumers, and many of

⁹⁸ Sources: SHS-MO, MoPIRG Records: Press Release: “Consumer Complaint Guide Published”, July 30, 1976, Box 1, folder 13; MoPIRG’s Newsletter item: “Consumer Complaint Guide Published,” *MoPIRG Reports*, Vol. 4, no. 1 (Spring 1976), p. 4, Box 5, folder 152; *The Consumer Complaint Guide - A Publication of MoPIRG Foundation*, St. Louis, Missouri: August 1976, Box 5, folder 144.

⁹⁹ MoPIRG Records, Press Release: Statement on the need of Small Claims Court (June 1972), Box 1, folder 10; “Small Claims Courts Starts Operation,” *MoPIRG NewsNotes* vol. 4, no. 1 (Fall 1976), Box 5, folder 152.

these rights and legal privileges of consumers were fairly or completely new, such as the Equal Credit Opportunity Act that was passed in 1974 (in the Guide under “Women Applying for Credit”) or the Magnuson-Moss Warranties Act enacted in 1975 (“Warranties” section in the guide). The MoPIRG Guide, then, served as an informative source in a changing legal environment, providing consumers with knowledge about more “rights” than they had before and with ways to assert them.

Of course, businesses too were adjusting to the changing social and legal environment. While this meant primarily having to adapt to new consumer protection regulations (such as the 1975 Magnuson-Moss Warranties Act), it also meant changing the ways of interacting with consumers and responding to the various complaints. This also provided businesses and business groups opportunities to directly engage in “consumer education” initiatives. Naturally, they were emphasizing less the training of “assertive consumers” and more the satisfactory results of cooperative dispute resolution. Early changes came already in the beginning of the 1970s. In the Conference Board-sponsored symposium on “the Challenge of Consumerism,” a business executive addressed the audience about the business community’s role in consumer education, and in mitigating justified consumer’s frustration:

“Let’s face it, the sheer bigness of business is a part of the problem. One can feel little and lost amidst all this talk about the billion-dollar economy [...] Little as the consumer appreciates mass-production and mass distribution, she’s even less friendly, loyal, and tender toward products she recognizes as lovingly handcrafted by the computer. [...] ‘consumerism’ is really a manifestation of the frustrations ordinary people feel as part of a huge and overpowering system. [...] this need, may be simply defined as ‘someone to talk to’.”¹⁰⁰

This executive’s ambitious program for business-initiated consumer education included TV advertising, devising consumer curricula for the education system, and more. It also designated a more immediate role to the Better Business Bureaus, the old non-profit organization (which was founded six decades earlier as a response from the business community to growing consumer frustration about misleading advertising). Indeed, the Better Business Bureaus conducted in 1971 a robust reorganization to strengthen their national headquarters and refurbish its local affiliates, and the organization’s leadership laid out a plan that included setting up “consumer arbitration panels” in cities and specific industries, building a national consumer information bank, and

¹⁰⁰ Elisha Gray, “Educating the Consumer,” in *The Challenge of Consumerism: A Symposium*, ed. E. Patrick McGuire (The Conference Board, 1971), 76.

developing a broad consumer education program.¹⁰¹ Other business organizations and trade associations were setting consumer affairs departments, “Consumer Action Panels,” and complaint-handling units. In 1973, with the aid of the Council of Better Business Bureaus, a national association was established for corporate consumer affairs professionals.¹⁰²

Another consumer education initiative was published in 1982 in the form of a short booklet, entitled “How to Talk to a Company and Get Action.” It encouraged consumers to address companies regarding their various questions and problems (the word “complaint,” however, did not appear in it). In some ways, it was quite similar to the 1976 Guide published by MoPIRG in that it gave instructive and informative practical advice. “[T]he reason for this booklet,” it asserted, was “to tell you *how*. *How* to find out where a company is located; *how* to find out who to contact; and if there is a problem you need resolved, *how* to get quick results.” Like the MoPIRG Guide, it explained how to locate the right place to handle a problem, how to write a letter, and what information to include in it. It also provided further avenues to turn to, under the title “Other Industry Sources,” and mentioned the Better Business Bureaus and various “Consumer Action Panels” of different industries. Unlike the MoPIRG Guide, it did not mention the Small Claims Court, nor did it refer to any consumer organization. It also did not list any governmental office, neither federal nor local nor state consumer affairs offices, but it did note that “many people feel that going to the company will do no good and, therefore, don’t give the company a chance. As a result consumers tend to turn to outside sources, like a government agency, when in fact going directly to the company is the most time efficient and simplest course.” Bearing no logos or trademarks, its publisher was indicated in very small letters, at the

¹⁰¹ “Better Business Bureaus Prepare for Action,” *Changing Times (Pre-1986)* 25, no. 11 (November 1971): 21.

¹⁰² It is worth reminding that upon leaving the White House in 1969, former Presidential Consumer Advisor Ester Peterson took a position as the Vice President for Consumer Affairs in Giant Food, which was a newly formed position devised according to Peterson’s demands. See Esther Peterson, *Restless: The Memoirs of Labor and Consumer Activist Esther Peterson* (Washington, DC: Caring Pub., 1995), 138–58. A “Consumer Sourcebook Directory from the mid-1970s gives indication of the consumer affairs departments, of specific business and of business organizations, as well as of three “consumer action panels” of trade associations, all of which were newly formed (the first one was the Major Appliances Consumer Action Panel, established 1971). See Paul Wasserman, *Consumer Sourcebook; a Directory and Guide to Government Organizations; Associations, Centers and Institutes; Media Services; Company and Trademark Information; and Bibliographic Material Relating to Consumer Topics, Sources of Recourse, and Advisory Information*. (Gale Research Co., 1974); Harriet L. Blake, “Consumer Advocate, At Your Service,” *Washington Post*, February 22, 1981. For the Society of Consumer Affairs Professionals in Business (SOCAP), see Garcia, “SOCAP.”

bottom of the internal page of the cover, “Published in the interest of consumer education by the Consumer Information Center of The Coca-Cola Company.”¹⁰³

In sum, the consumer movement used consumer complaints as a central vehicle of mobilizing consumers. In the case of the Call for Action telephone hotlines and similar initiatives, these activities were simply mediating between consumers and businesses, using the advantage of being repeated players and the power of media (radio stations) to enhance the voice of individual consumers. In the case of groups like CEPA and SFCA, it was an actual tool of mobilization to collective actions (such as picketing and demonstration), and, in the case of CEPA at least, also recruitment to the organization and its future actions. In cases like MoPIRG’s Complaint Guide and NCL’s “assertive consumer” training program, this was a form of public education and a way to empower consumers. In all of these cases, whether implicitly or explicitly, the dissemination of the consumer complaint mechanism was also a way to propagate the movement’s philosophy of “consumer politics.” That is, it politicized consumers by articulating them as bearers of rights in the marketplace, and by thus providing them with a justification to make claims and demands and with a way of doing so. In Washington, D.C. and governmental forums, the movement’s interest groups advocated for consumer representation in the government, translating the “consumer politics” vision of adversarial position between consumers and business to demanding countervailing representation in policymaking forums. At the grassroots level, the consumer movement employed what Taylor and Whitter termed “politicization of everyday life”. It sought to provide consumers with tools, scripts, and cultural schemas that were destined to empower them to confront businesses and make a small dent in the perceived power imbalance in the marketplace.

Yet, at the same time that the consumer complaint mechanism had collectivizing and politicizing effects, it was in essence an individualizing mechanism. For this and other reasons it had also a depoliticizing effect. As a mechanism that allowed to identify grievances and address them, the consumer complaint exemplified the politicization of everyday life. Furthermore, it had a politicizing potential as it allowed to address consumer problems collectively. Whether or not it allowed consumers to see themselves as a collective group is a separate question (that I am unable to answer with the given historical data), but at least for the consumerists, it provided a

¹⁰³ “How to Talk to a Company and Get Action,” CERN Records, Box 4, folder 1. See in the same folder, also “News Release by the Coca-Cole Company, ‘Consumers: It Pays to Speak Up.’” (n.d.)

way to look at their constituency as a group unified in its aggrieved status. This was a unified status regardless of the specific complaint – whether a “lemon” bought from a Cadillac dealership or a creditor pursuing a transaction with unfair loan terms – and it offered a unified mechanism of solution: the complaint. At the same time, its unifying quality was matched with an individualizing logic: each complaint was unique, a result of an individual market-transaction, and susceptible to an individual solution. Even in the case of the more militant CEPA that used complaints as a mechanism for recruitment and mutual-aid provision, the organization publicized its success and effectivity through highlighting the individual success-stories. Furthermore, as prone to be solved on individual-case basis and as a mechanism publicized and disseminated through public (“consumer”) education, the consumer complaint mechanism was prone to be “co-opted” by businesses. The business community developed its own avenues and mechanisms for handling individual consumer complaints, in a “direct” way that eliminated the need for mediation by consumer groups or the government.

E. Conclusion

Looking back at her time as the California Consumer Counsel, Helen Nelson reflected on what she perceived was her biggest achievement:

“I think probably the most important thing I did was teach the people in California that they’re consumers and what it means to be a consumer. And that they’ve got some consumer rights and should have more. It was a tremendous consciousness building job that I did.

Q: Do you think that’s more important than any one particular victory?

Nelson: Yes. Yes. People got a sense of their importance as consumers. Before that, they were led by advertisers to put themselves down. [...] So when they knew that they weren’t personally at fault, they were victims, it really catalyzed their energy to stand up for themselves.”¹⁰⁴

Nelson’s sentiment here echoes Esther Peterson’s quote about the importance of “making people realize that they’re consumers, to start questioning things that they’ve been taking for granted.”¹⁰⁵ Both Nelson and Peterson described in these quotes the task of “consciousness building job” among consumers. This was a one of the main tasks that governmental officeholder for consumer issues took upon themselves. It was also one of the main tasks of the consumer movement’s groups and organizations, which disseminated the message of

¹⁰⁴ Nelson, “The First Consumer Counsel in California,” 37–38.

¹⁰⁵ See above, text to footnote 91.

“consumer rights” among their wide constituency. This task can be formulated in the terminology of collective identity: the members of the consumer movement, themselves equipped with a collective identity on the movement level as “consumerists,” sought to build among their constituents a political identity – a self-understanding of themselves consumers – which affords them certain rights and directs them to certain ways of claim-making.

During the 1960s and 1970s, the consumer movement along with consumer government officials and the media, managed to raise consumer consciousness among the public, that is, to heighten their self-identification as consumers and their awareness that this identification should and can grant them certain power in the marketplace. Yet it was a higher bar to make this self-identification the basis of collective action among this wide constituency. This chapter showed that the members of the consumer movement engaged in several processes to bind themselves and the consumers at large together as a collective: articulating identities, demarcating groups and adversaries, framing mutual grievances, and outlining shared solutions. Through these processes, the members of the consumer movement maintained a shared political self-understanding as movement members, that is, as consumerists. They also attempted, more or less successfully, to translate this shared political identification to their constituency, the consumers. As consumerists, they engaged in boundary-drawing to debate who can legitimately speak for the consumers and in what forums. But when speaking for and to the consumers, they often drew on other collective identities, professional or semi-professional, such as lawyers, academics, and students, and, indeed, “consumer advocates” or consumerists. They fostered a political worldview and an oppositional consciousness that posited themselves as movement members or organized consumers against the “consumer enemies” among the business community (or those in the government who were seen as their enemies’ vessels). They sought to represent consumers either in political-institutional forums or in front businesses by helping them to bring forth and handle consumer complaints. In all these, they developed an effective self-identification as a more or less defined political group, or in other words, a collective identity on the movement level.

What contributed to the consumerists’ identification as consumer movement members was also a shared understanding that bound together their overall constituency, the American consumers, and was informed by the abovementioned political worldview. As consumer movement members, they sought to impart this worldview – the adversarial “consumer

politics” positing consumers against businesses – to their constituency, and to mobilize them as consumers. Yet they did so in ways that had contradictory mobilizing and demobilizing effects. They fostered the oppositional consciousness and framed the consumers through imagery that emphasized the disorganized and weak consumers, or better yet the individual powerless consumer against Big Business. Therefore, this frame highlighted the adversarial position on the one hand but underscored the political inefficacy of consumers on the other. When consumerists did engage in consumer empowerment, this was through the individualizing mechanism of consumer complaints, which was propagated through media campaigns and public education efforts, as well as through initiatives to form “complain groups” or through direct collective action. But even in those latter cases of collective action, the mechanism was ultimately used to solve individual cases. Therefore, the consumerists’ attempts to extend the consumer collective identity as political identity to the constituency level could achieve mixed results at best.

Chapter 6. Realigning consumers: The consumer movement and federal electoral politics from Kennedy to Reagan

This chapter deals with the relationship of the consumer movement, particularly its main advocacy organization, the Consumer Federation of America (CFA), to electoral politics and the two major parties. In the previous chapters I traced the origins of the national consumer movement in a policy regime of consumer protection starting in the 1960s, and I explored the activity and proliferation of the movement through the lens of collective identity. Chapter 4 showed how consumer organizations were incentivized by, and grew from, the policy effects of legislative and governmental policies of consumer protection. It argued that these helped to consolidate a national movement by affording it with resources and raising awareness to consumers as a separate constituency and to consumer status as a source of identity. Chapter 5 focused on the latter issue through examining the concept of collective identity and the processes underlying its formation and maintenance. It argued that activists in consumer groups achieved a coherent collective identity at the movement-level, of consumerists/consumer activists/advocates, and it analyzed how they attempted, with varying levels of success, to mobilize and recruit their vast constituency through highlighting a consumer identity. In this chapter, I return to center on this cadre of consumer advocates and their relationship with institutional politics, from the late 1960s and until the early 1980s. The chapter will examine the relationship between the movement and the major political parties, focusing on the movement's leadership and its relations to Democratic and Republican government officials and legislators.

Analyzing CFA's published Voting Records of Congress and further archival materials from the period in question, my findings document the close yet complicated relationship of the consumer movement with the parties, and the Democratic Party in particular. The findings show how this relationship transformed as a part of the broader transformation of American politics and of the nation's political economy during the 1970s. Having grown during the Democratic administrations of the 1960s, and in large part thanks to their social, pro-consumer policies, the consumer movement and its advocacy organization, CFA, maintained an affinity with the Democratic Party during the entire period in question, manifested in higher ratings of Democrats voting for consumer issues, and in closer connections of CFA officials to Democratic Congressmembers. Nevertheless, CFA kept a nonpartisan stance, at least ostensibly, which was important for strategic reasons, in terms of both the movement's political efficacy with

Republican officeholders, and its general appeal to their wide constituency. This nonpartisan stance was possible to maintain in the late 1960s and early 1970s, as the Republican administrations continued to implement the agenda and policy regime of consumer protection, even if in ways that sometimes disagreed with the priorities and demands of the movement.

The later part of the 1970s saw a significant change in the relationship between the consumer movement and the two parties. Although CFA still assumed the nonpartisan stance formally, this was an apparent veneer to the partisan affiliation of the Federation – an affiliation that was projected on the movement as a whole. Several interrelated factors contributed to this change in the nature of the relationship. First, business and industry increased their political power, as mobilized in response increasing governmental regulation in the late 1960s and early 1970s (in itself a consequence of the successful mobilization of the consumer movement). Second, during the 1970s, the issue of campaign finance was significantly reformed. One effect of the reforms was to allow lobbying organizations, such as CFA, to endorse candidates – a double-edged sword for an advocacy organization that wished to remain nonpartisan. Another effect of the reforms was opening the door for the much more resourceful business lobbies to influence politics through campaign finance. (This was in itself a major reason to the aforementioned increase in the political power of the mobilized business community.) A third factor was the changing composition of the political parties – a process that would be completed only a decade later, but already started in the 1970s. This process included the displacing of Southern, conservative Democrats and liberal Republicans. Fourth and lastly, the election of Carter to the presidency enhanced the partisan identification of the consumer movement with the Democrats, with the Carter administration tapping into the movement. In the background of all these processes, there were other major trends that transpired during the 1970s, primarily the worsening macroeconomic conditions, and also the start of the American electorate's realignment (interacting with the abovementioned shift in the parties' composition).

Theoretically, this chapter engages with, and relies on, the literature on the connection between social movements and political parties. Despite disciplinary barriers that have beset the study of this connection, social movement researchers have long been interested in movements' interactions with parties and vice versa. Recently, this interest has been increased.¹ As Michael

¹ E.g.: Jack A Goldstone, ed., *States, Parties, and Social Movements*, Cambridge Studies in Contentious Politics. (New York: Cambridge University Press, 2003); Paul Almeida, "Social Movement Partyism: Collective Action and

Heaney and Fabio Rojas observed, “Neither political parties nor social movements are unified, homogeneous, rational actors.”² Rather, both are socio-political actors (or “fields,” in Heaney’s and Rojas’s conceptualization) – comprising individuals, formal organizations and informal networks – and they interact as well as intersect in various ways. Still, parties and movements can be distinguished in various ways, including in their divergent logics, tactics, levels of institutionalization, and goals. One chief distinguishing characteristic is that the goal of social movements is to induce some form of social or cultural change, whereas the prime goal of political parties is governmental rule through electoral victory (in democracies). In the American context, due to the historical dominance of the two-party system, this distinction means that while social movements are usually characterized by focused issues (often even a single issue), parties embrace broad, multi-issue coalitions.³ It also means that elections and electoral campaigns constitute a central arena of party-movement interactions. Indeed, scholars of social movements and other political sociologists have shown how electoral politics lead movements to mobilize and demobilize, to develop innovative organizational tactics, and to advance their goals. Research showed that election periods provide opportunities for movements to gain political power, but at the same time they threaten to sap their energies and resources.⁴ As this chapter will show, the consumer movement experienced both trends, sometimes simultaneously.

Political Parties,” in *Strategic Alliances: Coalition Building and Social Movements*, ed. Nella Van Dyke and Holly J. McCammon, *Social Movements, Protest, and Contention*, v. 34 (Minneapolis: University of Minnesota Press, 2010), 170–96; Mildred A. Schwartz, “Interactions Between Social Movements and US Political Parties,” *Party Politics* 16, no. 5 (September 1, 2010): 587–607; Michael T. Heaney and Fabio Rojas, *Party in the Street: The Antiwar Movement and the Democratic Party after 9/11*, Cambridge Studies in Contentious Politics (New York, NY, USA: Cambridge University Press, 2015); Swen Hutter, Hanspeter Kriesi, and Jasmine Lorenzini, “Social Movements in Interaction with Political Parties,” in *The Wiley Blackwell Companion to Social Movements*, ed. David A. Snow et al. (Chichester, UK: John Wiley & Sons, Ltd, 2018), 322–37; Sidney Tarrow, *Movements and Parties: Critical Connections in American Political Development*, Cambridge Studies in Contentious Politics (Cambridge: Cambridge University Press, 2021). For earlier and more historically-oriented works, see Elisabeth Stephanie Clemens, *The People’s Lobby: Organizational Innovation and the Rise of Interest Group Politics in the United States, 1890-1925* (Chicago, IL: University of Chicago Press, 1997); Elizabeth Sanders, *Roots of Reform: Farmers, Workers, and the American State, 1877-1917*, American Politics and Political Economy Series (Chicago, IL: University of Chicago Press, 1999).

² Heaney and Rojas, *Party in the Street*, 15.

³ Schwartz, “Interactions Between Social Movements and US Political Parties”; Heaney and Rojas, *Party in the Street*, 16, 31–32.

⁴ Clemens, *The People’s Lobby*; Kathleen M. Blee and Ashley Currier, “How Local Social Movement Groups Handle a Presidential Election,” *Qualitative Sociology* 29, no. 3 (July 30, 2006): 261; Doug McAdam and Sidney Tarrow, “Ballots and Barricades: On the Reciprocal Relationship between Elections and Social Movements,” *Perspectives on Politics* 8, no. 2 (2010): 529–42; Edwin Amenta et al., “The Political Consequences of Social Movements,” *Annual Review of Sociology* 36, 1 (2010): 287–307; Dana R. Fisher, “Youth Political Participation: Bridging Activism and Electoral Politics,” *Annual Review of Sociology* 38, no. 1 (August 2012): 119–37.

As the movement became more closely affiliated with the Democratic Party over the 1970s, its fate became more tied to the results of elections.

A particular issue that relates to the movement-party relationship is political polarization. Political polarization is defined as “the process through which political actors (whether ordinary citizens or political elites) tend to cluster with other members of the same political party in terms of whom they vote for, their views on policy issues, where they live, and how they view the world.”⁵ As the definition implies, polarization has not only a lateral dimension, but also a vertical one. In other words, polarization means not only ideological distancing between the two parties, but also the growing isolation between their increasingly disparate electorates.⁶ Studies have found that American partisan polarization has been significantly increasing since the 1970s, and scholars have often attributed a primary role to social movements in driving this process. These scholars claim that partisan polarization has occurred due to the growing influence of social movements on parties and on electoral politics – sometimes also described as the “movementization” of partisan politics or the “hollowing out” of parties.⁷ Douglas McAdam’s and Sidney Tarrow’s assertion exemplifies the conventional version of this claim: “in the postwar period (1945–1970) the two major parties were stable political organizations, governed by a centrist, pragmatic electoral logic. [...] As important components of the two parties, movements [starting in the ‘60s and ‘70s] have challenged the centrist electoral logic [...] injecting extreme partisan ideologies and a concern for single issues into electoral politics.”

This chapter complicates this view of polarization-due-to-movementization. The consideration of the consumer movement challenges the directionality of the conventional story, that is, the claim that social movements have caused the polarization of parties. While the consumer movement contributed, through its voting surveillance, to the streamlining and “purification” of its affiliate Democratic Party, it also suffered itself from the consequences of the polarization of parties and the public. As the consumer protection agenda changed from being seen as a nonpartisan (or bipartisan) issue to being viewed as mostly Democratic concern, the consumer movement started losing its wider public appeal. Rather than, or parallel to, the

⁵ Heaney and Rojas, *Party in the Street*, 32.

⁶ Tarrow, *Movements and Parties*, 22–24.

⁷ Tarrow, *Movements and Parties*. See also Hutter, Kriesi, and Lorenzini, “Social Movements in Interaction with Political Parties” (referring to the phenomenon also in European context); Emily J. Charnock, “More Than a Score: Interest Group Ratings and Polarized Politics,” *Studies in American Political Development* 32, no. 1 (April 2018): 49–78.

“movementization” of the Democratic party by the consumer movement, the movement itself was politicized and “partisized”.

The chapter proceeds in two parts. The first section is predicated on research into the Voting Records compiled and published by the Consumer Federation of America since 1971. I analyzed these records both quantitatively and qualitatively. The quantitative analysis presents descriptive statistics on the issues voted on by Congress which were considered by CFA, on the average voting scores it gave to the parties and to legislators, and on the CFA’s lists of “Heroes” and “Zeroes”. The qualitative analysis entailed reading the Voting Records Publications’ introductions and news releases in relation to them. These combined analysis helps to outline trends in the relation of the consumer movement, and CFA in particular, to the Congress and to congressmembers from both parties. The second section presents a historical narrative of the movement-parties relationship more broadly, based on various historical sources. The primary sources were issues of CFA’s newsletters during election periods (mostly, presidential elections). Alongside the newsletter, the narrative is based on other primary documents and secondary literature about the consumer movement’s activities during presidential and other electoral campaigns. This section focuses primarily on the relationship of the movement to the White House administrations under the different Presidents. Both sections progress chronologically in similar timelines, starting in the late 1960s – around the time when CFA was founded – and ending with Reagan’s first term in office. Both of them rely primarily on CFA archival materials, and hence also focus on the party-relationship of this organization. In addition, due to the caliber of Ralph Nader and his influence on the national political arena, the second section considers his role, too, within the movement-parties’ relationship.

A. The Consumer Federation of America’s Voting Records, 1971-1984

Voting records are used by interest groups and advocacy organizations to track legislators’ votes on issues important to their causes. The Consumer Federation of America and other consumer groups regularly used this tool and other, similar, methods such as candidate questionnaires, to keep track and rate representatives at the legislature. They marked among them “consumer allies” and, conversely, those representatives deemed as hostile to the consumer cause. Based on this, CFA alerted the Federation’s state and local organizations, and the consumer movement members and constituents, about candidates who deserve special attention in the ballots, whether

in order to make sure they are elected or in attempts to vote them out of the legislature. Published systematically from 1971, CFA's Voting Records show the general trends in Congress in relation to the consumer protection agenda during the 1970s and early 1980s. Yet, these records not only reflect the Congressional tendencies toward consumer issues that were voted on. Since they were prepared and computed by CFA as part of its lobbying efforts (and for the purpose of influencing the votes in Congress and the outcomes of elections), the records served themselves as means in the dynamic relationship between the consumer movement and the parties. CFA's Voting Records reveal the areas of concentration of the Federation on particular consumer issues that were brought before congress, and the increase in the number of issues brought before Congress during the first three years of Carter's presidency. At the same time, the analysis of the records shows the overall decline in the pro-consumer agenda during the latter half of the decade. The Records additionally document the partisan divide around consumer issues, which persisted during the entire decade of the 1970s, but intensified during its latter half.

In the late 1960s, the Consumer Federation of America and other consumer groups started compiling and publishing, either regularly or for an ad hoc purpose, the voting records of individual legislators on issues that were deemed as important for consumers. This practice was already a familiar technique used by various political groups. Analyzing and publishing legislators' voting records had roots in the early twentieth century, when labor organizations initiated this practice, as means to increase the accountability of lawmakers and educate the groups' members regarding their voting choices.⁸ Since the 1960s, this tactic has become widespread and normalized among interest groups, including publishing calculated percentages and rankings, with regular mentioning on media outlets. Political scientists have often relied on these ratings as measures for party ideologies and stances, and have used the ratings to demonstrate political polarization.⁹ This treatment of the voting records has been criticized, on both methodological and substantive grounds, for viewing the records as objective measures of ideology, and ignoring the role of interest groups.¹⁰ Recently, in her impressive historical analysis of voting records, Emily Charnock argued that interest groups – specifically, ideological

⁸ Clemens, *The People's Lobby*, 124–25, 132, 135–36.

⁹ As an example, see Keith T. Poole and Howard Rosenthal, *Ideology & Congress*, 2nd rev. ed. of Congress: A Political-Economic History of Roll Call Voting (New Brunswick, (U.S.A.): Transaction Publishers, 2007), ch. 8 (pp. 214–238).

¹⁰ See, e.g., a methodological critique in Linda L. Fowler, "How Interest Groups Select Issues for Rating Voting Records of Members of the U. S. Congress," *Legislative Studies Quarterly* 7, no. 3 (1982): 401–13.

organizations as the liberal Americans for Democratic Action (ADA) and the conservative Americans for Constitutional Action (ACA) – designed these metrics with the particular aim of purging party “outliers” and pursuing ideological purity in the two parties.¹¹ Rather than serving as an objective litmus test for a party’s / legislator’s stance on an issue, these voting records reflect the complicated dynamics of mutual influences between parties and interest groups or movements that these groups represented. It is therefore interesting to examine the voting records published by consumer organizations as an indicator of such dynamics.

While CFA began the systematic publication of Voting Records only in the 1970s, the practice of gathering roll call information on consumer-related votes began, in fact, earlier on – already in the first year of CFA’s operation, 1968. Interestingly, and in line with the “policy feedback” origins of the organization, CFA then prepared voting records on an ad-hoc basis in response to requests from Congressional candidates. During 1968 (an election year), candidates inquired about “background information” concerning voting on consumer issues, and especially on their own and their competitors’ records.¹² Probably, these candidates were familiar with the practice of voting scores through the ideological advocacy organizations (which had normalized the practice, as noted above).¹³ Whether through these Congress members, or through their own personal knowledge of the practice, during the late 1960s, the burgeoning consumer groups recognized the importance of developing legislative records on consumer issues for their purposes. In the early 1970s, consumer groups, including local and state consumer groups, tracked the legislative records of Congressional representatives and elected legislators in their own localities. These records were often used particularly around elections campaigns, but some groups also published the records regularly.¹⁴ The rest of this section will focus on the records published by the CFA.

¹¹ Charnock, “More Than a Score”.

¹² Exec. Dir. Angevine reported that in response to inquiries from Congressional candidates, CFA “furnished this information and given [...] copies of our fact sheets [...] and] voting records on some “anti-consumer” congressmen. These we have compiled upon request.” See in “Report of Executive Director,” September 10, 1968, CMA, CFA Records, Box 3, folder 1.

¹³ Charnock, “More Than a Score,” and see the text to the note above regarding Charnock’s research.

¹⁴ For examples of other consumer groups’ voting records, see the CFA Newsletter from June 1972 which mentions Oregon Consumer League as a good example, for other state groups, of how to develop legislative voting records (“People, Places & Things,” p. 7). Consumer Assembly of New York compiled and published their own voting records of the New York representative in federal legislative houses, of the State legislators and of New York City Assemblymen, see, for example, Grace Lichtenstein, “Javits Rated 100% by Consumer Unit,” *The New York Times*, October 31, 1972; Gerald Gold, “Consumer Notes,” *The New York Times*, October 11, 1973. The Missouri Public Interest Research Group (MoPIRG) also published voting records of legislators in the Missouri General Assembly.

The Consumer Federation of America started publishing their Voting Records in 1972 (for Congressional year 1971), and it continued to do so at least until the end of the 1990s. These publications included a tabular presentation of the full list of Congressmembers, their party affiliation, and their votes – listed as “Right” or “Wrong”. The first publication included only this tabular presentation. The next publications included also a calculated percentage, which allowed for the ranking of Congress members. From the mid-1970s, the publications were accompanied also with declaring on the “Consumer Heroes and Zeroes,” that is, the members who ranked highest or lowest on their “pro-consumer” voting behavior. The criteria for naming Heroes and Zeroes varied each year but was always based in essence on the calculated percentage. Based on these rankings, CFA often made explicit recommendations, to the members of their affiliated organizations, on whom to vote for, and from 1976 forward, it also based on these its decisions on candidate endorsements. Indeed, in election years, CFA would sometimes analyze candidates’ records separately from the annual publication or publish a special edition of Voting Records before the election in November. The analyses in the following pages are based on the original Voting Records of the years 1971 and 1975 to 1984, and on further information which was published in the Federation’s newsletters and in other newspapers.¹⁵

The first CFA’s Voting Records publications were modest, both in appearance and in the form of added analysis (i.e., almost none), despite the fact that Voting Records publications were at the time an already widespread practice by other groups. With time – toward the end of the 1970s decade – CFA’s publications became more professional-looking and routinized. The first Voting Record publication, from 1971, was entitled “Roll Call Votes on Consumer Issues – 92nd Congress, first session, 1971.” It was simple looking, presumably produced on low-budget, and it included mostly raw information. There were lists of the Congressional votes that were considered for the analysis (seven in the Senate and eight in the House of Representatives), each described in a short paragraph and concluded with what was the “Right” vote for the consumers (Yes/No); they were followed, usually, by a declaration on CFA’s stance on the issue from the organization’s policy resolutions. Each list was then followed by a tabular presentation of the

See, for example, “MoPIRG News Release: Missouri Legislators Rated in Report,” July 26, 1978, MoPIRG Records, Box 1, Folder 15.

¹⁵ The CFA Records at the Consumer Movement Archives in Manhattan, Kansas contain the 1971 Voting Records (Box 3, folder 11), and all the records from 1975 onward (Box 22). For a full and detailed description of the archival data gathering and analysis for this section, see methodological appendix, Appendix-6.

votes, with Congress members names (by states) and party identification, juxtaposed for each issue vote with the indication: “R” (Right), “W” (Wrong), or “0” (absent). There was no introduction nor conclusion, and no calculation of percentages. Such percentage calculation was added in the years after, but the 1975 Voting Record still resembled the early ones in its low-budget look and straightforward, informational approach. From 1977 onward (except the 1978 records¹⁶), the publications included a page (or more) of introduction, containing a legislative and broader political analysis of the Congressional voting trends in the year that ended. From 1979 onward, the publications also noted trends, including multi-year comparisons and lifetime scores.

Before turning to analyze the voting trends themselves, it is interesting to analyze the issues and specific votes that were considered by the Consumer Federation of America as warranting tracking, that is, as “consumer-related” votes. As other observers noted before, voting records do more than simply reflecting the Congress and parties’ stances regarding the issues at hand. Rather, interest groups choose which issues and votes to analyze and rank (and importantly, also how to weigh them), as part of their attempts to influence policy and political parties.¹⁷ Table 6-a presents the number of the votes that were considered for the CFA voting records. The number of votes does not reflect directly the level of activity in the policy realm, as it is influenced by various factors (e.g., one proposal can have several amendments, each of them is considered a separate “vote”). Still, it can indicate general trends. The numbers in the table clearly show an increase in the Congressional votes on “consumer-related” issues during the 1970s, from around 15-20 votes in the beginning of the decade to around 40-45 votes in the peak years in the late 1970s – the first three years of Carter’s presidency – and then a slight decline during Reagan’s presidency. Still, even in these peak years, it was a relatively low number, when compared to the votes considered by other interest groups, as shown in Table 6-b. It is especially interesting to compare CFA’s numbers to those listed by the old ideological interest groups (ACA and ADA), by labor organizations (COPE, UAW) and business coalitions (Chamber of Commerce: CCUS), and by Ralph Nader’s general public interest group, Congress Watch (CW).

¹⁶ It is possible that the absence of introduction in 1978 stems from the final defeat that CFA had suffered that year on the issue of the Consumer Protection Agency, which was CFA’s prime policy goal for many years. However, it is more likely that CFA switched and experimented between different formats of the Voting Records publication during those years: the 1978 resembles the 1975-1976 format, of folded large paper sheets, whereas in 1977 and in the years 1979 and later the publication was produced in a form of a booklet.

¹⁷ See Fowler, “How Interest Groups Select Issues for Rating Voting Records of Members of the U. S. Congress”; Charnock, “More Than a Score.”

Table 6-a: Number of “consumer-related” votes in Congress, 1971-1984

	1971	1972	1973	1974	1975	1976	1977
Senate	7	11 (*)	13 (*)	8 (*)	17	14	25
House	8	/ (*)	8 (*)	13 (*)	13	11	20
Total	15	(11) (*)	21	21	30	25	45
	1978	1979	1980	1981	1982	1983	1984
Senate	19	21	15	14	14	12	12
House	20	24	14	14	13	12	12
Total	39	45	29	28	27	24	24

(*) CFA’s Voting Records for 1972 included only the Senate. Information for the years 1972-74 was obtained from newsletter/newspaper articles. See detailed description in the methodological appendix.

Table 6-b: Number of votes selected for tracking by various interest groups, 1979/80*

	ACLU	ACA	ADA	CCUS	COPE	CW	CFA	LCV	LWV	NCSC	UAW
Senate	15	53	38	58	38	65	21	30	20	20	35
House	15	50	38	52	39	70	24	50	20	20	31

* The votes from either 1979 or 1980. Based on Table 8.1 in *Ideology & Congress*, p. 217.¹⁸

The list of the issues that were chosen by CFA to be considered in the records is telling as well, as is the trends in regard to these issues. The Voting Records publications, at least from 1975 onward, included topic headings for the various votes. There are roughly 12 topics that appear quite consistently throughout this 10-year period, and they are presented in figures 6-a (1 & 2) below. Most of these topics are the original headings. However, for consistency purposes, some headings were modified and others grouped, as there is some variability in the headings over the years. This variability in itself can also be interesting. (For example, various budgetary or procedural arrangements of government agencies appear in 1976-77 under the heading “Regulatory Reform,” in 1978-79 under “Government Reform/Waste,” and from 1980 onward as simply “Government Reform.” Similarly, the “Tax Reform” heading of the late 1970s turned into simple “Taxes” in the early 1980s.) To follow the trends over time, I modified and edited the original categories, and thus figures 6-a-1 and 6-a-2 show a more concise list of categories.¹⁹

¹⁸ Poole and Rosenthal, *Ideology & Congress*. The organizations presented are in order: American Civil Liberty Union; Americans for Constitutional Action; Americans for Democratic Action; Chamber of Commerce of the U.S.; Committee on Political Education (of the AFL-CIO); Congress Watch; Consumer Federation of America; League of Conservation Voters; League of Women Voters; National Council of Senior Citizens; United Auto Workers.

¹⁹ In other cases, the categories in a particular year were simply unique to that year (e.g., “Automobiles” instead of “Transportation” or “Homes” instead of “Housing”), and yet in other cases I changed the categorization of a certain vote for the sake of consistency (e.g., votes on food stamps were categorized for most year under “Low-income consumers,” but in a certain year under “Food”). The methodological appendix contains a detailed description of the original categories and changes made.

As can be seen in figures 6-a, the numbers of votes in the different categories demonstrate, first, the issues that were considered as significant for consumers by CFA, and second, and simultaneously, those that were hotly debated in Congress during the period in question. As clearly shown, “Energy” is the only category that appears consistently during the entire 10-year period in both chambers of Congress, and it is also the one which has the highest numbers of votes, by far (total of 47 votes in the Senate and 36 in the House) – unsurprising given the energy crisis in that decade. It is followed by the category “Health/Safety” – safety being a prime focus for the consumer movement – which comes in second place at the House (with 23 votes), and in the third at n the Senate (with total of 20 votes, after the grouped category “Taxation // Budget/Economy,” with total 23 votes in the Senate, and 11 in the House). Other noticeable categories are “Low-income consumers,” which included votes on food stamps and on the continuously-debated Legal Services program; “Regulatory and Government Reform,” which included votes on procedures relating to governmental agencies (such as the Federal Trade Commission), and especially on expenses to public representatives appearing in agencies’ hearings – an important issue for “public interest” organizations such as CFA and other consumer groups; and “Food/Agriculture” that also ranked high at both chambers. It is also interesting to note the categories that are missing, such as “Environment,” despite the salience of the topic during the 1970s, including among consumer advocates.²⁰

Overall, figures 6-a provide a good portrayal of the issues that occupied the consumer movement in the decade in question and came before the legislature, although the picture stemming from the quantitative analysis is obviously only partial. The division to topic categories cannot provide a granular outlook that may be achieved by considering particular votes. It is interesting to note, therefore, that alongside the obvious issues on the consumer agenda – consumer protection, safety and health, antitrust/competition, banking/credit, etc. – there were those votes that were not *directly* related to consumer-issues but were nevertheless considered for the calculation. Thus, under “Budget/Economy,” CFA considered Congressional

²⁰ The original categories actually included “Environment” with one vote in each of the Houses in 1984. It was recategorized to “Health/Safety” in line with the tendency of the Publications in previous years to categorize similar issues, e.g., asbestos, under this category. Other votes that related to environment were categorized by CFA under “Energy”. The point made here is that for most of the decade, this was not a category considered separately. (In a similar vein, there was no category of “Deregulation” although various votes on issues relating to deregulation were categorized under other headings, such as “regulatory reform,” “antitrust/competition” or according to their substantive subject matter (“communication” or “transportation”). For details, see the methodological appendix.

votes on contracts of the Defense Ministry, (justified as consumer-related since its taxpayer money, as was the entire category of “taxation”). Furthermore, in 1982, a vote on creating public jobs was also put on the list, despite no seeming relation to consumers (and reflecting, probably, the influence of the connections of the consumer movement with organized labor, which was still felt even in the early 1980s). To take another example, the figures do not fully represent the central place of the campaign for a federal consumer protection agency, which was arguably the principal goal of the consumer movement during the 1970s (until eventually killed in Congress in 1978). Indeed, in certain years, CFA gave the votes on it double and triple weight in calculating the representatives’ voting scores. Despite these shortcomings of considering only the numbers, looking at the figures and the categories and trends that they represent, one can grasp a general overview of the consumerist agenda in Congress, at least according to the Federation’s list of priorities.

Figures 6-a: Categories of “Consumer-Related” Congressional Votes, 1975-1984

Figure 6-a-1. Votes in the Senate

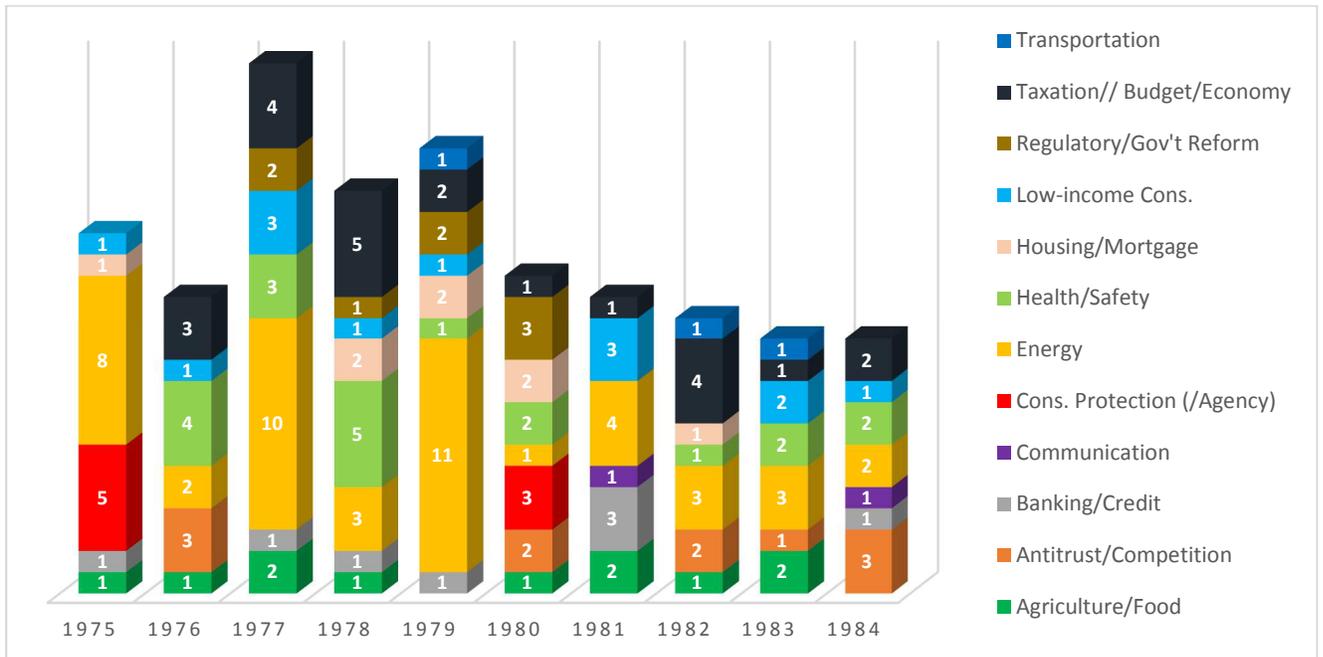
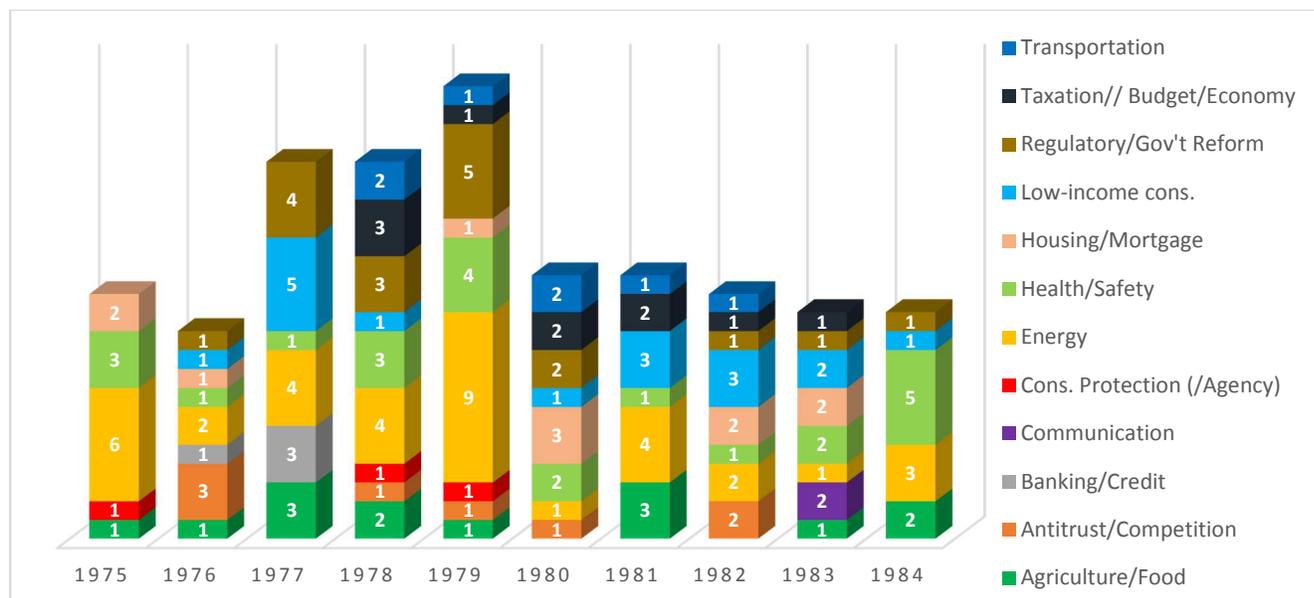


Figure 6-a-2. Votes in the House of Representatives



While CFA’s choice of topics to analyze demonstrated the “consumer agenda,” CFA analyzed the votes themselves for purposes of assessment, that is, both to trace the Congress’ general performance in regard to “the consumer interest” and to track the actions by parties and individual legislators. As to the general assessment of Congress, CFA considered the average voting score in the Congressional session, and the number of votes that were actually determined “for the consumer” out of the overall number of “key issues” tracked. In the annual Voting Records publications and the accompanied press releases during the 1970s, CFA repeatedly expressed its disappointment and frustration from the Congress’s performance. In 1973, it stated to the press that “[n]either house did much to protect the consumer,” and a similar statement was issued in the following year, despite “slight increase in the level of support for the American consumer.” In both 1975 and 1976 the records “showed significant decrease in [Congress’s] level of support for consumers” – although in 1975, both houses passed “the most significant piece of consumer legislation of the decade, the Consumer Protection Agency bill” (which was vetoed, proposed anew, but never executed – and eventually killed in 1978). The sourness continued even after the Democratic win in the 1976 election. Summarizing 1977, CFA noted that “[b]y most standards, the 95th Congress should be decidedly pro-consumer,” however “the analysis [...] makes it painfully clear that to date [it] has been disappointingly weak and ineffective.” And the following 96th Congress was declared, in 1979, “without question [...] the

most anti-consumer and pro-big business Congress of the decade.” These disappointments were, of course, only a tease for the consumer movement’s fate in the following decade.²¹

The consumer movement’s rhetoric of disappointment in the 1970s should be understood against the backdrop of the previous political popularity of the consumer cause in the late 1960s, and the shifting attitudes toward business. The alarming tone in CFA’s analyses presumably stemmed from the Federation’s need to stress its position as the main advocacy organization of a relatively weak (and further weakening) movement, while at the same time, it reflected the grim economic realities of that decade. One should not be surprised by CFA’s outlook and quite hyperbolic rhetoric on the Congress’s performance. Interest groups are supposed to pressure legislators and take stronger views on the issues they advocate for. Often practiced by interest groups, the hyperbolic tone is especially expected from consumer advocates, who had little power in terms of committed membership or financial resources, and whose public rhetoric constituted one of their main political instruments. It is also plausible that CFA felt compelled to echo the indignation that characterized Nader’s critiques of Congress.²² At the same time, these statements were probably not mere hyperbole, and the deep disappointment that CFA expressed every year since 1973 represented the frustration of American consumers, and the perplexity of those who claimed to be their representatives, during a decade of “skyrocketing inflation, when consumers are worried about being able to obtain the basic necessities,” and of other economic adversities, including – according, at least, to CFA’s statement from 1974 – “the growing monopolistic power of industry.”²³

The growing power of industry during the 1970s warrants a separate mention, alongside another development in the area of campaign finance that contributed to this trend. Whether or not industry and business increased their monopolistic *market* power, they evidently mobilized to increase their *political* power, that is, their influence on politicians and policymaking. The formation of the Business Roundtable in 1972 is one prominent example, among many, to the reinvigoration of business lobbying in Washington, D.C. during the 1970s up to a highly

²¹ Quotes are taken from UPI, “Consumer Group Challenges Record of 1973 Congress,” *The New York Times*, March 11, 1974, p. 23; “Congress Ranked on Consumer Voting Record,” *CFA News* October 1974, p. 2; “CFA Publishes 1975 Congressional Voting Record,” *CFA News* March 1976, p. 1; “CFA Announces Consumer Heroes and Zeroes,” *CFA News* October 1976, p. 1; and the Introduction Section to Voting Records of 1977 and 1979. For more details, see methodological appendix.

²² On Nader’s relationship with the consumer movement more generally see more in Chapter 4, section e.

²³ “Congress Ranked on Consumer Voting Record,” *CFA News* October 1974, p. 2.

effective degree.²⁴ On this backdrop, too, one should interpret CFA's disappointed and alarmed rhetoric in the analyses of Congressional voting. Consumer advocates witnessed firsthand the rise in businesses' political power, occurring in direct response to their own earlier successes and further ongoing endeavors. The renewed business mobilization was assisted greatly by a consequential development in the area of campaign finance. A series of reforms were issued during the 1970s (in part as a response to Watergate), and these greatly transformed the possibility of various groups, including lobbying non-profit and business corporations, to contribute to political campaigns and endorse candidates.²⁵ This had benefits for consumer organizations, too: thanks to changes in the tax code in 1975-6, CFA was able to endorse political candidates. However, the overall changes were much more consequential for corporations and their capacity to financially support campaigns. Consumer advocates were fully aware to the repercussions this had on them. In the 1979 Voting Records (recall that the year was declared "the most anti-consumer and pro-big Business Congress of the decade), as part of a retrospective decade-long analysis, CFA's executive director commented:

"Statistics do not adequately capture the hypocritical nature of the 96th Congress. For it is not only the anti-consumer impact of their votes that is appalling, but their political gall in touting their actions as evidence of their courageous defense of consumers and 'the little guy' – knowing full well that the opposite is true. [...] [O]ne must ask the question: why this gap between what the public wants and what it gets from this Congress? One of the most significant factors is undoubtedly the explosive emergence of Corporate Political Actions Committees (PACs). In 1975, the Federal Election Committee (FEC) for the first time issued an advisory opinion (to Sun Oil Company) explicitly approving the solicitation of salaried employees for the purpose of funding a corporate PAC. Corporate America was ebullient. That *same* day 137 corporate PACs registered with the FEC! Now more than 2000 such PACs have been registered, each of which may contribute up to \$5000 for each primary general election. It is an understatement to say that consumer groups cannot possibly compete with that level of financial largesse."²⁶

²⁴ See, e.g., David Vogel, *Fluctuating Fortunes: The Political Power of Business in America* (Basic Books, 1989); Mark S. Mizruchi, *The Fracturing of the American Corporate Elite* (Harvard University Press, 2013) ch. 6, pp. 139–179; Adam Winkler, *We the Corporations: How American Businesses Won Their Civil Rights*, First edition. (W. W. Norton & Company, 2018) ch. 9, 279–323. See also Rick Perlstein, *Reaganland: America's Right Turn, 1976-1980* (New York: Simon & Schuster, 2020), 188–208, 244–49, 460–65; Jonathan Levy, *Ages of American Capitalism: A History of the United States*, First edition. (New York: Random House, 2021), Ch. 18, esp. pp. 572–583.

²⁵ Robert E. Mutch, *Buying the Vote: A History of Campaign Finance Reform* (Oxford University Press, 2014), 130–47; Winkler, *We the Corporations*, 308–21. For contemporary views and summaries of the 1970s reforms in campaign finance, see the various articles in "Symposia: Political Action Committees and Campaign Finance," *Arizona Law Review* 22 (1980), and Michael Pertschuk, *Revolt against Regulation: The Rise and Pause of the Consumer Movement* (Berkeley: University of California Press, 1982), 47–68.

²⁶ More on the Sun Oil Advisory Opinion of the FEC, see Michael C. Jensen, "The New Corporate Presence in Politics," *The New York Times*, December 14, 1975, sec. 3 (Business/Finance); Edwin M. Epstein, "The Business PAC Phenomenon: An Irony of Electoral Reform," *Regulation* 3, no. 3 (1979): 35–41. Most retrospective commentators attribute the rise of corporate participation in campaign finance to the Supreme Court decision in *Buckley v. Valeo*. The *Sun Oil* opinion was issued a month before *Buckley*, and in many ways the two coincided in

In the CFA Voting Records analyses, therefore, one can find further evidence to the claim that the neoliberal political-economic reforms, which are so associated with the 1980s and the Reagan administration, are not only rooted in the crisis of the 1970s, but also, that they began already during that decade. The consumer movement was, in fact, partly responsible to these developments, in at least two different ways. First, by incentivizing – as a result of its earlier success and popularity – the mobilization of the business lobby as discussed above. Second, by advancing specific policies, such as tax cuts and deregulation. Of course, consumer advocates supported only certain versions of those policies: CFA supported tax cuts for the general population, but opposed those intended for the upper income brackets, or the decrease in corporate tax (as stated in the Voting Records of 1978, 1981); it promoted deregulation in certain industries, primarily trucking and airlines, but opposed it in other transportation industries, such as railroads (e.g., Voting Records of 1980), and fiercely objected it in the energy market (so much so, that voting on natural gas deregulation was weighed the same way as the vote on Consumer Protection Agency in the Records of 1978).²⁷ The consumer advocates at CFA stressed that their policy stances were in line with their commitment to consumers, and they decried the shift toward more business-favorable policies that they witnessed. They denied, however, that this shift represents a general “shift to the right” among the public and saw it instead as a widening “gap between what the public wants and what it gets from the Congress.” Thus, the 1979 Voting Records introduction included also a reference to public polls:

“In response to an open-ended question such as ‘Do you think that there should be less government in your lives?’, the public provides a predictably affirmative reaction. Yet when questions are broken down to specific categories of government protection, the public is sending out a strong message that they do *not* want to roll back important consumer protections in health, safety, equality of opportunity, etc. They do not want or trust industry to police itself against market abuse.”²⁸

The Reagan years would intensify this trend of pro-business policies (whether or not the 1980 election results served a counterargument to CFA’s claims about the public’s wants). But already in 1980, the last year of Carter’s presidency, CFA remarked in the Voting Records

their approach to the issue. On the *Buckley* decision, see Mutch, *Buying the Vote*, *ibid*; Winkler, *We the Corporations*, 209–311.

²⁷ It should be noted that the meaning itself of “deregulation” had changed over the 1970s. For an illuminating analysis of how deregulation shifted in that decade from a pro-consumer valence to a pro-business one, see Monica Prasad, *The Politics of Free Markets: The Rise of Neoliberal Economic Policies in Britain, France, Germany, and the United States* (University of Chicago Press, 2006), 62–82.

²⁸ *Ibid*.

analysis that “more so than at any time in Voting Records history, they key votes in 1980 were defensive ... On the critical issues ... consumers had nothing to gain but everything to lose.”²⁹ In the next few years, consumer advocates would repeat this characterization of defensiveness time and time again. True, the tone of the analysis had been tempered – perhaps because of change of personnel in the organization,³⁰ or because CFA decided strategically that a more optimistic outlook would be more publicly appealing. Yet the more optimistic tone could not belie the defensive mode of the movement. For example, in the 1982 Voting Records, the introduction noted a “surprising number of consumer victories,” but these meant that consumer advocates “*stopped* legislation to eliminate state usury ceilings, *fought off* attempts to weaken our nation’s food safety laws, *helped prevent* a serious attack on product liability laws and *held off* the [various] industries’ attempts to gain unfair antitrust exemptions.”³¹ The 1982 summary was also hopeful about the newly elected Congress. A couple of years later, however, CFA concluded that the 98th Congress, too, was characterized by “defensive battles and limited gains.” Still, the 1984 analysis disclosed again the ambivalence of the consumer movement toward the shifting political-economic paradigm, when on the other hand, the introduction positively notes that:

“‘Free-market’ Republicans and ‘Neoliberal’ democrats teamed up with consumers and against more traditional members of both parties on issues involving support for antitrust enforcement and opposition to energy industry subsidies.”

Figures 6-b and figures 6-c provide a visual representation for these general trends seen in the seventies and the early eighties. The figures delineate the average voting scores of Congress members, from the 92nd Congress to the 98th, for each chamber, overall and by parties in figure 6-b, and with a special focus on freshmen Congress members in figures 6-c. Looking at the overall average voting scores in figures 6-b, one can readily observe the decline in the “pro-consumer” Congressional votes during Carter’s presidency (1977-80) in both chambers.

²⁹ Introduction to the CFA 1980 Voting Records.

³⁰ In 1980 Stephen Brobeck was appointed to the Executive Director role. Unlike the previous three Executive Directors (Erma Angevine (1968-73), who came from the cooperative movement and previous advocacy work; Carole Tucker Foreman (1973-77), who came from Democratic Party circles, and Kathleen O’Reilly (1977-79), who was a lawyer and came from private practice in the public interest realm), Brobeck was an academic (PhD, American Studies) who came from rank-and-file consumer organizing. He remained Executive Director for the next three and a half decades, and during the 1980s, he introduced changes to CFA advocacy that included a more cooperative attitude toward corporations. See Stephen Brobeck, “Consumer Federation of America,” in *Encyclopedia of the Consumer Movement*, ed. Stephen Brobeck, Robert N. Mayer, and Robert O. Herrmann (Santa Barbara, Calif.: ABC-CLIO, 1997) 146.

³¹ Introduction to the CFA 1982 Voting Records. Emphases added.

Figures 6-b: Average Congressional Voting Scores from CFA Records, 1971-1984

Figure 6-b-1: Senate Voting Scores, overall and by party (plus South & North Democrats)

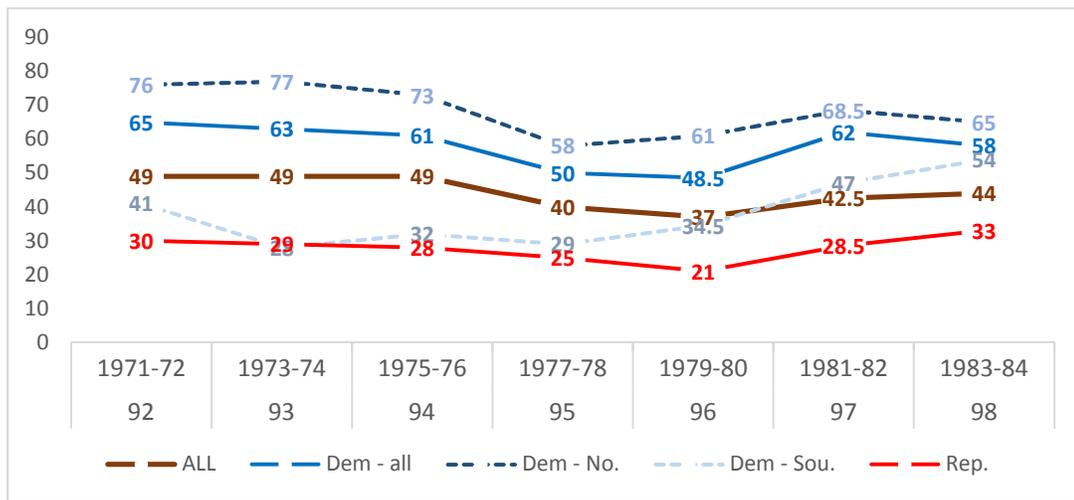
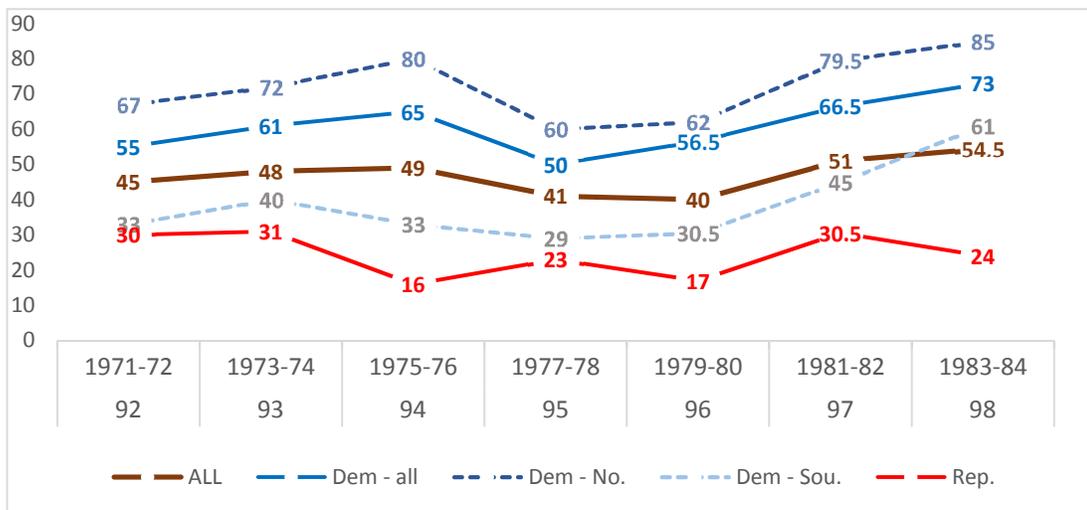


Figure 6-b-2: House Voting Scores, overall and by party (plus South & North Democrats)



The decrease is much more marked in the first two years of Carter’s term (95th Congress), but it continues in the second half of the term as well. Importantly, the trend is influenced more from the decline in the average voting score of the Democrats, although the Republicans also show lower average scores, on average, than in the first half of the decade.³²

³² The numbers also show the internal shifting within the parties, and especially it is clear in the figures regarding the Democratic Party. Throughout the 1970s, Southern Democrats’ voting “behaved” on average more akin to Republican voting than to their own party’s average voting pattern. This pattern starts to change during the 1980s, and in the 98th Congress, Southern Democrats start to vote “with their party” to such extent that after 1984, CFA stopped distinguishing between Northern and Southern Democrats in its reports.

By and large, the downward trend in “pro-consumer” voting rates represents the weakening of the consumer movement during the latter half of the 1970s. There can be raised several hypothetical explanations to this decline in voting rates. Probably, some of this reflects the abovementioned growing influence of business in politics: the 95th Congress was the first one elected after the campaign finance legal changes that allowed corporate donations to candidates. But it is also clear that in while in power, in contrast to earlier congressional sessions, Democratic congressmembers were not free to cast votes according to their own agenda due to party discipline, and were required, at least on occasion, to vote for measures unpopular among consumer advocates. Furthermore, recall the increase in the number of “consumer-related” votes in the first three years of Carter’s administration (table 6-a): the higher number of overall votes obviously influenced the percentage of “pro-consumer” ones. In the next years, this number of consumer-related votes declined again. During the first Reagan’s presidency, the weakening trend of the voting rates – though not of the movement – changed, and the rates increased somewhat. But it was still lower, in the Senate, than in the early years of the previous decade, and even the successful votes did not necessarily indicate a shift of the trend, as these were, as noted above in the analysis, “defensive” successes.

As for the explanation concerning the possible influence of the business lobby on Congress members, it can be corroborated by a closer look on incoming congressmembers. In the late 1970s, CFA started to separately compute the average rate of the incoming members (freshmen), to observe more closely how newly elected members vote on consumer issues. Figures 6-c-1 and 6-c-2 present these trends. Note that in both chambers, the average voting rate of freshmen representatives falls below the overall voting rate in the 1979-80 Congress (the second election after the campaign finance reform took place), and this trend continues in the next, 97th, Congress. In their analysis of the 1980 Congress, CFA’s commentators made this connection explicitly, noting that “Freshmen members in both Houses represented the most anti-consumer bloc,” and reminding that “This last session [...] provides further evidence to the growing influence of special interest lobbies [...] Unfortunately, many members of Congress feel they are elected by the and for the special interest groups who made their political slush funds available in the member’s last campaign.”³³ It is also interesting to note that in each party, freshmen tended to be, on average, slightly more accentuated in their voting behavior on consumer issues than their

³³ “1980 Voting Records: Year of the Take Away,” *CFA News*, November 1980, p. 1.

party average (whether more “pro-consumer” for Democrats or less so for Republicans) in most Congress sessions (with the exclusion of Republican freshmen in the 92nd Congress).

Figures 6-c: Average Congressional Voting Scores, plus freshmen members, 1971-1984

Figure 6-c-1: Senate Voting Scores

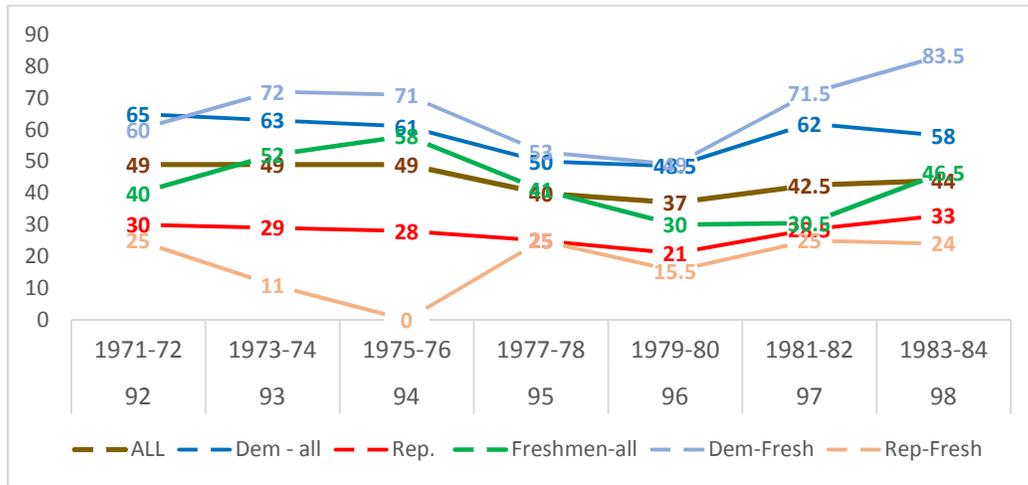
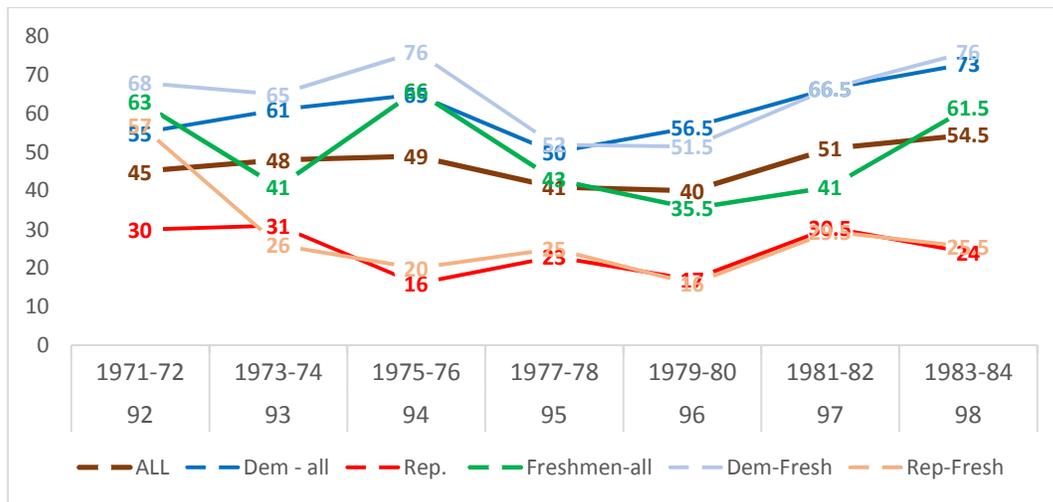


Figure 6-c-2: House Voting Scores



CFA separated the category of freshmen Congress members for another reason on top of examining the influence of business lobbies. Beyond a general analysis of Congress voting trends, rating the votes served an even more important purpose for consumer advocates: it directed their electoral efforts to support specific candidates and oppose others. This electoral purpose is clear from the format of analyzing and publishing the records, and it was also made explicit in CFA’s news releases of the publications. While the voting records were analyzed on

an annual basis, they were generally conducted only in election years, twice during the year: in the beginning of the year, CFA analyzed and published the records of the previous year, and a second publication was made, usually in late September, during the campaigns toward the election in November. These publications were accompanied by explicit calls to consumers and to consumer groups to examine closely the records and vote for those candidates who had proven their pro-consumer record. A demonstrative statement is the following one, from CFA executive director, following the analysis of the 1975 Voting Records (made in the alarming tone that characterized the analyses during that period):

“We publish our list [...] to inform the American consumers about which of their elected representatives are truly concerned with their problems and which are continuously selling out to the interests of big business [...] We hope all consumers will consider our voting record carefully before casting their ballots in November. Those on our Zero list are pickpockets. They take from consumers not just dollars but health, safety and economic security which they put into the pockets of corporate giants.”³⁴

As a primary mean to achieve the electoral purposes of Voting Records, CFA published, similarly to other interest groups, lists of “Consumer Heroes and Zeroes” (the latter sometimes getting other nicknames, such as “Consumer Crushers,” etc.). These lists accompanied the news releases of the Voting Records publications and, starting in 1977, were also mentioned in the publication itself. The “Heroes and Zeroes” lists were predicated on the computed voting scores of congressmembers; “Heroes” were those who scored the highest percentage rates of pro-consumer votes and “Zeroes” – those who scored none. Only occasionally the lists matched precisely the numbers of those Congress members who received a perfect 100% or 0% in the Voting Records. Often, the lists were modified, in part to alter the number of “Heroes” or “Zeroes,” in part for electoral reasons. Moreover, the method of calculating the percentage was sometimes changed, based on the importance of particular votes (for example, in 1978, both the House vote on Consumer Protection Agency and the votes in both houses on natural gas deregulation received double weight). Generally speaking, though, CFA aspired to consistency from one year to the next, and these various modifications seem more like forms of experimentation than as deliberate attempts to manipulate for electoral purposes the voting rates and the compositions of the lists.

³⁴ “CFA Publishes 1975 Congressional Voting Record,” *CFA News*, March 1976, p. 1.

Tables 6-c (1 and 2) present the lists of “top” and “bottom” voters respectively. The left part of the tables presents the number of 100% (table 6-c-1) and 0% (table 6-c-2) voters each year; the right part presents the list of “Heroes and Zeroes” as published by the Federation. When the numbers of “top” or “bottom” voters did not match the numbers on the CFA’s list of “Heroes” or “Zeroes,” the latter are highlighted in yellow.³⁵ To gain a better understanding of the considerations – both electoral and others – behind the computation and publication of separate lists, it is worth spending more time explaining in detail the highlighted yellow rubrics. In the first few years since the beginning of the Voting Record publication in 1971, the declared “Heroes” (and “Zeroes,” when they were declared) matched the number of voters with perfect scores (or with “perfect” zero voting). In the middle of the decade (starting in 1974), probably to make the publications align more with electoral purposes, CFA instituted a couple of changes: First, for the top voters, it added a list of “absent advocates” who did not vote “against the consumer” but lacked a perfect score due to absenteeism. This might have been a direct response to Congress members who wanted a favorable mention from the consumerists. Second, instead of simply publishing the distressingly growing number of 0% scorers, CFA began to make “target lists” of members that should be outed, both because of their lower voting rates and because of higher chances to replace them electorally. Starting in 1977, as the numbers of actual 100% shrank considerably, the “Heroes” list expanded to include more Members – in the top tenth percentile or in the top twentieth, depending on year and chamber. (This change allowed also to forego the “absent advocates” lists.)

Coincidentally, starting in 1976, a legal change allowed CFA to endorse candidates directly, and therefore there was no longer the need to make “hit lists” of “consumer crushers,” as CFA could simply and explicitly endorse the competing candidate. (This change of policy regarding endorsement is discussed in more detail below.)

³⁵ The data for the table was taken primarily from the Voting Records, juxtaposed with archival materials (articles from newspapers and newsletters). See details in the methodological appendix.

Tables 6-c: CFA’s top and bottom lists of (“Heroes and Zeroes”) Congress voters, 1971-84

Table 6-c-1: Top Congress voters “for consumers” (according to CFA), 1971-84

Year	Scored 100%			“Absent Advocates”	“Heroes” (1978: Endorsees)		
	Senate (D, R)	House (D, R)	Overall 100%		Overall	Senate (D, R)	House (D, R)
1971	32 (30, 2)	82 (79, 3)	114	/	/ ^a	/	/
1972	18 (14, 4)	/ ^c	18 ^c	/	18 ^c	18 (14, 4)	/ ^c
1973	2 (2, 0)	29 ^(b)	31	/	31	2 (2, 0)	29 ^(b)
1974	13 (12, 1)	9 ^(b)	22	5 Sen. (3D, 2R) + 13 Rep. (D)	/ ^a	/	/
1975	7 (5, 2)	57 (55, 2)	64	6 Sen. (5D, 1R) + 44 Rep. (D)	64	7 (5, 2)	57 (55, 2)
1976	1 (1, 0)	38 (38, 0)	39	7 Sen. (D) + 49 Rep. (D)	39	1 (1, 0)	38 (38, 0)
1977	0	4 (4, 0)	4	/	15	11 ^d (11, 0)	4 (4, 0)
1978	0	1 (1, 0)	1	/	25	4 ^e (4, 0)	21 ^e (21, 0)
1979	0	1 (1, 0)	1	/	29	8 ^f (8, 0)	21 (21, 0)
1980	0	3 (3, 0)	3	/	30	12 (11, 1)	18 (18, 0)
1981	0	7 (7, 0)	7	/	33	3 ^g (3, 0)	30 (29, 1)
1982	2 (2, 0)	6 (6, 0)	8	/	46	6 (6, 0)	40 (40, 0)
1983	2 (2, 0)	29 (29, 0)	31	/	38	9 (8, 1)	29 (29, 0)
1984	0	17 (17, 0)	17	/	73	7 (7, 0)	66 (62, 4)

Table 6-c-2: Bottom Congress voters “for consumers” (according to CFA), 1971-84

Year	Scored 0%			“Zeroes” (“Consumer Crushers”/“Hit List” if noted)		
	Senate (D, R)	House (D, R)	Overall 0 %	Overall	Senate (D, R)	House (D, R)
1971	10 (0, 10)	38 (15, 23)	48	/ ^a	/	/
1972	5 (0, 5)	/ ^c	5 ^c	5 ^c	5 (0, 5)	/ ^c
1973	7 ^(b)	47 ^(b)	54	54	7 ^(b)	47 ^(b)
1974	11 (3, 8)	55 ^(b)	66	13 (Cons. Crushers)	2 (0, 2)	11 (0, 11)
1975	14 (2, 12)	63 (11, 52)	77	39	4 (2, 2)	35 (31, 4)
1976	15 (1, 14)	62 (12, 50)	77	77	15 (1, 14)	62 (12, 50)
1977	2 (0, 2)	12 (5, 7)	14	13 ^h	2 (0, 2)	11 ^h (5, 6)
1978	1 (0, 1)	8 (4, 4)	9	5 (“Hit list”)	1 (0, 1)	4 (0, 4)
1979	2 (0, 2)	25 (7, 18)	27	33	8 (0, 8)	25 (7, 18)
1980	12 (1, 11)	6 (3, 3)	18	18	12 (1, 11)	6 (3, 3)
1981	4 (0, 4)	4 (0, 4)	8	8	4 (0, 4)	4 (0, 4)
1982	4 (0, 4)	23 (2, 21)	27	26 ^h	4 (0, 4)	22 (2, 20)
1983	3 (0, 3)	18 (0, 18)	21	27	9 (1, 8)	18 (0, 18)
1984	0	3 (0, 3)	3	26	7 (3, 4)	19 (1, 18)

a – the category (“Heroes/Zeroes”) wasn’t mentioned that year separately in the Voting Records.

b – no data on party division that year.

c – no data was collected on the House that year.

d – 11 Senators noted as “Heroes” in 1977 were in the top 10th percentile (voted >90% “pro-consumer”).

e – of the 4 endorsed Senators, three were incumbent and one a candidate; of the 21 endorsees for the House, 11 were candidates and the rest incumbent House Representatives.

f – CFA listed 8 “Heroes” in the Senate who voted above 80%, all Democrats. There was also one Republican Senator (Sen. Brooke, MA) who scored 80%, but he wasn’t mentioned, whether deliberately or as a mistake.

g – CFA listed 3 “Heroes” in the Senate who voted above 80%, all Democrats. There was another Democratic Senator who voted above 80% (Dodd, MI) who wasn’t mentioned, whether deliberately or as a mistake.

h – the difference in the count is due to a Representative who passed away and wasn’t included in the list.

Beyond electoral activity, one can also examine these lists (and especially the left part, of the absolute 100% and 0%) to learn about the trends in congressional voting on consumer issues. Looking at the top and bottom percentiles confirms and adds more nuance to the analysis of the congressional average voting scores. For this purpose, tables 6-c (1 & 2) should be read alongside figures 6-d (1 & 2). The latter present, for a broader and more consistent picture, the number of Congress members with the highest and lowest 20% voting rates (alongside the 100% and 0%) in both chambers, divided by party, for 1975-1984.³⁶ Several trends can be observed from the tables and figures combined, and three major ones should be particularly mentioned here. First, note the significant decline in the number of “pro-consumer” top voters during Carter’s presidency. This is especially noticeable regarding the number of 100% voters. Remarkably, this number falls from an average of over 10 in the Senate and over 40 in the House, in the first six years of the decade, to below 5 in the House and absolute 0 in the Senate in the four successive years of the Carter’s administration. This is not unique, however, to the 100%, as the figures show a marked decline in both chambers in the number of voters in the top 20th percentile. This was also accompanied by an increase, while less significant and only in the Senate, in the number of the “against consumer” voters. Second, it is interesting to note a general trend of less “extreme” voters (0% or 100%) vis-à-vis an overall increase in the number of top or bottom 20% voters, which can be seen as countering the general trend of “polarization” of the parties.

Still, and as a third observation from the table and figures, it is readily seen that “pro-consumer” voting was highly partisan. This could be observed also in figures 6-b and figures 6-c. Democrats tended to dominate the higher “pro-consumer” rates, while Republicans were much more represented in the lower percentages. This is not surprising, of course, given the history of the consumer movement, CFA’s origins from, and ties, with the Democratic establishment, the movement’s (and specifically CFA’s) strong relationship with (and to an extent, financial reliance on) the labor movement, as well as other factors. Yet, it is worth noting that Democratic congressmembers were still represented in relatively significant numbers among the “bottom” consumer voters. Yet, as figures 6-b-1&2 clearly show, these were mostly the Southern Democrats (and occasionally Democratic congressmembers from states in the Sunbelt or rural states, like Arizona or Nebraska, respectively), and their influence waned during the 1980s, with the parties becoming more ideologically uniformed, as can also be shown in figures 6-d.

³⁶ I have only partial data for the years 1972-4, and therefore the graphs present the trend from 1975.

Figures 6-d: Congressional “Consumer Votes” (top and bottom 20th percentiles), 1975-84

Figure 6-d-1: “Consumer Votes” (top and bottom 20th percentiles), by party, 1975-84, Senate

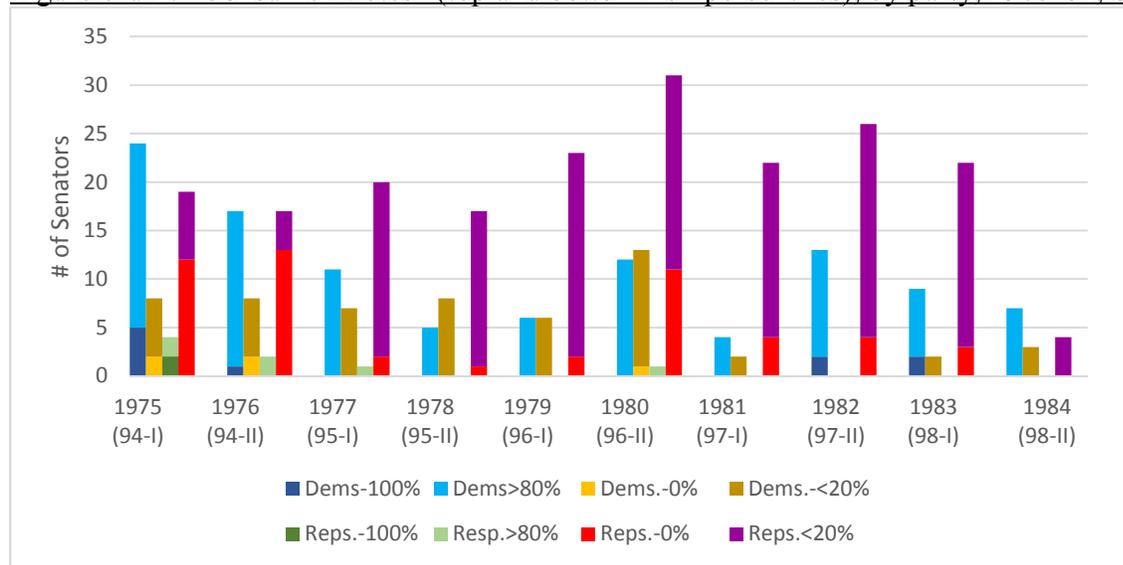
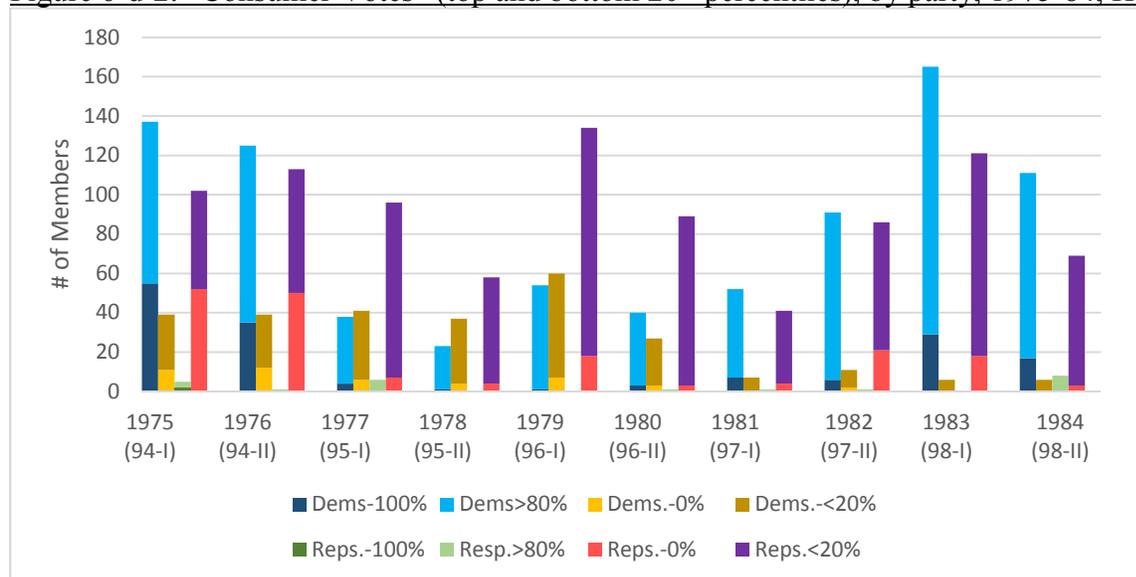


Figure 6-d-2: “Consumer Votes” (top and bottom 20th percentiles), by party, 1975-84, House



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In addition to the Southern Democrats, it is possible to find one or a handful of Republican congressmembers among the “Consumer Heroes” during the period in question. While uncommon, it represents a very small but persistent trend of Republicans who scored higher on CFA’s records (they usually did not make the “Heroes” list, but often got to the top percentiles). These almost always would be Republican representatives from Northern, industrial states, especially in the North East (usually one or more of the following: New York, New Jersey,

Rhode Island, Massachusetts and Pennsylvania). However, these are the exceptions to the rule of the partisan divide of the voting records on consumer issues.

Despite this divide, which is evident in the analysis of the records, it is interesting to note that during the entire period in question, CFA had kept a commitment to nonpartisanship in its rhetoric. The abovementioned exceptions to the rule of partisan divide may explain this commitment. More likely, however, is that it stemmed from a variety of reasons (i.e., not just to retain good relationships with the handful of Republican pro-consumer Congress members), and the exceptions in the partisan lines helped to demonstrate CFA's nonpartisan stance rather than caused it. In any case, statements on voting emphasized time and again this nonpartisan stance. Thus, for example, in the 1976 Voting Records news release on (at a time when CFA was already making endorsements of candidates), the executive director stated: "We're very distressed [...] at the drop in support for consumers among Republican members of Congress. In the past we have always had Republican members who qualified as Heroes."³⁷ It should also be noted that in their lists (of Heroes and Zeroes, endorsees, etc.), CFA did not publish the party affiliation of congressmembers – only names. In a newspaper article that reported on CFA's list of 25 endorsements and 5 "targeted for ousting" before the 1978 election, "CFA officials said it was *purely coincidental* that the only people on its hit list are Republicans, while all of its endorsements are going to Democrats."³⁸ Obviously, this partisan division was not "purely coincidental". Yet, predicating the decisions of endorsement and the "hit-lists" on voting records allowed CFA to present them as not based on partisanship. This tone somewhat changed later, for example in the Voting Records of election year 1980, when it was noted, though still in an objective tone, that "in both Houses, Democrats compiled better consumer voting records than did their Republican colleagues by a more than two-to-one margin."

The issue of nonpartisanship is a good point with which to conclude this section. As the Voting Records' analysis has shown, in regard to the consumer protection agenda (as defined by CFA), votes were split on partisan grounds since the beginning of the 1970s, if not earlier. Still, because it was not yet a clear-cut partisan split and for additional reasons (some of which will be explored in the following pages), it was easier for CFA to present a nonpartisan stance. This

³⁷ "CFA Announces Consumer Heroes and Zeroes," *CFA News*, October 1976, p. 1.

³⁸ Larry Kramer, "Consumer Federation's 1978 Hit List Includes Five Republicans in Congress," *Washington Post*, August 17, 1978. Emphasis added.

nonpartisan semblance had strategic importance. As an issues-oriented interest group, CFA (and presumably, the consumer movement more generally) sought to utilize the method of nonpartisan lobbying, which has deep roots in American history.³⁹ In contrast to ideological interest groups with broader issues – such as the ADA and ACA, who are clearly identified with a single party, and moreover, view positively party unity (achieved partly thanks to their record tracking) – CFA and similar issues-based interest groups could strategically benefit from a nonpartisan stance.⁴⁰ Thanks to this stance, they could collaborate around their issues across the aisles, and it allowed them to present themselves as representing “30 million consumers” across diverse constituencies. This, in turn, could generate greater appeal among politicians to the claims and causes of consumer advocates.

As endorsing candidates became possible for CFA in 1976, the organization’s spokespeople justified their endorsements on the basis of the ratings, which purportedly allowed them to claim that this was an “objective,” nonpartisan measure. Still, the partisan division of the endorsements, and of the records, exposed the nonpartisanship claim to be a thin veneer, at best. (Of course, the votes underlying the computed ratings were influenced themselves from the changing political environment, including the shifting composition of the parties.) The narrowing of the nonpartisan option had various reasons. The next part expands further on this issue.

B. The consumer movement and the CFA in relation to political parties, 1967-1985

As the previous section showed, the 1970s saw a marked decline in the consumer protection agenda, at least as expressed through congressional voting, especially during the latter half of the decade. This decline was associated with a growing partisan division regarding the consumer protection agenda and the consumer movement. The current section adds more substance to the description of this general trend, by focusing on the relationship of the consumer movement to political parties and especially to their presidential candidates around election years. This section also sheds more light on the fading nonpartisanship of the Consumer Federation of America during the 1970s. It starts with the presidential election year of 1968 and shows how the young

³⁹ Clemens, *The People’s Lobby*, 12–13, 294–97.

⁴⁰ On ADA and ACA Voting Records as aiming for party unity, see Charnock, “More Than a Score”. Interestingly, the distinction between the ideological groups and the issue-based ones was made by Republican Congressmembers, who in 1976 protested on the “political” use that is made by an environmental interest group and CFA. See Gladwin Hill, “101 In G.O.P. Decry Ratings on Votes,” *The New York Times*, April 4, 1976.

consumer movement strategically used a nonpartisan stance to try and advance its agenda among both parties. The next subsection deals with the Nixon administration, during which the consumer movement saw worsening inflationary conditions and the inception of the mobilization of business lobby. Consumer advocates felt that they are being distanced from decision-making, but the administration still advanced an agenda of consumer protection, if on its own terms, that emphasized transferring responsibilities to the states. While the Washington-based consumer advocates did not necessarily appreciate all aspects of this agenda, they still obtained major achievements, and furthermore, still had relatively easy access to the White House and to other key positions of administrative power. This started to change already in the last half of Nixon's first term as president. After his election for second term, and during Ford's presidency and the deepening of the economic malaise, consumer lobbyists were being further isolated from decision-making forums, as pro-business attitudes in the government increased.

Things were very different in the last half of the 1970s, not least thanks to Carter's election to president, but also due to the continuation of the economic crisis atmosphere. The third subsection deals with Carter's presidential campaign and presidency. On the one hand, Carter's election brought a sense of optimism to the consumer movement, especially as he picked prominent members from among the movement's ranks to fill positions (including a few key-positions) in his administration. On the other hand, with the high hopes came bitter disappointments, especially as the President and his party could not, or did not want to, deliver on their various pro-consumer promises in the face of further worsening economic conditions, growing power of business political influence, and slowly changing public sentiment. In this context, while this chapter focuses on the Consumer Federation of America, Ralph Nader should be also noted, thanks to his caliber as the chief "consumer advocate" and his public popularity – still high, though certainly not like a decade earlier. Nader played a significant role in Carter's campaign in 1976, but soon after he became a harsh critic, and also publicly decried the cooptation of his fellow consumer advocates, a trend that would intensify in the following years but that already caused the movement to weaken.

The fourth subsection covers the consumer movement's reactions to Reagan's election in 1980. Due to the internal weakening, disappointments from Carter's presidency, and the absorption of central parts of the movement by the Democratic establishment, alongside further skillfulness (and greater spending) of business lobbying, consumer advocates reached the pivotal

year of 1980 weaker both in terms of their political influence and in regard to the popularity of their agenda. Despite some initial hopes that the election of Reagan on an economic conservative agenda would reinvigorate the ranks of the movement in attempts to defend past achievements, it actually proved to be the final death blow to the consumerist agenda. Consumer advocacy continued, but no longer in the form of a popular social movement.

The late 1960s, prior to Nixon's presidency

In the late 1960s, the consumer protection policy agenda was pursued by politicians from both parties. On the one hand, it was evidently affiliated with Democratic legislators and officeholders, a legacy of the Kennedy and Johnson administrations. On the other hand, this agenda was not necessarily unique to the Democrats, as many Republican politicians supported consumer-oriented initiatives and consumer protection legislation. Evidence to this can be found in a letter sent to President Johnson by a prominent consumer advocate, Father Robert McEwen, a member of President Johnson's Consumer Advisory Council (a citizen group advising to the Presidential Committee on Consumer Interests). An economics department chair at the Jesuit Boston College, McEwen had a rich experience in consumer advocacy, including a long-time seat on the Massachusetts Consumer Council, and he was involved in the contemporary efforts to form a national consumer groups coalition. McEwen's letter was prompted by the President's appointment of a new Special Assistant for Consumer Affairs. Established by President Johnson in 1964, the role was filled until then by Esther Peterson, who was appointed by President Kennedy to an Assistant Secretary position in the Labor Department, given her background in labor organizing and women's advocacy. Peterson's tenure as the president's consumer specialist under Johnson was filled with obstacles, including being vehemently criticized by the business community and the advertising industry, and feeling that her initiatives were consistently blocked by Johnson's staff. The last straw in her strained relationship with the President's circle came when she supported women's protests against rising meat prices in the fall of 1966. After that, she was living on borrowed time as the President's top consumer adviser.

In March 1967, President Johnson announced the appointment of a new Special Assistant for Consumer Affairs, Betty Furness. Furness, a former actress who was active in the Democratic party, became famous as the saleswomen for an appliance company. Her appointment in lieu of Peterson was not received well, initially, among consumer activists. Ralph Nader said that

Johnson would have been better to leave the office vacant.⁴¹ McEwen, however, took a different approach, backing Johnson's appointment and supporting Furness in her early steps in the new position.⁴² At the same time, he used this opportunity, in his letter to the President, to convey to him that the association of the Democratic party with the cause of consumer interests should not be taken for granted. His letter opened with compliments to Johnson on his consumer program. Furthermore, McEwen mentioned that he thwarted critical publications of on the President's consumer position and Furness' appointment specifically. He then continued with urgent advice:

“(1) You should not permit yourself to lose the image you have as a strong and serious champion of consumer rights. With Republicans attacking and downgrading consumer councils in several states, it should be important to keep *the image of the Democratic party as the true supporter of the consumer*. On the other hand, *some Republicans leaders [...] in several states are attempting to make their reputation on consumer activity*. (2) On this matter it is already very late because consumer groups have been confused, questioning and doubting and wondering where you stand - this last four or five months while the status of Mrs. Peterson was uncertain. (3) I urge as swift action as you possibly can arrange [...] The makeup of your [new] Consumer Advisory Council will be critical because the lack of experience in Miss Furness' background [...] will be counted against you.”⁴³

The letter, then, attests to a close relationship between the nascent consumer movement and the Democratic party, but it indicates, too, the complexity of that relationship. While consumer protection was not exactly a bi-partisan issue – mostly brought forth by Democratic politicians – it was nevertheless supported by some Republican politicians. This allowed McEwen to prod the Democratic President on the issue. From his position as one of the President's appointed “consumer advisers,” and considering his own ties to the Democratic party in Massachusetts, McEwen clearly identified in the letter “the image of the Democratic party as the true supporter of the consumer.” This indeed reflected the fact that since the beginning of the 1960s, it was Democratic legislators and officeholders who were promoting consumer protection measures. But more than simply an objective observation, this was a rhetorical move to ensure that Johnson

⁴¹ Nan Robertson, “Betty Furness Wins Over Critics in Her Job,” *The New York Times*, February 23, 1968; see also Richard Morse's comments on Furness's initial reception, in Colston E. Warne, *The Consumer Movement: Lectures*, ed. Richard L.D. Morse (Manhattan, Kansas: Family Economics Trust Press, 1993), 181, footnotes 165–166.

⁴² Correspondence from McEwen to Furness and her staff from April-June, 1967, shows that McEwen invited Furness to speak at the annual conference of the Council for Consumer Information (a professional-academic organization, which McEwen chaired at the time), and, upon her decline, urged her to convey a message to the conference participants, which he then read himself. Later that year, McEwen continued in this line, in writing to newspaper editors stressing the good relations (despite sources to the contrary) between Furness and the emergent national federation of consumers. Robert McEwen papers, Box 26, folder 14.

⁴³ Letter from Robert McEwen to President Johnson, March 9, 1967. Robert McEwen papers, Box 26, folder 14. Emphases added.

indeed keeps consumer protection high on his agenda. And this rhetoric move was possible because McEwen's implied "threat" – that Republicans are making reputation on consumer activity – also reflected contemporary political reality. The letter ended, of course, with an expression of McEwen's support, and moreover, with his promise to voice his "firm vote of confidence for your consumer program" in his appearances before consumer groups around the country. The letter was answered with a detailed note from one of Johnson's staff members.⁴⁴

Thus, while Democratic politicians were promoting the consumer protection agenda since the beginning of the 1960s, at the end of the decade this was not seen necessarily as a partisan issue. This was both thanks to the stance of politicians across the aisles, and because high-profile consumer activists refrained from taking a clear stand on partisan politics. Ralph Nader was the most prominent example, but this was also the stand of the widely circulated publication *Consumer Reports*. Admittedly, the pro-consumer agenda had been taken up by the Democrats, but more as individual legislators and officeholders than as a party issue, and their bills were passed thanks to bipartisan support. In contrast to issues that tended to be more readily identified with the Democratic platform, such as civil rights (post-Barry Goldwater's 1964 campaign), anti-poverty social provision policies, and siding with labor – consumer protection was not an ineluctable partisan issue. Some conservative Republicans indeed outright attacked consumer protectionist policies, for example, Ronald Reagan (who, in his 1966 California gubernatorial campaign promised to abolish the Consumer Counsel position).⁴⁵ However, most Republicans politicians did not share this view. Some of them, especially in the industrial Northeastern and Midwestern states, proactively promoted consumer protection agenda. For example, in the election year of 1968, the Republican Governor of Pennsylvania called the National Republican

⁴⁴ Letter from Lawrence E. Levinson, Deputy Special Counsel to the President, to McEwen, March 18, 1967. Robert McEwen papers, Box 26, folder 14.

⁴⁵ The California office was established by the previous Democrat Governor, Edmund "Pat" Brown, in 1959. Reagan did not act on his campaign promise, probably since the position was legislated and the Republicans did not have the majority in the state legislature. It is possible that additionally, he did not abolish the position because the move would have been unpopular, as claimed by in later interviews by Helen Nelson, who filled this position during Brown's term. Reagan did dismiss Nelson on the same day that he assumed office. See Helen Ewing Nelson, "Consumer Representation at the State Level: California," in *Consumer Activists: They Made a Difference: A History of Consumer Action Related by Leaders in the Consumer Movement*, ed. Erma Angevine (Mount Vernon, N.Y.: Consumers Union Foundation, 1982), 243–44; "'The First Consumer Counsel in California,' an Oral History Conducted 1979 by Julie Shearer," in *Pat Brown: Friends and Campaigners* (Berkeley: Regional Oral History Office, The Bancroft Library, University of California, Berkeley, 1982), 47–48.

Coordinating Committee to set up a task force for consumer problems.⁴⁶ Indeed, in the late 1960s, Republican politicians could also adopt the consumerist agenda, more commonly at the state level, but also at the federal level. Several more years would pass until the term “consumer protection” would become tainted as evidently partisan and opposed by the Republicans overall.

McEwen’s sympathy to and affinity with the Democratic party notwithstanding, in the election year of 1968, now as the President of the newly formed Consumer Federation of America, he and the Federation impartially approached all candidates and the two parties to inquire about their agendas for consumers. In the spring of 1968 McEwen was authorized by CFA’s board to send questionnaires to all presidential candidates on their consumer stance. Sent in June 1968, the questionnaires included nine questions. Some of the questions can be read more as implied demands, in essence, to continue and expand the consumer protection agenda set forth by the previous administrations. This is demonstrated by questions such as “Will you name a Special Assistant to the President for Consumer Affairs?” and “Will you appoint a President’s Consumer Advisory Council with its own budget and staff?” Other questions show the more expansive agenda consumer advocates aspired to have, such as “What is your position on a U.S. Department of Consumers?” and “Will you include explicit consumer representation on all Presidential commissions, conferences, and inter-Departmental or inter-agency committees?” While the questionnaires were similar to all candidates, it is perhaps not surprising that favorable responses were received from at least three of the Democratic candidates: Hubert Humphrey, Eugene McCarthy and George McGovern. The Republican candidate Richard Nixon declined to make a statement, and the independent George Wallace did not respond. Whether they were genuine or not, CFA’s hopes for impartiality or bi-partisan support were not met.⁴⁷

A similar pattern was exhibited when CFA made equal calls to the two parties to include consumer planks in their 1968 platforms, a call echoed much more saliently by the Democrats. CFA prepared a statement to both parties’ platform committees. Drafted by Sarah Newman, a CFA Board Member and the President of the National Consumers’ League, the statement expanded on and altered a little the “four rights of the consumer,” presented to the Congress six

⁴⁶ “Republican consumer task force urged” *Consumer Action* (CFA newsletter in its first year), March 1968, p. 8, CMA, CFA Records, Box 3, folder 1.

⁴⁷ “Covering Letter to Presidential Candidates,” from Robert McEwen, June 1, 1968. CFA Records, Box 3, folder 1. Information on the responses is mentioned in Mark V. Nadel, *The Politics of Consumer Protection*, Bobbs-Merrill Policy Analysis Series (Indianapolis: Bobbs-Merrill, 1971), 169.

years earlier by President Kennedy and reiterated since in Johnson's Presidential messages and other forums. The consumer's "right to be heard," last on Kennedy's list, became first and was formulated as "the right to be represented at the highest policy making level;" the "right to choose," which originally emphasized competition, was supplemented with explicit reference to competitive prices; and to these two and the other two consumer's rights – to safety and to be informed – CFA added the right to "high quality medical care at affordable costs", and a right that acknowledges cooperative non-profit groups. McEwen delivered the equal statements at the two party-conventions: to the Republican in Miami Beach, and to the Democratic in Chicago. The fact that the latter occurred three weeks later allowed McEwen to comment before the Democrats on the Republican response: he noted that their final platform "is very disappointment to consumers" and expressed his hope that the Democratic platform would do better. Indeed, the Republican party platform included a short paragraph emphasizing "fairness to all consumers" (under the heading relating to "The Poor"), whereas the Democratic had a separate heading for "Consumer protection" with six paragraphs. While these were vaguely phrased, they addressed many of the points brought up by CFA.⁴⁸

Admittedly, consumer issues, or other economic issues, were not high priority in the 1968 presidential campaign, in which foreign affairs issues focused on the Vietnam war, and domestic issues highlighted race relations, with civil rights and urban protests capturing most public attention. McEwen was fully aware of this, addressing the Democratic Convention in the tumultuous streets of Chicago in August. "We must not let the whole campaign run on the issues of war and crime," he said, "because, if we do, gnawing problems of poverty and social injustice will continue to fester in our society and produce even worse results." He also connected the protests to a message of honesty in politics, drawing an implied connection between the issues that concerned consumer advocates – whose main achievements in the previous years were the "truth" consumer protection laws ("truth in packaging" and "truth in lending") – and the sense of political turbulence besetting young voters. "If the rebellion of the youth is to have any meaning, it must be in creating a new sense of honesty in politics," he said, and advised his listeners to

⁴⁸ "Statement of Consumer Federation of America to the Republican Platform Subcommittee on Economics", July 31, 1968; "Preface + Statement of Consumer Federation of America to the Democratic Platform Committee," August 20, 1968; both in CFA Records, Box 3, folder 2; Meeting minutes of CFA Executive Committee, September 10, 1968, CFA Records, Box 3, folder 1. See also Nadel, *ibid.*, 169; Republican Party Platform of 1968: <https://www.presidency.ucsb.edu/documents/republican-party-platform-1968>; Democratic Party Platform of 1968: <https://www.presidency.ucsb.edu/documents/1968-democratic-party-platform>.

make clear and unequivocal commitments in their party platform, so that it could not be treated as a meaningless sham. “I urged [the Republican platform], as I urge you now to mean what you say and say what you mean in unmistakable terms.” Perhaps most significant, however, was not only the contents of McEwen’s statements, but his access to institutional political channels. In other words, it is noteworthy that he was invited, as a representative of a fledgling “consumer movement,” to speak, and in front of both party platforms, to boot. The pursuit of a consumer protection agenda by both parties, at least ostensibly, would continue under the Nixon and Ford administrations in the following years, even in the face of the economic crises of that period.

The consumer movement under the Republican administrations of Nixon and Ford

As a presidential candidate, Nixon declined to respond to CFA’s questionnaire, but during his presidency he continued to maintain the policy of consumer protection that he inherited from the previous administration. Like with other policies Nixon inherited, he even advanced it further, but in his own unique way. Thus, his administration can serve as another example to the not-enthusiastic-but-still-a working-relationship between the Republican party and the consumer movement (or at least CFA) during the early 1970s. This is not a small feat considering that Nixon’s years as president saw worsening economic conditions, rising inflation, and the worst economic crisis that the U.S. experienced since the end of World War II. Yet precisely these conditions, as well as the public popularity, still, of “consumer interests” and of the movement, were probably the reasons for continuing with the policy. It is also important to remember that the more substantial consumer protection policies came from the legislature, which, during the entire presidency of Nixon, had a Democrat majority in both Congress chambers. For example, under Nixon, the Congress created permanently a new federal agency, the Consumer Product Safety Commission. Regardless of the Congress, President Nixon himself also continued with the consumer protection program, at least in rhetoric. For example, in his first few years in office he continued with the custom, started by Kennedy, of addressing a message to the Congress on consumer interest/protection (if less frequently than his predecessor, see table 6-d). Nevertheless, spokespersons of the consumer movement had found that they are considered and consulted less and less as time passed during Nixon’s presidency, and much of their demands were ignored, although they still maintained access channels to administrative policymakers.

Table-6-d: Presidential Messages to Congress on Consumer Interests/Protection

President	Dem/Rep	Year	Exact Date	Format	Title
Kennedy	Democrat	1962	3/15/62	Message	Special Message to the Congress on Protecting the Consumer Interests
Johnson	Democrat	1964	2/5/64	Message	Special Message to the Congress on Consumer Interests
Johnson	Democrat	1966	3/21/66	Message	Special Message to the Congress on Consumer Interests
Johnson	Democrat	1967	2/16/67	Message	Special Message to the Congress “To Protect the American Consumer”
Johnson	Democrat	1968	2/6/68	Message	Special Message to the Congress “To Protect the Consumer Interest”
Nixon	Republican	1969	10/30/69	Message	Special Message to the Congress on Consumer Protection
Nixon	Republican	1971	2/24/71	Message	Special Message to the Congress on Consumer Protection
Ford	Republican	1975	4/17/75	Letter	Letter to Congressional Committee Chairmen on Consumer Protection
Carter	Democrat	1977	4/6/77	Message	Consumer Protection Message to the Congress

* Carter made only one Message to the Congress (1977). Reagan did not deliver any special messages to the Congress on the issue.

It may seem puzzling that as a Republican who was deemed conservative, at least in the eyes of the consumer movement at the time, Nixon continued a so-called liberal program of consumer protection. Yet, beyond the somewhat anachronism of the labels, this puzzle fits well within the vexing and controversial legacy of Nixon’s presidency – with the historiographical debate about whether Nixon was “the last liberal president” or “the first conservative” one. Some evaluate him as socially conservative but economically “liberal,” as part of his plan to realign America parties and public (and more explicitly, to draw white Southerners and the working-class electorate to the Republican party). Historian Bruce Schulman offered a more complicated, though not contradictory, thesis, arguing that Nixon was conservative in cunning ways. According to Schulman, Nixon pursued a conservative agenda, not by attacking the liberal establishment, but rather by deviously proposing policy programs supposedly in line with the liberal agenda, only to stall them or use them to fulfill aims such as decreasing federal government intervention (at times, by transferring powers to the states). In his book, Schulman brought several examples, including: (a) Nixon’s art and culture policy, in which he increased funding but redirected it from major cities to regional and local centers; (b) his federal housing policy, where he maintained

and expanded the program but rechanneled it to bypass the liberal network of urban-Democratic machines; and (c) his environmental program: despite his distaste for the environmentalists, Nixon adopted a comprehensive environmental protection program, which he detailed in a special message to the Congress – but this program included mostly nature conservation efforts, devolving authorities to state and local governments, and subjecting environment protection regulation to cost-benefit analysis, making it second priority to economic growth.⁴⁹

Schulman's interpretations may be read as somewhat conspiratorial (though apparently, there was no short of conspiracies around Nixon's circles), but it is a possible interpretation to Nixon's consumer protection program as well. This program included an expansion and enhancement of the previous program, but in a decentralized form and in other ways that made it less effective, and thus also less threatening to business interests. Twice during his presidency, Nixon proposed a thorough consumer protection program to the Congress. The first program, proposed in 1969, which recognized "the Buyer's Bill of Rights," listed several legislative initiatives (including legislating the Office of Consumer Affairs in the White House), but these did not succeed in Congress. In 1971 he proposed a new program which combined several administrative and legislative measures. The central legislative measure that eventually passed involved product safety, which had bi-partisan support. Another hefty part of the program entailed enhancing consumer education, especially in states and local governments, which was in line with Nixon's tendency to transfer responsibilities from the federal government to the states.

Beyond the legislative and administrative measures, Nixon kept the position of Special Assistant to the President on Consumer Affairs, and with the help of his assistant, enhanced considerably consumer representation in the government, although in a decentralized manner. To the position of Special Assistant, Nixon appointed Virginia Knauer, a Republican who filled in a consumer protection position in Philadelphia prior to her appointment.⁵⁰ Nixon and Knauer also responded to consumerists' demands for more government representation. Yet, rather than the

⁴⁹ Bruce J. Schulman, *The Seventies: The Great Shift in American Culture, Society, and Politics* (New York: Free Press, 2001), 23–42; Allen J. Matusow, *Nixon's Economy: Booms, Busts, Dollars, and Votes* / (University Press of Kansas, 1998); Melvin Small, ed., *A Companion to Richard M. Nixon*, Blackwell Companions to American History. Presidential Companions (Malden, MA: Wiley Blackwell, 2011), especially Melvin Small, "Introduction," 1–5; Nigel Bowels, "Economic Policy," 235–51.

⁵⁰ Knauer, in fact, was not Nixon's first choice, and before her he appointed Willie Mae Rogers, who worked at the Good Housekeeping Institute, publisher of the magazine and a sort of domestic product testing agency. Rogers had to resign after a mini-media storm when she refused to leave her position at the Institute. See Warne, *The Consumer Movement: Lectures*, 53–57.

one federal agency the movement sought, or the cabinet department which was also discussed during that time (Democrat congressmembers tended to support it, but then aligned themselves with the opinions of consumer advocates, who insisted on an independent agency), Nixon's plan included appointing a consumer representative in every government agency that had relevance to consumer issues. This ended up with consumer representatives in seventeen agencies. At the same time, whether deliberately or not, it made bureaucratic coordination on consumer issues much more complicated, both for officeholders and for the consumer advocates in their lobbying efforts. Perhaps more consequentially, it made consumer protection associated with excessive red-tape and unnecessary government spending. Colston Warne, President of Consumers Union, commented on this: "in the executive branch consumer interests have become a political football because the advisor on consumer affairs [Knauer] will be adding to the budget of the several departments a person who is charged with being a consumer representative. The competitive aspect is that Republican say they have done more for the consumer in the last eight years that the Democrats did in all their time; then the Democrats say that the Republicans have turned down the new [consumer protection agency] bill."⁵¹

In the first half of Nixon's first presidential term, 1969-1970, the Consumer Federation of America had still maintained effective working relationships with the administration, especially with the staff of the White House Consumer Office led by Knauer. This, however, came at the cost of straining the already delicate consensus within the young movement. Questions about how to approach Republican initiatives for consumers added to the internal frictions within the broad movement, and within CFA in particular, between the more pragmatic, Washington, D.C.-oriented consumer lobbyists, and some of the more militant members from grassroots groups. An example to this can be seen in the debate over CFA's reactions to Nixon's appointments to the Federal Trade Commission. In 1970, Nixon sought to revitalize the FTC, following critiques on the inefficacy of the federal agency (including from the American Bar Association), which

⁵¹ On the 1969 program, see Richard Nixon, "Special Message to the Congress on Consumer Protection" (Online by Gerhard Peters and John T. Woolley, The American Presidency Project, October 30, 1969); Virginia H. Knauer, "No Minor Imperfection Consumer Protection Symposium," *Nebraska Law Review* 49, no. 4 (1969-1970): 722-24. On the second program, see Richard Nixon, "Special Message to the Congress on Consumer Protection" (Online by Gerhard Peters and John T. Woolley, The American Presidency Project, February 24, 1971); Warne, *The Consumer Movement: Lectures*, 185-86. Warne, however, acknowledges that Knauer's office "gave real assistance to consumer education groups and to organizations of consumer activists."

started initially by the investigation of the Nader's Raiders two years beforehand.⁵² As part of these efforts, in the summer-fall of 1970, Nixon appointed a new chairman to the Commission and new Commissioners. Among those was David Dennison. When the chairman's appointment came up in August, CFA protested about not being consulted, yet decided, despite reservations, to not oppose (nor endorse) Nixon's candidate.⁵³ However, after a month, in the hearings about the appointment of Dennison, CFA's President, Howard Frazier, wished to submit CFA's opposition to the appointment. A former staffer on Office of Consumer Affairs under the Johnson administration, Frazier was well-acquainted with many of CFA's local and state groups, and he was led to this stance by one of the more radical groups, CEPA.⁵⁴ Frazier were halted from participating in the hearing by CFA's executive director, Angevine, and CFA's Board, and was later forced to step down from his position as President at a tense CFA Annual Meeting.⁵⁵

The internal tensions would continue well into the 1970s within the consumer movement, and within CFA, and they would intensify with the worsening of economic conditions. At the same time, as inflation worsened, the consumer movement found itself further sidelined by the Republican administration, and this actually contributed to intra-movement unity. The tensions within CFA itself stemmed in large part from the Federation's unique structure, designed to give more voice to the grassroots state and local consumer groups, on the expense of the large national members, especially labor unions and rural cooperatives (who were still the major financial contributors despite their own dwindling resources). Frictions ensued between labor interests and consumer interests, especially regarding international trade and protectionist

⁵² On this investigation, see, Justin Martin, *Nader: Crusader, Spoiler, Icon* (Cambridge, Mass.: Perseus Pub., 2002), 77-82. See also chapter 4.

⁵³ "Consumer Group Critical of Nixon," *The New York Times*, August 20, 1970.

⁵⁴ CEPA opposed to the appointment of Dennison on several grounds, among other things, they claimed that as an attorney, his law firm represented loan companies that had been found guilty of fraud. CEPA also used this opportunity to demand the appointment of a Black commissioner – see on this in the previous chapter.

⁵⁵ A report on this affair and on other internal disputes within CFA, see in Walterene Swanston, "Washington Pressures/Consumer Federation of America waging spirited battle for survival," *National Journal* vol. 4, no. 28, 1126–1136 (especially pp. 1130–1132 on the Dennison affair). After stepping down from CFA's presidency, Frazier became the National Director of "CEPA International" in a newly established CEPA branch in Washington, D.C. See more on this in correspondence of CEPA members with Congress Members and with CFA Executive Committee and Board, September-October 1970, and Press Release about Frazier's position at CEPA, January 28, 1971: Max Weiner Collection, Box 5, Folder 12; and in letters from Erma Angevine to various Senators re: Dennison's appointment, October 4, 1970; Letter from Frazier to Warren Magnuson, October 5, 1970, CFA Records, Box 3, folder 6.

legislature, with CFA's leadership trying to appease both sides.⁵⁶ There was much more agreement between the grassroots consumer groups and the labor unions and other national CFA members in opposing and criticizing the Nixon administration for the Economic Stabilization Program, Phase II, in the fall-winter of 1971-72, in the face of rising inflation. CFA's president met with Nixon in September and presented the Federation's requests and recommendations, and the federation was disappointed that most of these were not taken into consideration, and especially with the lack of consumer representation on the Price Commission. At the CFA annual meeting in January 1972, CFA unanimously adopted a resolution that declared the presidential program "a failure," and charged that it resulted in restricting the increases of wage increases, but not sufficiently of prices. Still, the executive director Angevine accompanied the Price Commission Chairman on a "shopping tour" to examine price increases, and a few months later, CFA's newsletter published the latter's detailed response to the charges made by consumerists.⁵⁷

As the story of CFA's lack of participation in and criticism of Phase II shows, in the later years of Nixon's presidency, CFA was receiving less favorable attitude from the White House, but it had still maintained channels of communication with senior officeholders. Consumerism was still highly popular among the general public, and the White House still advanced, or at least did not block, various consumer protection legislation and programs coming from the Congress. As an example, the Consumer Product Safety Commission, though already existing for a few years, was formally established in legislated in 1972. CFA would continue to have good working relationship with Knauer and her office until the end of Ford's term, but the relationship with the White House more generally grew much colder. In part, this was a result of the crisis year of 1973, which also saw a change of personnel in CFA – the politically-cautious and pragmatic Angevine was replaced by a more militant executive director (who worked previously for the Democratic Party). Even before that, in the election campaign of 1972, CFA once again sent identical statements to both party platforms, urging them to support the "consumer bill of rights,"

⁵⁶ See Swanston, *ibid*, 1131, and also: Clinton L. Warne, "The Consumer Movement and the Labor Movement," *Journal of Economic Issues* 7, no. 2 (1973): 307–16.

⁵⁷ Swanston, *ibid*, 1135–1136; "CFA in Action" *News from CFA* (CFA newsletter), October 1971, p. 1 (on Willner's meeting with Nixon and disappointment from the appointments); "Price Enforcement?" *News from CFA*, November-December 1971, p. 2; Arthur E. Rowse, "Consumer leaders skeptical of Phase Two effectiveness," *Baltimore Morning Sun*, 22 No. 1971, and other newspaper clips on Phase II, in: CFA Records, Box 1, folder 6; Grace Lichtenstein, "Consumerists, Meeting in Capital, Question the Efficacy of Control," *New York Times*, 28 January 1972, p. 14; "Price Commission Looking at Structural Causes of Inflation," and "Price Commission Must Help Consumer Recover Overcharges, Says CFA," *News from CFA*, April 1972, pp. 2–3.

but implicitly supported the Democrats. The Federation's newsletter published the more favorable-to-consumers record of Democratic presidential candidate McGovern.⁵⁸

Under Nixon's second presidential term, in the year before his resignation, and under Ford after him, CFA representatives were not invited to the White House, if only to present their requirements in order to ignore them later. During September 1974, for example, while the new president Ford conducted an Economic Summit on inflation in Washington, D.C., the consumer movement held a press conference to protest the "token level of participation" of consumer representatives at the President's summit. About 20 consumer representatives were invited to the summit, whose sessions were broadcast on TV, out of approximately 700 participants. These representatives were leaders of state and local organizations, invited through their connections with Knauer's Office of Consumer Affairs, and they did not include any members of the national leadership of the consumer movement within or outside CFA. In response, the national leadership of the consumer movement staged the alternative press conference, which served as an opportunity to showcase the power and unity of the movement. Alongside CFA's leadership, on the press conference table sat together Ralph Nader, Betty Furness, Esther Peterson and other leaders of national consumer organizations. CFA new executive director, Carol Tucker Foreman, delivered a statement that was jointly prepared, and in it, she criticized the President's conference for its consumer neglect and the extent of industry dominance. "Consumers have not been underrepresented – a handful at each meeting – through ignorance or oversight. President Ford [...] who devoted two presummits to business and finance, planned and then postponed a meeting with consumer leaders. [...] once in the White House he succumbed to business pressure." This attitude would continue to characterize the next two years of Ford's presidency.⁵⁹

The 1976 presidential campaign and the consumer movement during Carter's presidency

The presidency of Jimmy Carter was highly pivotal in the relationship between the consumer movement and the two parties, for several reasons. (1) For both political and institutional reasons, this was the first election in which consumer groups explicitly endorsed electoral

⁵⁸ "Statement for Democratic/Republican Platform Committees, presented for discussion and reaction at the Board of Directors meeting, June 15, 1972. CFA Records, Box 1, folder 6; "McGovern Had Consumer Bill of Rights in 1968," pp. 4–5, and: "Dems' Platform OKs Consumer Agency, National Health Insurance," p. 1, *Consumer News and Comments* (CFA Newsletter), August 1972.

⁵⁹ "Consumers are 'forgotten victims' at Inflation Summit," *CFA News*, October 1974, p. 1, p. 5.

candidates, including Carter. (2) Relatedly, issues concerning the consumer movement were visible in Carter's presidential campaigns, including an explicit acknowledgement of the movement's demands. (3) Following Carter's election, he appointed to his administration prominent members from the movement's organizations (particularly its Washington-based interest groups). And while all these reasons might indicate that Carter's presidency had augured well for the consumer movement, in fact: (4) during the Carter administration, many hopes of the movement were not met, including the movement's most desired goal of establishing a federal agency for consumer protection. (5) Lastly, partly as a result of the latter and partly due to disagreements over policies adopted, this period saw intensified splits within, and the weakening of, the movement that brought it closer to its decline in future years. This apparent contradiction is, in fact, not surprising to students of social movements, who would expect to see the decline of the oppositional or extra-institutional element of the movement as a consequence of cooptation and bureaucratization. In this case, it came at the cost of the movement's main goals.⁶⁰

Since its inception, despite close affinity with the Democratic party, the consumer movement had presumed a nonpartisan stance. As shown in the previous chapters, the movement evolved during, and in part grew out of, the Democratic establishment in states and in the federal government. Yet, as noted above in this section, its leadership and the main organization, CFA, did not identify with any of the parties. Movement leaders had allies in state and the federal legislatures across the aisles, and the movement's organizations held diverse membership. In the election year of 1976, however, the nonpartisan stance lost its credibility. Earlier in the year, in January 1976, the annual Consumer Assembly was held, with more than 500 attendants, under the title "Consumers, Concern, Candidates". Indeed, no less than six presidential candidates— all Democrats — appeared at the conference and spoke about their antitrust plans (in addition to appearances of Democratic Senators Hubert Humphrey and Edward Kennedy). The Ford administration was given a senior representation, too, with the Secretary of Treasury, William Simon, though he was the only one to "draw any strong negative reaction from the Assembly when he praised the Administration's new Consumer Representation Plans" — Ford's alternative

⁶⁰ Doug McAdam, *Political Process and the Development of Black Insurgency, 1930-1970*, Second edition (University of Chicago Press, 1999); Marc Schneiberg and Sarah A. Soule, "Institutionalization as a Contested, Multilevel Process: The Case of Rate Regulation in American Fire Insurance," in *Social Movements and Organization Theory*, ed. Gerald F. Davis et al., Cambridge Studies in Contentious Politics (New York, N.Y: Cambridge University Press, 2005), 122–60; Meyer, *The Politics of Protest*, 123–43; Tilly and Tarrow, *Contentious Politics*, 127–31, In relation to party-movement interactions, see: Heaney and Rojas, *Party in the Street*.

to the independent agency the movement wanted.⁶¹ Still, the conference did include senior politician speakers from both parties. It would be the last Consumer Assembly to do so.

As mentioned in the previous section, the 1970s was a decade of significant campaign finance reforms. In 1976, further amendments allowed the Federation, for the first time, to endorse candidates. The partisan division of endorsements was entirely clear, and the Carter-Mondale ticket was de-facto endorsed by the most prominent elements of the consumer movement, including CFA. The Federation, however, still attempted to maintain some nonpartisan appearance, announcing that it would endorse only congressional candidates – not presidential ones. Based on the voting records, the rules for endorsement could be seen, then, as applying to both parties: endorsements would be made on the basis of congressmembers' stance toward consumer issues, determined by their scores, or, if there are none, their answers to questionnaires.⁶² The rules also stated that endorsements would be made only with the consent of candidates, and in case of House Representatives, only after consultation and approval of the relevant local consumer group. Made a month before the elections, the endorsements were published and circulated with the candidates' names only, not with party identifications. Yet, all the names on the endorsees' list were of Democratic congressional candidates.⁶³ This could be explained, still, by the partisan divide in voting rates. While this divide was not new, CFA Executive Director emphasized that not having even a single Republican on the "Heroes" list was unprecedented. She was cautious to put the blame not on congressmembers, but on the Presidential candidate and his administration:

"In the past we have always had Republican members who qualified as Heroes. The Ford Administration, however, has constantly pressured Republicans in Congress to support their anti-consumer position on key amendments. The result has been a decline in support for consumers among Republican members."⁶⁴

Before endorsements were allowed legally, CFA used, instead of endorsing candidates, to mark "anti-consumer" Congressional candidates as targets of "hit lists" (which often included a roughly equal number of Republicans and Southern Democrats). A similar tactic was now used

⁶¹ "Consumer Assembly '76", CFA News, January-February 1976, p. 1; see also Frances Cerra, "Consumers Hear Antitrust Pledge," *The New York Times*, January 23, 1976.

⁶² The three cases in which candidates would be endorsed were detailed as: (1) One of the candidates voted always "right for the consumers," or: (2) the candidate runs against a candidate who was designated as "voting poorly" for consumer issues; (3) if no incumbent is running, endorsement can be made based on responses to CFA questionnaires. "New Policies Approved: CFA To Endorse Congressional Candidates," *CFA News*, June 1976, p. 1.

⁶³ "CFA Endorses Candidates," CMA, *CFA News*, October 1976, p. 1, list of endorsed candidates on pp. 3–4.

⁶⁴ "CFA Announces Consumer Heroes and Zeroes," *CFA News* October 1976, p. 1, 4. See also section A.

for the presidential election: while CFA refrained from endorsing Carter, it joined other consumer organizations in targeting the Ford's administration for its anti-consumer stands. In September, CFA and seven other national and local major consumer groups issued an "indictment" to Ford on behalf of "the consumers of the United States of America" to be "tried [sic] by the public" on election day. It charged that Ford, "together with the Chamber of Commerce, the National Association of Manufacturers and the Business Roundtable [...did] combine, conspire, confederate [sic] and agree [...to] endanger the health and safety and rip-off the wallets of the Consumers." The "indictment"-styled press release listed 82 "charges" of anti-consumer positions on a range of issues, from tax policy to environmental protection and energy policy to regulatory reform. The President's Special Assistant for Consumer Affairs dismissed the stunt as "patently political." Joan Claybrook, a senior executive in one of Nader's organizations, said that the suggestion that this was a partisan issue "is just outrageous," and that it was based solely on the President's position on the issues.⁶⁵

If CFA and other consumer organizations were somewhat cautious in not endorsing Carter directly, others were more explicit. A prominent New York consumer activist established a group entitled "Consumers for Carter-Mondale." Carter's most notable support came from the movement's celebrity, Ralph Nader. While Nader's peak popularity occurred a few years earlier (during the 1972 presidential campaign, he received an offer from the Democratic candidate to run as his Vice President, which he declined), he was still sufficiently popular in 1976 to be wooed by Carter. During his campaign, Carter met with Nader a couple of times, the last of them, in August, at his home in Atlanta, in a friendly atmosphere meeting, well-covered by the media. In a speech before Nader's Public Citizen Forum, Carter pledged a commitment to various consumerists' demands, primarily the establishment of a consumer protection agency, and also strengthening anti-trust legislation and ending the "revolving door" appointments of prominent industry members to regulatory positions. On the latter, he promised that his appointments would satisfy Nader, joking that he hopes to "challenge him in the future for the role of top consumer advocate." On the Republican campaign, Ford's advisors used these

⁶⁵ "Indicted by Consumers," *CFA News* October 1976, p. 1. The other organization behind the release were two prominent local organizations from the Washington, D.C.'s surrounding (Maryland- and Virginia- Citizens Consumer Council) and five other national organizations: Consumer Action Now, National Consumers Congress, National Consumers League, National Council of Senior Citizens and Public Citizen – the latter is Nader's umbrella organization; quotes of Knauer and of Claybrook are from Frances Cerra, "Consumers Support Positions of Carter," *The New York Times*, October 24, 1976, p. 30.

remarks to rally against Carter, especially in front of business audiences, saying that Carter would have to “clear appointments” with Nader. A *New York Times* reporter commented that “while many voters seem to feel that there is little difference between the two candidates, that cannot be said about their positions on consumer issues.”⁶⁶

Clearly, following the dynamics of the campaign, the elections’ results provided a sense of success and much hope to the consumer movement, and especially to its interest groups in Washington, D.C. This was not only about Carter’s election, but also about the composition of the Congress as well. The CFA newsletter announced: “Consumers Triumph in ’76 Congressional Elections,” noting that 80 out of the 82 endorsed congressional candidates were elected. President-Elect Carter followed through on his promise and made several consultation calls to Nader during the transition period. The President and Vice-President Mondale were invited to attend the annual Consumer Assembly, held in February 1977, under the title “Face to Face with the New Leadership.” The conference saw record attendance of over 800 registrants, more than a third increase from the previous conference, “a graphic demonstration of the high hopes that consumers have placed in the new Administration.” Carter and Mondale did not accept the invitation to attend, but a slew of their top cabinet chiefs did, including the new Secretaries of Commerce, Transportation and Agriculture, the President’s Chief Energy Advisor, and the outgoing Chairperson of the FTC. The Secretary of Commerce, Juanita Kreps, told the audience that she would represent not only business interests but the interests of consumers as well. The Secretary of Transportation said that “mass transit should not be considered a service to commerce, but a part of urban development – a public service” and promised to advance no-fault auto insurance legislation, a long-time case of consumer organizations. Three days after the conference, President Carter hosted a meeting in the White House with the leaders of seven central consumer organizations and reiterated his support in the consumer protection agency.⁶⁷

⁶⁶ UPI, “Consumer Group Asks Aid for Carter Slate,” *The New York Times*, October 28, 1976; Justin Martin, *Nader: Crusader, Spoiler, Icon* (Cambridge, Mass.: Perseus Pub., 2002), p. 159 (offer from McGovern to run as VP), 179–180; Cerra, “Consumers Support Positions of Carter”; “Carter endorses Consumer Protection Agency; supports strengthened antitrust legislation,” *CFA News*, September 1976, p. 1. On using Nader remark in the campaign by staffers, see, e.g., Gerald R. Ford, “Remarks and a Question-and-Answer Session with Reporters Following a Meeting with Republican Leaders in Vail, Colorado.” (Online by Gerhard Peters and John T. Woolley, The American Presidency Project, August 27, 1976).

⁶⁷ From *CFA News* November-December 1976: “Consumers Triumph in ’76 Congressional Elections,” p. 1; “CFA Announces Annual Forum,” p. 1; “Consumer Assembly ’77: Face to Face with the New Leadership,” *CFA News* January 1977, p. 1; From *CFA News* February-March 1977: “Carter Cabinet Addresses Consumer Assembly ’77,” p. 1, 3; “President Carter Meets with Consumer Leaders,” p. 2.

Consumer advocates could also be pleased with various appointments that Carter had made to his administration. First, Carter re-appointed the seasoned Esther Peterson to be his Special Assistant for Consumer Affairs. (Recall that Peterson left this position mid-term during Johnson administration, as she was considered too much of a “zealot”.) Other appointments came from the top circles of the consumer movement itself, although mostly to mid-level ranked offices. Michael Pertschuk, a staffer at the Senate Commerce Committee (and a Board Member of Consumers Union), was picked as the chairperson of the Federal Trade Commission. Joan Claybrook, the head of Nader’s “Congress Watch” group, was appointed to head the National Highway Traffic Safety Administration (NHTSA). Carol Tucker Foreman, the executive director of CFA, was appointed as an Assistant Secretary at the Agriculture Department. (Like Pertschuk, the latter two had previous experience on Capitol Hill before joining the civic organizations.) Carter made further appointments to lower-level administrative positions, especially, but not only, from among the Naderites. According to one source, “during his first year in office, Carter placed some 60 former consumer and public interest activists in important positions in the government, a move highly praised by consumer groups.”⁶⁸ Not everybody shared the praise, though. Colston Warne, the long-time president of the influential Consumers Union, commented at the time: “Carter is stealing so many officials of the consumer movement that our more capable leadership seems to be disappearing. Consumers Union has lost two of its board members [...] we can ill afford to lose too many; the ranks are too thin. But we have been doing much better than we had any reason to expect.”⁶⁹

Warne’s comment about losing leadership might have been meant as humorous, but only partly so. In his long career, which saw several failed attempts of consumer organization, he learned firsthand about the fragility of successful mobilization. But it is doubtful that he too expected the deep sense of disappointment that would come after the high hopes. The letdowns were starting to show already during the first year of Carter’s presidency. Ralph Nader was vocally critical of his former colleagues. In a well-publicized clash, he harshly criticized the new head of NHTSA, Claybrook, only nine months into her position, for not moving fast enough with

⁶⁸ Marc Leepson, “Consumer Protection: Gains and Setbacks,” in *Consumer Protection: Gains and Setbacks*, ed. Hoyt Gimlin and Sandra Stencel, A Contemporary Affairs Report (Washington: Congressional Quarterly Inc., Editorial Research Reports, 1978), 3.

⁶⁹ Warne, *The Consumer Movement: Lectures*, 185 (from a lecture Warne gave in early 1977); Esther Peterson, *Restless: The Memoirs of Labor and Consumer Activist Esther Peterson* (Washington, DC: Caring Pub., 1995), 159–70; “Foreman leaves CFA,” *CFA News* February-March 1977, p. 1, 4; Martin, *Nader*, 181–84.

administering car safety regulations on the auto industry. The fact that she was a former loyal employee helped to heighten the story coverage, but not to lower his tone of critique. “There are no friends in government,” he commented, “only users and misusers of power.” In a later interview he remarked that “the consumer movement lost when the consumer advocates were taken off the firing line and into the government.”⁷⁰ Not just the government caused disappointment, but also legislators, and not only to Nader, but to the more mainstream CFA. As shown in the previous section, the analysis of the 1977 Congress asserted that although “By most standards the 95th Congress should be decidedly pro-consumer [noting the Congress members running on a pro-consumer platform, Carter’s promises for consumer advocacy and his congressional majority – Y.R.], it [is] painfully clear that to date [it] has been disappointingly weak and ineffective on consumer issues,” going on to list the issues that had not been promoted to legislation, and those that had never reached the floor.⁷¹

It is easier to criticize the congressional record in writing than to confront officeholders with critique, yet at the Consumer Assembly in January 1978 some speakers did just that, in an occasion that can demonstrate the clashes within a social movement that comes to power. The conference hosted once again the many government representatives including movement’s veterans as Peterson, Pertschuk, and Foreman, in addition to several senior Congressmembers. A luncheon speech was given by Herbert Denenberg, a former Insurance Commissioner of Pennsylvania who became a critical consumer columnist on several media outlets. Denenberg was invited to speak about health insurance, but he departed from his prepared speech to challenge the officeholders present. He argued that based on their 1977 performances, they should “throw the towel”. He then provided an “action guide for consumer advocates who become government officials,” based on his own Pennsylvania experience, including advice such as “Unleash a salvo of criticism devastating enough to stir memories of saturation bombing,” “Don’t work quietly within the system [...] don’t get conned and coopted into doing nothing and doing it slowly,” etc., as well as “Be obnoxious, abrasive, tactless, inflammatory and overbearing.” The attendants had probably thought he was setting a good example. The speech was not reported on the CFA’s newsletter covering the Assembly, but it was brought in full in a

⁷⁰ Martin, *Nader*, 185–86.

⁷¹ CFA Records: “Press Release: CFA Voting Record Reveals Sharp Congressional Decline,” March 5, 1978, Box 2, folder 15; “CFA – 1977 Voting Record, 95th Congress, 1st Session,” Box 22.

more militant consumer publication, along with an additional column by Denenberg asserting that the consumer movement “now behaves more as a political organization which sells out for jobs and money.” Another column at the latter publication was written by the radical organizer of CEPA, Max Weiner, echoing Nader’s criticism – but criticizing also Nader himself for helping Carter. Weiner reminded that in 1977, CEPA was the only CFA member that opposed the institutional position the Federation was taking.⁷²

As if to prove the critics’ points, 1978 was a year of deep disappointments to consumer advocates who had high hopes from the Carter administration – on several issues. The most salient issue, and most consequential for the fate of the movement, was the defeat of the bill on the Consumer Protection Agency. An independent agency for consumer protection was arguably the top priority of the consumer movement during the 1970s, probably the issue around which all consumer groups could unify, and certainly the one that was symbolically most associated with the movement’s political claims, by the media and particularly by the opponents of such a measure. The idea for a separate cabinet department or federal agency for consumer protection was first introduced in 1959, even before consumer protection was a political agenda backed by a nationwide movement. It had been in discussions in Congress in one form or another continuously since 1969. The idea almost materialized several times during the 1970s, including in 1970-1, when internal debates over its precise form and authorities thwarted the efforts of the coalition working for it, in the legislator and within the movement. A second close opportunity came in 1975, when a bill passed the Senate but was vetoed by President Ford. The expectations for its establishment during Carter’s presidency were particularly high, as he explicitly expressed his support for it during and after his campaign.

Consumer advocates did not rely solely on the promises of politicians and launched a renewed campaign for a Consumer Protection Agency in 1977-78, in the face of an increasingly powerful counter-campaign from business lobbyists. Led by Ralph Nader and the CFA, and by Esther Peterson from within the administration, the renewed campaign included the consumer

⁷² Articles in *Caveat Emptor: Consumer Protection-Environmental Monthly*, February 1978, Vol. 8, no. 2: Robert L. Berko, “Denenberg Shakes Up CFA Conclave,” p. 18; “Denenberg Says: A ‘Political Consumer Movement Selling Out for Jobs and Money,’” p. 19; Herbert S. Denenberg, “An Action Guide For Consumer Advocates Who Become Government Officials,” pp. 20-22; Max Weiner, “Consumers Lose When Activists Join Government,” p. 26; in: CERN Records, Box 3, folder 11; *CFA News* Special Edition: Consumer Assembly ’78, see especially: “Health Insurance: A Rip-Off in a Rip-Off...,” p. 4 (the article brings Denenberg’s prepared address on health insurance, not mentioning anything about Denenberg’s improvised critical address at the conference).

movement's most widely participated "mass-protest," in the form of the "nickel campaign," when more than 40,000 people mailed 5-cents coins to congress (demonstrating that this would be the agency's annual cost per citizen). Despite these efforts, and despite polls that showed, on the eve of the vote, that public opinion favored the creation of the agency, in a margin of 2 to 1, the vote failed in the House in February 1978. 227 Members voted against it (versus 189 for it), with 101 of them being Democratic representatives, roughly quarter of them freshmen (24 freshmen Democrats out of a cohort of 49). In the wake of the defeat, post-mortem analyses found blame in various places: consumer advocates charged that Carter himself and his top advisers did not put enough effort for the passage of the bill; pro-consumer Congressmembers, and some consumer advocates, accused Nader that his overbearing approach and extreme tactics alienated their colleagues; and all recognized that the magnanimous efforts of the business lobby, described by one Congressman supporter as "the most intense lobbying I've ever seen against any bill." The defeated vote on the Consumer Protection Agency was justly called by Nader "a watershed event," and as historian Lawrence Glickman and others claimed, it signified a broader battle, between the waning liberalism of big government and rising "anti-government" conservatism. the culmination of this yearslong campaign in sore defeat also marked the beginning of the consumer movement's decline.⁷³

Despite the personal disappointment with Carter, and despite further criticism against the administration policies, the alliance of CFA with the Democrats remained strong in the face of opposition from within the movement. Featuring President Carter himself, the Consumer Assembly of February 1980 was a celebration of the political clout of consumer advocates, or as phrased in CFA's communication, "the political power of consumers." At the same time, it also brought up, and allowed to discuss, its limits. Being an election year, no less than three

⁷³ Mary Russell, "House Votes Down Measure to Create Consumer Agency," *Washington Post*, February 9, 1978; Haynes Johnson, "A Carter Issue Turns on Him," *Washington Post*, February 12, 1978; Peterson, *Restless*, 160–64. On the longer campaign for agency during the decade, see Robert N. Mayer, *The Consumer Movement: Guardians of the Marketplace*, Social Movements Past and Present (Boston: Twayne Publishers, 1989), 79–80; Martin, *Nader*, 189–93; Lizabeth Cohen, *A Consumers' Republic: The Politics of Mass Consumption in Postwar America* (New York: Alfred A. Knopf, 2003), 362–63; Diya Berger, "A Tale of Two Movements: Consumer Protection in the U.S. from 1969 to 2010," *CUREJ: College Undergraduate Research Electronic Journal, University of Pennsylvania*, June 3, 2013; and the thorough account by Glickman, analyzing also the conservative counter-attack in *Buying Power*, 275–302; and the separate thorough account, published in the same year, by Matthew Hilton, *Prosperity for All: Consumer Activism in an Era of Globalization* (Ithaca: Cornell University Press, 2009), 170–75, 182–83. Also see Perlstein, *Reaganland: America's Right Turn, 1976-1980*, 202–8, 217–19.

presidential candidates spoke at the convention, including Carter, his Democrat contender, Senator Ted Kennedy, and the environmentalist Barry Commoner who ran on a third-party ticket (Citizens' Party) and voiced harsh critique against political candidates who are afraid to take a stand against corporations. The latter critique fit well with the main message of the conference, which was that consumers advocates lack the political clout needed to fight the special interests in Washington, and in Congress especially. The importance of grassroots consumer organizing was emphasized, although most speeches dealt with the growing challenges of lobbying on Capitol Hill. Speakers from various liberal interest groups discussed the issue, lamented the influence of PACs on politics, and debated whether to support the re-election of Democrats who had a low record of pro-consumer voting. A speaker from United Auto Workers warned against the declining turnout of voters and called for a revival of strong partisan political parties with substantively distinct platforms.

Like three years before, the conference broke attendance record – with more than 1500 registrants. This record attendance caused an organizational snafu with the White House staff, when, due to security arrangements which were unannounced in advance, CFA had to limit attendance in the main event where the President and Senator Kennedy gave their addresses. This ended up in denying attendance to around 300 paid registrants, “with a resultant loss of goodwill and revenues to CFA.” CFA’s Executive Director, Kathleen O’Reilly, sent an angry letter to the White House Staff Assistant, which was attached to an apology letter delivered to all conference participants. But this organizational blunder seemed to capture something of the relationship that developed between the Carter administration and the CFA, and perhaps the consumer movement overall: receiving repeated blows from the Carter administration in terms of their desired policies, the Washington, D.C.-based consumer advocates could only express their fierce criticism. But they had to endure and keep their relationship to power, at the cost of losing the support and the numbers of the general audience. During the presidential electoral campaign, the “Consumers for Carter-Mondale” committee was revived, with a list of more than 60 consumer leaders – and the glaring absence of Ralph Nader’s name from it. The committee’s publication emphasized, however, not so much Carter’s achievements for the consumer as his stands vis-à-vis the positions of his competitor, Ronald Reagan. CFA’s analysis of candidates in their newsletter also highlighted the latter’s openly pro-business positions. A month before the election, Carter made his last gesture to the consumer agenda – though no longer in the form of

consumer protection, but rather education. He announced a new federal “consumer education week.” If this was meant as an electoral stunt – it did not produce the desired victory.⁷⁴

The consumer movement’s responses to Reagan’s election

The results of the 1980 elections made the consumer movement despondent. If Reagan’s election to the White House did not come as a surprise, the magnitude of the Republican landslide victory certainly did. The November issue of CFA’s newsletter lamented and eulogized the “election night casualties” among the many consumer allies/congressmembers who lost their seats to challengers. On the day of Reagan’s ostentatious inauguration ceremony in January, the staff at Public Citizen, the organization formed by Nader a decade earlier, held a mock wake to commemorate the “death of the consumer movement.” (Nader, who had left the organization recently, made an appearance and seemed “in the darkest mood of anyone.”) The macabre gesture was an exaggeration, of course, but it was portentous. A few more years would pass before the term “consumerism” would lose its activist connotation for a mere consumer culture one, and a few more after that before the phrase “consumer movement” would become obscure to the average American. In between, consumer activists attempted to revitalize the movement around the country by turning to grassroots recruitment, but these would not succeed to restore the movement’s popularity, which even in its peak had never translated well to grassroots activity. In Washington, D.C., consumer advocates became marginalized and isolated from decision-making processes, and (as shown in the previous section) concerted their efforts on defensive measures in attempts to salvage the consumer protection measures of years past.⁷⁵

However, it was not an easy task to save the previously won consumer protection measures, as the Reagan administration was keen on cutting back budgets and rolling back regulatory programs, and it paid little to no attention to the wishes of consumer advocates. Reagan

⁷⁴ *CFA News*, March 1980: “Consumer Assembly Biggest, Best Ever,” p. 1, 3-4; “Apologies for Consumer Assmbley Snafu – Here’s the Explanation,” p. 6; “Apology Letter from Kathleen O’Reilly, CFA Exec. Dir., March 7, 1980, CERN Records, Box 4, folder 71; “Consumers for Carter–Mondale,” n.d. [1980], CERN Records, Box 4, folder 46; “Letter from CFA to State and Local Groups,” August 15, 1980 (announcing national Consumer Education Week in October), CERN Records, Box 4, folder 71; UPI, “Rosallynn Carter Today Launched National Consumer Education Week At...,” *UPI*, October 6, 1980, UPI Archives, <https://www.upi.com/Archives/1980/10/06/Rosallynn-Carter-today-launched-National-Consumer-Education-Week-at/1905339652800/>.

⁷⁵ “Election night casualties” from “Election ’80: Pocketbook Politics,” *CFA News* November 1980, p. 1. On Public Citizen see Martin, *Nader*, 200–201.

established a Task Force on Regulatory Relief, headed by his Vice President, George Bush. In its deliberations, the Task Force invited various industry groups or individual corporations for consultations, and they were encouraged to turn to the Task Force as a sort of “appeal” on regulatory agencies’ decisions. Needless to say, consumer representatives were not invited. Moreover, in 1981, federal regulatory agencies halted their public participation reimbursement programs, which had been used to allow consumer representatives from local and state groups to appear before agencies.⁷⁶ As for the agencies’ operation, the Consumer Product Safety Commission can serve as a case in point: before assuming office, President Reagan picked for the Commission’s transition team the conservative Barbara Keating-Edh (founder of the Consumer Alerts group). Her recommendation was to abolish the agency, which some of Reagan’s aids sought to implement in 1981. The Commission was not abolished eventually, but it was the first regulatory agency, among the many that would follow, to take a hit of a serious budget cut. It was also the largest cut made of all regulatory agencies: its budget was reduced by almost 40%. The pages of the *CFA Newsletter* from the early 1980s are filled with examples of such cutbacks. For a while, it even initiated a new column – “Now You See It, Now You Don’t” – to document past consumer protections that were rolled back.⁷⁷

The annual Consumer Assembly of 1981 was held in Washington, D.C. a couple of weeks after the new administration’s inauguration, under the apt title: “The New Politics: What’s Ahead for Consumers?” As a most indicative sign to CFA’s recognition that desperate times require desperate means, this was the first Assembly in fifteen years of existence to which industry representatives were invited as speakers. Besides this innovation, and the bleak messages (such as Joan Claybrook’s statement that “the Golden Era in government is over”), a main message that was heard at the conference was the importance of “returning to the trenches” and to grassroots consumer organizing.⁷⁸ Some prominent consumerists, like Nader and former FTC Chair Michael Pertschuk, even expressed cautious optimism that the assault on consumer protection by the Reagan administration would invigorate a new wave of consumer awareness

⁷⁶ On the Task Force, see Vogel, *Fluctuating Fortunes*, 246–47, 250–51; Martin, *Nader*, 204–5. On public participation programs Kim Fulcher, “Consumer Access to Government Cut Off,” *CFA News* March 1982, p. 3.

⁷⁷ Morton Mintz, “Transition Consumer Aide Heads Group Largely Funded by Business,” *Washington Post*, December 31, 1980; Merrill Brown, “Reagan Wants to Ax Product Safety Agency,” *Washington Post*, May 10, 1981; Vogel, *Fluctuating Fortunes*, 248; “CPSC: First Budget Cut Victim,” *CFA News*, April 1981, p. 3; Ronald Weinrib, “Budget-Cutting Politics: Consumer Safety Suffers,” *CFA News* June-July, 1981, p. 2. The columns of “Now You See It...” are in *CFA News* issues from 1982.

⁷⁸ “Consumer Assembly ‘81: Analyzing an Uncertain Future,” *CFA News* February-March 1981.

and activism. While this did not prove right, the election results at least brought innovative ideas for consumer organizing. In the early 1980s, Nader turned his efforts to state-level organizing, to advance the idea of Citizen Utility Boards. These were legislated organized consumer groups that would employ professionals who could advocate for consumer demands to regulated utility companies and lobby for consumers. Like the funding mechanism of the Public Interest Research Groups, the Citizen Utility Boards would be funded by a “check off” system, only collected by the utility company (instead of the academic institution like with the PIRGs). The idea took off in several states, including Wisconsin, New York and Illinois, and resulted in some similar private (non-legislated) regional groups in California.⁷⁹

The Missouri Public Interest Research Group provided further examples for innovative attempts of grassroots organizing in the face of the election results. A few weeks after the election, the group published an article in the *Missouri Times*, analyzing the election results and laying out an agenda for the consumer movement for the 1980s. Published under a collective authorship, the article was probably written by Tom Ryan, MoPIRG’s founder and Director, who was then also a CFA Board Member. The article repeated familiar laments on the unorganized consumers: “popular support for consumer causes and favorable [media] coverage,” it argued, “has resulted in a popular misconception as to the power of consumer groups.” In fact, it claimed, the election results had proved the powerlessness of the consumer movement. It then laid out an elaborate plan to organize consumers into legislated unions. The basic idea was similar to Nader’s CUBs, only that it applied to “all areas of the marketplace,” though the author admitted that this would take years to implement. As a more immediate action, MoPIRG founded in the wake of the election a “Citizen Lobby” to inform consumers on economic issues and solicit their support. Later in 1981, CFA would take a similar idea and aim to build a “National Consumer Lobby” as part of its endeavors to reorganize grassroots networks.⁸⁰

The attempts to reorganize consumer grassroots saw mediocre results at best, and the hopes that Reaganomics would rekindle public outrage did not come true. MoPIRG’s Consumer Lobby

⁷⁹ Optimistic outlooks, see, for example Pertschuk, *Revolt against Regulation*, 120: “Reagan may succeed where Nader fell short in rekindling public outrage.” See also Glickman, *Buying Power*, 298–99. On Nader’s CUBs, see Martin, *Nader*, 207–11; Drew Hyman, “Citizen Utility Boards,” in *Encyclopedia of the Consumer Movement*, ed. Stephen Brobeck (Santa Barbara, Calif.: ABC-CLIO, 1997).

⁸⁰ The Missouri Public Interest Research Group, “Consumer Clout: A Progressive agenda to fight the challenge of the New Right,” *Missouri Times*, November 22–28, 1980, MoPIRG Records, Box 1, folder 6; News Release: “MoPIRG to Build Statewide Citizens’ Lobby,” 1980, MoPIRG Records, Box 1, folder 17; David Greenberg, “Building at the Grassroots,” *CFA News* June-July 1981, p. 1.

existed for a couple of years, but rather than the 500,000 members that the group aspired to recruit, the peak number reached less than 500. CFA's civic lobbying efforts helped to preserve the federal Office of Consumer Education – not a small achievement under the Reagan administration – but the National Consumer Lobby had never materialized. The popularity of the consumer causes was fading even with the moderate asks for civic participation in writing letters and making phone calls on behalf of consumers, or even in participating in “check-off” systems. The social environment and social conditions were very different from those of fifteen or ten years ago. The political environment was different too, as was the composition of the parties and the relationship of consumer groups to them. In analyzing the 1980 election results, Max Weiner of CEPA commented:

“The net effect of the Carter years has been to disarm and demobilize the peoples’ movement, creating a debilitating dependence upon the Democratic President to protect and advance the peoples’ interests. [...]”⁸¹

The other side of the dependence on the Democratic President during the Carter years was the disconnect from the Republican establishment during the Reagan years – something that CFA felt very well. In the election year of 1984, CFA's executive director, Stephen Brobeck, critically commented on the increasing movement's partisanship: “Partisanship clearly has increased during the past three years, principally as a response to the Administration's assault on past consumer protection. [...] Although [...] a predictable political response to a powerful threat, it probably has not increased our popularity with consumers.” In the face of “increased public skepticism about our advocacy,” he expressed to his colleagues the words of every organizer who is facing problems of recruitments: to go back to the issues.⁸²

C. Conclusion

This chapter showed that the consumer movement's Washington-based leadership, and chiefly, the Consumer Federation of America, had maintained close relationships with the Democratic party since its inception. However, over the years this relationship had shifted, from tacit affinity, qualified by working relationship with Republican officeholders and congressmembers, to a

⁸¹ Max Weiner, “The 1980 Election: What Does it Mean for Consumers?” *Consumers Voice*, vol. 15, No. 8, 9 (1980).

⁸² Stephen Brobeck, “The Evolution of Consumerism,” *CFA News* March-April 1984, p. 4.

public proximity which meant, practically, identification – indeed, almost absorption into the party – during the Carter’s presidency. As shown in the analyses of both the voting records and the historical materials around electoral campaigns, from the very start, the movement’s leadership was close to Democratic politicians. This is not surprising, given that the movement grew out of Democratic policies, as discussed in previous chapters, and given the movement’s close relationships with then-Democratic strongholds such as labor unions, other public interest groups, and community organizations in low-income neighborhoods. Nonetheless, despite this relationship, in its early years CFA assumed a nonpartisan stance and attempted to maintain relationships with both parties. In part, this was calculative and done for strategic reasons, as shown in Father McEwen’s appeals to the parties around elections or in CFA’s stance on the appointment of the member of the Federal Trade Commission. But in part, this was also because the partisan division around consumer issues was not so clear-cut. President Nixon continued to carry out the consumer protection policy regime, more notably in his early years in office. Even during Ford’s presidency, although his hostility to the Washington-based consumer groups and their agenda was no secret, staffers in his administration continued to cooperate with consumer organizations on specific issues. In Congress, there continued to be, until the mid-1970s, a small but persistent cadre of Republicans who scored high on the consumerists’ record, and a large faction of Southern (and some other) Democrats whose voting records seemed more similar to that of their Republican colleagues.

The change came markedly in the election year of 1976 – even before the election – and continued to be evident during Carter’s presidency. The background conditions changed too. First, economically. If earlier in the decade the economic crisis was not as manifest or did not seem to affect the consumer protection program, by the mid-1970s there was no doubt about the severity of the crisis. While many offered various solutions, including consumerists, it was clear that consumer protection programs would cost dearly during times of crisis. Second, the political background. Starting earlier in the decade, business political mobilization grew, and by the mid-1970s it reached maturity. This was apparent from the number of corporate lobbies in Washington, D.C. and their growing influence. Moreover, because of changes to lobbying regulations as well as to campaign finance rules, electoral candidates could be endorsed by organizations like CFA, and could also receive campaign donations, which allowed business lobbies to increase their political clout.

With CFA and the consumer movement's leadership now openly endorsing Democratic candidates, and with Carter's campaign promising to consult with Ralph Nader on appointments to offices, the Democratic victory in the 1976 seemed initially auspicious. However, congressmembers became more sensitive to business lobbies' oversight, including Democratic congressmembers, and, due to the economic crisis, the Democratic administration came to be more cautious at the economic helm. Consequently, consumer advocates witnessed plenty of disappointments during the 95th and 96th Congresses. Add to this the fact that many former consumerists were now part of the administration, putting strains on, and creating fissures within, the movement, and it should not be surprising that the political disappointments led to deflation and demobilization at the grassroots level as well. This was an already weak starting point from which to get to the 1980 elections, whose outcomes would prove devastating to the popular consumer movement.

A few notes should be made about aspects not examined in this chapter. In studying the consumer movement's relationship with electoral politics, I chose to focus on CFA. This focus made practical sense because of the availability of the data. Additionally, it made sense because of CFA's central position as both constituting the movement's main access to institutional federal politics, and the organization's role as the largest federated consumer organization, coordinating the activity of state and local groups. As a result of this focus, this chapter highlighted the politics of lobbying among federal legislators and government bureaucrats – which characterized CFA's main way of seeking political influence. It should be noted, however, that parallel to these, other components of the consumer movement engaged in different forms of politics at the national and local levels, including electoral politics on the latter. Other forms of political influence were pursued, using other tactics, by other and less prominent national federated organizations. These included the short-lived National Consumer Congress that prioritized direct action like protests and boycotts for lowering food prices (although they were not very successful); or the Conference on Consumer Organization which promoted “direct negotiation” with industry representatives by conducting “joint panels” in various industry areas. (The latter were successful in the sense of getting industry representatives to participate – a testimony to the movement's political power – but with questionable impact on policies.) Other goals were pursued through courts, through lawsuits or class actions (in itself a hotly debated

legislation in Congress during the entire 1970s, and later on a source of funding for consumer organizations), especially, though not only, by the law-oriented consumer organizations.

Local and state consumer groups engaged with electoral politics, too. Some in similar ways to CFA at the national level, while others in different forms. As mentioned in this chapter, some local and state groups conducted and disseminated voting records similarly to CFA (though usually much simpler), or prepared questionnaires for candidates on their stands regarding consumer issues. Some also endorsed candidates or recommended voting options for members. Unlike CFA, not all these groups' recommendations were partisan (the Missouri PIRG, for example, recommended, when it could, both Republican and Democratic candidates with a consumer-oriented record/agenda), though the prominence of Democratic candidates was apparent. Other groups, most prominently CEPA from Philadelphia, supported third-party candidates or ran its own candidates. As discussed in the Chapter 5, CEPA founded a "Consumer Party" already in the late 1960s, and it continued to run candidates in local and state elections until the end of the 1980s – never successfully, but effectively enough to repeatedly get a place on the ballot. In 1980, CEPA's activists not only supported third-party candidate Barry Commoner, but lent to his national campaign their knowledge and experience in organizing as a third-party. They urged Ralph Nader to run, too, but back then, he still declined the electoral route. (This would change in the late 1990s, infamously). In the late 1970s and during the 1980s, with the consumer movement turning more toward institutional and electoral politics, many consumer activists – including Kay Pachtner from San Francisco Consumer Action and Tom Ryan from MoPIRG – ran as candidates in local electoral campaigns, sometimes as independents, often as Democratic candidates. Many failed (including the latter two); some succeeded; and some, perhaps fewer, stuck to non-governmental activism in the remaining consumer groups, which tended to turn toward focusing on advocacy and public education.

Granted, the institutionalization of social movements and their activists was not unique to the consumer movement. Processes of bureaucratization and routinization occurred during this period among the more well-studied, protest movements of the 1960s and 1970s as well, as documented and explained by social movement scholars. A variety of factors combined can be outlined to account for these processes, including demographic (the aging of baby boomers moving on to start careers, families, etc.), political (the rise of the conservative right with its demobilizing effects on progressive movements), economic (the bleak conditions of the 1970s

decade) and, importantly for our purposes, political-economic. Under the latter can be listed both the growing political influence of businesses, as discussed in this chapter, and the increasing prominence of pro-business and market-centered economic and social policies. (The two are of course interrelated, although the latter cannot be attributed to the former alone.) The political-economic factors were crucial – and detrimental – to the fate of the consumer movement, with its origins and logic rooted in the government’s capacity and willingness to employ consumer protection policies. It was especially crucial for the consumer movement’s fate and character *as a* popular social movement, a character which greatly depended on the tendency of government officials (as well as of the popular media) to mediate the consumerist framing and messages between the movement’s cadre of activists and its expansive constituency.

This chapter also showed that while these shifts of the political-economic order intensified greatly in the 1980s, under Reagan, they started already during the 1970s, and especially during Carter’s presidency. They affected not only the “party of business interests” but also the Democrats, as reflected in the voting trends analyzed by consumer advocates. This, too, had implications for the consumer movement in terms of its relationship with its wider constituency, which was perceived as “all of the American consumers” – but practically meant those in the broad middle classes that the postwar consumers’ republic spawned. It should be noted that this constituency was perceived to stand in contrast with the upper business classes, and not in contrast with lower classes (although also not necessarily including the latter). As seen in previous chapters, the consumer movement had a rather significant component of consumer groups oriented to “low-income consumers,” primarily racial minorities in urban areas, which were the perceived constituency, and sometimes also the membership, of these organizations. By and large, the consumer movement did not see conflict or competition of interests between the low-income consumers and the general consumer constituency, but rather shared interests. Still, the main constituency of the movement was seen as “American consumers,” without the designated class modifier, as can be learned from the fact that “low-income consumers” required a separate category (indicated also in the topic analysis of congressional votes in this section). In any case, while the consumer movement forged and publicized its alliance with the Democratic party before and during Carter’s presidency, it opened gaps between the movement’s leadership and this wider constituency. Possibly, the movement’s version of consumer politics, positioning consumers against businesses, was also becoming less appealing this constituency.

Appendix 6. Methodological appendix to Chapter 6

1. CFA'S VOTING RECORDS

1.1. Sources of data

The Consumer Federation of America Records (stored as part of the Consumer Movement Archives at the Morse Special Collection Library at Kansas State University) contain most of the Voting Records that were published by the Consumer Federation of America. The first published 1971 Voting Records, of the 1st session of the 92nd Congress (published in 1972), is found in Box 3, folder 11. Box 22 contains, in separate folders, all the Voting Records publications from 1975 and until 1999, except for 1998 (which is missing from the box, for unexplained reason).

For presenting and calculating the numbers of the years 1971, 1975-1984, I used these original publications. I could not find the Voting Records for the years 1972-1974 during my archival research (they also do not appear in the Finding Aid of the collection, but it is still possible that they are found in one of the boxes that I was not able to access), but it is clear from the materials that in these years, CFA compiled and published Voting Records. For obtaining the information of the Voting Records in these years (including number of votes in the two chambers, number of legislators receiving 100% and 0% scores, etc.), and for obtaining further information on the analysis and dissemination of the Voting Records over the years, I conducted searches in the CFA published newsletters (the issues retained and held as part of the CFA Records at CMA); and newspaper searches, including focused searches in the digital archives of the *New York Times* (NYT) and the *United Press International* (UPI).

1.1.1. Sources of data for 1972-1974

Specifically, the information on Voting Records for years 1972-1974 that was used for the quantitative descriptive analysis was obtained from in the following sources:

- For 1972 –
 - 1) UPI, “Senators Rated by Consumer Groups,” *NYT*, 28 Oct. 1972, p. 63.
 - 2) Grace Lichtenstein, “Javitz Rated 100% by Consumer Unit,” *NYT*, 31 Oct. 1972, p. 49.
- For 1973 –
 - 1) UPI, “Consumer Group Challenges Records of 1973 Congress,” *NYT*, 11 Mar. 1974, p. 23.
 - 2) CFA Newsletter, April 1974, p. 5.
 - 3) CFA Newsletter, Oct. 1974, p. 2.

* The two articles in the CFA Newsletters contain contradicting information about the number of House members who received a 100% score (the NYT article only reported about the Senate): In the April 1974 article, reporting on the 1973 Voting Records, it is said that 29 House Representatives received a 100% score; In the October 1974 article, reporting on the 1974 Voting Records, it is mentioned in comparison that 47 House Representatives received a 100% score, and that 29 House Representatives received a 0 score. I treated this as a mistake, interpreting it in line with the April 1974 article to assume that it was in fact 29 House Representatives receiving the 100% and 47 Representatives receiving the 0 score.

- For 1974 –
 - 1) CFA Newsletter, Oct. 1974, p. 2.

1.1.2. Complementary sources of data for 1975-1984

Other sources that were used to juxtapose, confirm and broaden the information on the Voting Records for the years 1975-1984 are listed below, in chronological order. In square brackets I note the year and Congressional Session the source relates to:

- “CFA Publishes 1975 Congressional Voting Record,” *CFA News* (newsletter), Mar. 1976, p. 1.
[1975, 94th Con. - 1st session]
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- Larry Kramer, “Consumer Federation’s 1978 Hit List Includes Five Republicans in Congress,” *Washington Post*, 17 Aug. 1978.
[1977-78, 95th Con. (in general)]
- “CFA Issues 1979 Voting Record: Heroes, Zeroes, Fairweather Friends,” *CFA News* (newsletter), Feb. 1980, p. 1
[1979, 96th Con. - 1st session]
- UPI, “Consumer Group Rates Congressmen on Records,” *NYT*, 27 Oct. 1980, p. 8.
[1980, 96th Con. - 2nd session]
- “1980 Voting Records: Year of the Take Away,” *CFA News* (newsletter), Nov. 1980, p. 3
[1980, 96th Con. - 2nd session]
- Michael Conlon, “‘Heroes’ and ‘Zeroes’ on Capitol Hill,” *UPI Archives*, 1 Apr. 1982.
[1981, 97th Con. - 1st session]
- Thomas Ferraro, “Consumer Group Lists ‘Heroes’ and ‘Zeroes’,” *UPI Archives*, 23 Mar. 1983.
[1982, 97th Con. - 2nd session]
- Thomas Ferraro, “‘Heroes’ and ‘Zeroes’ by Consumer Group,” *UPI Archives*, 8 Feb. 1984.
[1983, 98th Con. - 1st session]
- UPI, “Here are the ‘Heroes’ and ‘Zeroes’,” *UPI Archives*, 8 Feb. 1984.
[1983, 98th Con. - 1st session]
- Thomas Ferraro, “Consumer Group Rates Members of Congress,” 11 Mar. 1985.
[1984, 98th Con. - 2nd session]

1.2. Categorizing and re-categorizing voting topics

As noted in the text in the chapter (see figure 6-a), CFA divided the Congressional votes that it considered for its record and ranking to different topics, from the Voting Records of the year 1975 at least. The choice of CFA on which votes to focus, as the division to topics in itself, are both interesting for examining the relationships between the consumer movement and Congress. Yet, the division to topic had not been consistent over the years (e.g., the categories in 1982 are completely idiosyncratic), and sometimes within a year (at times, a vote on the same bill was categorized differently in the House and Senate). For the sake of consistency and the concision of the presentation, I grouped some categories and re-categorized specific votes.

The table in the next page notes the original categories / headings, by year. In the parenthesis I note how many decisions/votes were under each category in both Chambers (“S” for Senate, “H” for House). In the following paragraphs, I list all the changes I made in the categories.

1.2.1. Table 6-e: Original CFA’s Voting Records’ categories / headlines

YEAR	ORIGINAL CATEGORIES AND VOTES
1975	Energy (8 S, 6 H); Agency for Consumer Protection (5 S); Agency for Consumer Advocacy (1 H); Other (4 S, 6 H)
1976	Energy (2 S, 2 H); Antitrust (3 S, 3 H); Tax Reform (3 S); Consumer Protection (2 H); Nomination [of CPSC chair] (1 S); Health (2 S); Agriculture/Food (2 S, 2 H); Regulatory Reform (1 H); Insurance (1 S); Housing (1 H)
1977	Energy (10 S, 4 H); Tax Reform (4 S); Agriculture/Food (2 S, 3 H); Low-income consumer (3 S, 5 H); Regulatory Reform (2 S, 4 H); Credit (1 S); Banking/Credit (3 H); Health/Safety (3 S); Health (1 H)
1978	Energy (3 S, 4 H); Tax Reform (4 S, 2 H); Agriculture/Food (2 S, 3 H); Low-income consumer (1 S, 1 H); Government Reform/Waste (2 S, 8 H); Banking/Credit (1 S); Health/Safety (5 S, 3 H); Housing (2 S)
1979	Energy (11 S, 9 H); Tax Reform (1 S, 1 H); Agriculture/Food (1 H); Low-income consumer (3 S); Government Reform/Waste (5 S, 7 H); Banking (1 S); Housing (1 H); Health/Safety (4 H); Transportation (1 H)
1980	Energy (1 S, 1 H); Government Reform (8 S, 2 H); Health/Safety (2 S, 2 H); Antitrust/Competition (1 S, 1 H); Housing (2 S, 3 H); Agriculture/Food (1 S); Low-income consumer (1 H); Transportation (2 H); Budget/Economy (2 H)
1981	Energy (4 S, 4 H); Agriculture/Food (2 S, 3 H); Low-income consumer (3 S, 3 H); Banking/Credit (3 S); Budget/Economy (1 S, 2 H); Communication (1 S); Transportation (2 H); International (1 H)
1982	Energy (3 S, 2 H); Automobiles (1 S, 1 H); Homes (1 S, 1 H); Jobs (1 H); Health Care Costs (1 S); Social Security Benefits (1 S); Taxes (3 S, 1 H); Food Prices (1 S); Food (1 H); Competition and consumer prices (2 S, 3 H); Drugs (1 H); Legal Services (1 H)
1983	Energy (3 S, 1 H); Agriculture/Food (2 S, 1 H); Health and Safety (2 S, 2 H); Antitrust/Competition (1 S); Consumer Protection (1 H); Budget/Economy (1 S, 1 H); Banking/Credit (2 H); Transportation (2 H); Low-income consumer (2 S, 2 H); Communication (2 H)
1984	Energy (2 S, 4 H); Health (1 S); Health and Safety (3 H); Low-income consumer (1 S); Antitrust and Competition (3 S); Consumer Protection (2 H); Taxation (2 S); Financial System (1 S); Communication (1 S); Food and Nutrition (2 H); Environment (1 S, 1 H)

1.2.2. List of Consolidations and Recategorizations

1.2.2.1. Overall description

As a general rule, I tended to leave the original categories used by CFA in their Records analysis, and when needed to consolidate similar or close categories (see list under 1.2.2.2), or categories that had different titles but related to the same subject matter (e.g., “Regulatory Reform” with “Government Reform”, “Tax Reform” with Budget/Economy”).

I recategorized specific votes in cases where the categories of a certain year seemed idiosyncratic to that year (e.g., almost all categories in 1982); and when specific votes were included under a topic unique to that year. (In the following three cases: the topic “International” appeared only once, in 1981, and includes one vote on the safety of infant formula exported from American manufacturers internationally. It was recategorized to

“Health/Safety”. The topic “Environment” appeared only in 1984, regarding two votes on a hazardous waste cleanup program, which were categorized under “Safety/Health”. The topic “Financial System” appeared only once, in 1984, with a single vote on credit cards surcharge, and was recategorized as “Banking/Credit”).

Regarding votes that could belong to more than one category (such as votes on specific taxes brought under the topic “Energy” rather than “Taxes”), I tended to stick with the original topics used by CFA. The exception was in cases where for consistency purposes, it was clear that recategorizing would be more fitting with the way the same subject-matter was categorized by CFA over the years (as in the following examples: Votes on the “food stamps” program were included by CFA under “Low-income consumer” for the most part under, but occasionally under “Food” - and in those cases recategorized. Votes on assisted housing were usually included by CFA under “Housing/Mortgage” but occasionally under “Low-income consumer” or “Banking/Credit” – and in both of these cases, were recategorized). For more rules of thumbs regarding recategorization see 1.2.2.3.

1.2.2.2. Consolidations of categories

- “Agency for Consumer Protection” and “Agency for Consumer Advocacy”
- “Housing” (when appeared separately) with “Housing/Mortgage”
- “Banking” and “Credit” (when either appeared separately) – merged
- “Health” (when appeared separately) with “Health/Safety”
- “Regulatory Reform” with “Government Reform” (or Government Reform/Waste)
- “Antitrust” (when appeared separately) with “Antitrust/Competition”
- “Tax Reform” / “Taxes” / “Taxation” with “Budget/Economy”

1.2.2.3. Consistency of categories and recategorization for consistency purposes

- Rules of thumb:

Rather than listing in full all the categorization changes made, for purposes of brevity, I list below the general rules of thumb that I used for: (a) categorization of votes under “Other” category (appears in 1975 only) and (b) recategorizing certain recurring topics. (I kept and can share the records of the full list of individual changes year by year.)

- All votes relating to the Consumer Product Safety Commission, including on its reauthorization and budget were categorized under “Health/Safety”.
- All votes on “Food Stamps” and “Legal Services” programs were categorized under “Low-income consumer,” as well as a vote (1983) on creating jobs in communities with high unemployment rates, and a vote (1984) on weatherization of low-income households.
- All votes related to housing issues and mortgages were categorized under “Housing/Mortgage”. These included several votes also on public housing and discrimination (redlining), a couple of votes (1979) regarding housing or home-ownership assistance that I recategorized from their original “Low-income consumers” topic, and a couple of votes (1983) regarding emergency housing

assistance and rent control that I recategorized from their original “Banking / Credit” topic. In both cases the recategorization was done to keep consistency with CFA’s own categorizing of these topics in previous years.

- General description of specific categories
 - The category “Regulatory / Government Reform” was used to include votes that were categorized under “Regulatory Reform” (1976-77), “Government Reform/Waste” (1978-79), or “Government Reform” (1980) and other votes from later years, including a couple of decisions on the Federal Election Committee and campaign finance / PACs (one vote from 1978, two votes from 1979) and “cooling off” period for government officials in transition to industry (a vote from 1979). As a general rule, this category was used for votes on regulatory agencies that concerned budgetary or procedural issues, such as the agency’s budget or authorities vis-à-vis Congress and Congressional veto, funding of public participation in agency’s hearing). When votes were on the agency’s authorization/chair nominations, or on substantive issues under the jurisdiction of the agency, they were included under the substantive category (e.g., for “Antitrust/Competition” for FTC, see below; “Health/Safety” for CPSC, see above, and for the Occupational Safety and Health Agency (OSHA), etc.).
 - The Category “Taxation // Budget/Economy” was used for votes on tax reform / tax cuts (sometimes brought by CFA under the topic “Tax Reform,” sometimes “Taxation” and sometimes “Budget/Economy”), as well as for votes on budgetary issues, such as Congressional voting on contracts of the Defense Ministry (in 1978-79), or a requirement from regulatory agencies to monitor the financial impact of new regulations and avoid new regulations that offset the budget (in 1980).
 - The Category “Consumer Protection / Consumer Protection Agency” included all the votes on the Agency for Consumer Protection (until 1978) of Office of Consumer Protection (1980) as well as a program for consumer dispute resolutions under the Ministry of Justice (1979) and votes on FTC that related to its consumer protection authorities which were not about antitrust regulation (see below). Other votes that were included by CFA under this topic were usually recategorized for consistency purposes (e.g., a vote on the Consumer Credit Protection Act in 1978 was recategorized to “Banking/Credit,” a vote on rulemaking authorities of FTC from 1983 was recategorized to “Regulatory/Government Reform”, a vote on liability for injuries caused by toxic waste in 1984 was recategorized to “Health/Safety”).
- Votes regarding the Federal Trade Commission were recategorized as follows (even if originally under a different topic):
 - Votes on matters of procedures and general authorities (including the agency’s procedural authorities, its authorities vis-à-vis Congressional Veto, its budget and funding for public participation in hearings), were all categorized under “Regulatory / Government Reform”
 - A vote on the FTC authorization (1978) and on substantive issues relating to its regulation of competition (e.g., its regulatory powers on professions, regulations of funeral homes, exemptions from anti-trust laws to certain industries) were categorized under “Antitrust/Competition”

- Votes on FTC's authorities in the realm of consumer protection (2 votes in 1980: on TV advertising for children and on FTC's investigation of organizations setting consumer standards) were categorized under "Consumer Protection / Consumer Protection Agency"

2. **PRESIDENTIAL SPECIAL MESSAGES TO CONGRESS ON CONSUMER PROTECTION/INTERESTS**

To produce table 6-d, and for finding and researching further Presidential archival materials, I used the database: "the American Presidency Project" of the University of California – Santa Barbara library. This is a digital, searchable database that contains public papers, annual messages to Congress, inaugural addresses, radio addresses, acceptance speeches, presidential candidates' debates, party platforms, and further data on presidential elections.

I used lexical searches (primarily "consumer" and "consumption") and went over the Presidential Messages to Congress and other materials (Addresses, Statements as well as materials from presidential electoral campaigns) for each president from Kennedy to Carter, and I also searched specifically for Messages or Addresses to Congress in relation to consumers from Reagan until Clinton. There were numerous results, and the relation to consumers of different messages varies greatly.

For both brevity purposes and for better consistency, I decided to focus on the Special Messages to the Congress that were specifically dedicated to Consumer Protection or Consumer Interests, as they are brought in table 6-d.

Chapter 7. Conclusion: From “the forgotten man” to a forgotten movement

In the year 1960, while some authors were celebrating the American “powerful consumer,” and others were lamenting consumers’ obsession with material abundance, overbuying, status-seeking and waste-making, a New York academic voiced the plight of the consumer as the “Forgotten Man” of American economy.¹ Against the powerful triumvirate of Big Business, Big Government, and Big Labor, Mario Pei’s proposed solution was to form the “United Consumers of America,” as outlined in his treatise, *The Consumer’s Manifesto*. From today’s perspective – perhaps already from a contemporary perspective too – Pei himself was quite a forgotten man. Yet, his call for consumer action was not a lonely voice. In fact, it reflected the activities of small groups of citizens, who were already then starting to organize consumer councils and associations in cities like New York and Milwaukee and states like California and Massachusetts. Moreover, when bemoaning the consumers’ low status, Pei echoed the campaign promises of politicians, who appointed officials to represent in the government the plights of this forgotten man – more typically, through the voice of a woman – serving as a consumer counsel or advisor. In the following years, these governmental consumer representatives lobbied for, and were strengthened by, legislative and administrative initiatives for consumer protection in states and at the federal level. In the latter half of the 1960s, these positions and initiatives coalesced into what I called a consumer protection policy regime, which was backed by consumer civic organization at the local and national levels – and was conducive to the banding together of these assorted civic activities to form a national consumer movement.

The policy-influenced and top-down mobilization of consumers came through various channels and in both direct and inadvertent ways. In the most palpable example of government-inspired mobilization, the President’s Consumer Advisor, Esther Peterson, actively prodded into existence the formation of the major national organization, the Consumer Federation of America, to serve as a Washington, D.C. consumer lobby that would countervail business lobbies. In other cases, consumer groups were mobilized into action and coalition-formation, backing or opposing certain governmental policies and legislative initiatives. Such was the case, for example, of consumer credit legislation which facilitated, in the late 1960s-early 1970s, a national

¹ The books I am referring to (*The Powerful Consumer* by George Katona, *The Status-Seekers* and *The Waste-Makers* by Vance Packard, and *The Consumer’s Manifesto* by Mario’s Pei) were all discussed in chapter 3.

coordinated effort. Consumer advocates and activists were afforded organizational and material resources through administrative consumer protection offices and units, and also through anti-poverty social policies, which put special emphasis on helping and organizing low-income consumers. No less important were the nonmaterial effects of the consumer protection agenda, as they raised awareness to consumers being bearers of rights and provided a way to frame everyday problems and frustrations as consumer issues. These nonmaterial effects, too, facilitated grassroots mobilization.

For a span of a few years at the end of the 1960s and first half of the 1970s, numerous consumer groups formed around the country, usually focusing on local and sometimes topic-specific issues. They were spurred by various factors, including probably taking after the animated civic activity stirred by the contentious issues of the day – race-relations and the war in Vietnam – but also by perceived market-abuses and especially increasing inflation, as indicated by the “housewives” protests over rising food prices. Thanks to the consumer protection policy regime, and thanks to the organizational infrastructure that was laid out partly owing to its effects, these scattered local initiatives came together. They were granted with coherence and a relatively unified direction, and they joined forces under the banner of a national consumer movement.

A decade after the publication of *The Consumer's Manifesto*, then, even though Mario Pei's envisioned “United Consumers of America” had not materialized, something close enough did. The consumer was no longer as forgotten as before. The consumer movement never attained the caliber of the popular mass movements of the 1960s, but during the 1970s it was nevertheless politically influential, and though it originated in part from the offices of attorney generals and hallways of legislatures, it nevertheless gained popular attraction and sympathetic followers. The political influence of the movement came from its national leadership based in Washington, D.C. and engaged in lobbying activities. The towering figure of Ralph Nader was crucial to this influence with his access to Congress, expertise in handling the media, extreme public popularity, and tireless manifold initiatives in different organizational forms. But Nader was not alone, and similarly important was a group of other national organizations, including the Consumer Federation of America, working collaboratively to protect and advance consumer interests, and closely cooperating with the labor lobbies as well. The popular element of the movement came from its ability to attract – and the growing capacity of the Washington-based

national leadership to organize around the country, mobilize, and coordinate – a cadre of consumer activists and local advocates. These activists and advocates engaged in activities of different forms, from picketing businesses and conducting price-surveys to public education and organizing letter-writing campaigns to elected officials. The consumer movement's leadership never organized a massively attended march on Washington, and it probably could never have even if it had wanted to, which in itself is a doubtful proposition. But the movement was nevertheless composed of this committed cadre of consumerists who channeled their time, energies, organizational skills, and other resources into civic activity in the name of consumers.

The movement members sustained their commitment to it by identifying as a collective – the consumer movement or consumerists – and maintaining a sense of “we-ness” shared by national consumer advocates and local activists. This shared sense offered unity in the face of the great diversity of the movement and the challenges it brought, such as drawing clear boundaries around the broad constituency that encompassed all consumers. Another challenge was the common tensions between different components of the movement, especially the Washington-faced leadership, bent on acting through institutional politics, and the various local groups. Yet a shared sense had been achieved, and underlying it was a fostered oppositional consciousness, positing consumers against “their enemies” in the business community. Dividing the universe into clear camps of “us versus them,” this oppositional worldview constituted a fundamental political commitment that united consumers “against” businesses. Indeed, this adversarial approach can be seen as a basic tenet of the “consumer politics” that contributed to the initial emergence of the consumer movement, and to its further mobilization and popularity. The oppositional consciousness was professed by the various components of the movement: the grassroots activists who picketed businesses and conducted price surveys or demonstrations; those few academic-led organizations who sought to engage in “direct negotiations” with industry representatives; and the official movement's leadership who sought to solve the problem of corporate power through governmental solutions. The government played an ambivalent role in this political worldview. Sometimes it was seen as having the power to curb the market abuses brought about by businesses; often it was viewed as insufficiently effective due to its being “in the pockets” of Big Business. But regardless of its perceived power, the government was almost always perceived as the body responsible for protecting consumers from businesses and implementing the ultimate solutions to their problems in the marketplace.

At the same time that government was looked up to for solutions, both at the state and especially the federal level, consumerists at the grassroots engaged, with encouragement from the national organizations, in empowering citizens to exercise “consumer politics” against businesses on the ground. Consumer activists helped the public them to handle their problems in the marketplace by encouraging and sometimes teaching them to voice consumer complaints, and often also by helping to carry these complaints through to a satisfying solution. Thus, consumer movement members propagated their vision of consumer politics while helping to solve individual problems. But the individualizing logic of the consumer complaint mechanism also demonstrated the challenges, indeed inability, of the consumer movement to generate a broader collective consumer identity. In other words, the member of the consumer movement failed, overall, to entail in their wide constituency the level of commitment that was exemplified by consumerists themselves. This had later consequences, as the business community became itself more attuned to problems of consumers, and also more organized and more politically influential, while the national consumer movement’s leadership, having been in charge for coordinating the movement nationwide, had become more involved in partisan politics to the extent of effectively becoming part of the Democratic establishment. Not all consumer advocates at the national level followed that path, and certainly not all activists at the grassroots. But without the national coordination and guidance, it was much harder to hold together the assorted (and waning) consumer activities throughout the country, in the face of the declining political power and popularity of the movement’s national leadership, and of the movement overall.

If in the early 1970s the consumer was no longer the “forgotten man,” but rather politically represented by an influential and popular social movement, one decade – and a world-changing economic crisis – later, this movement was in an uphill battle to preserve whatever achievements it gained over the previous fifteen years. Within the next couple of decades, the consumer movement will become forgotten by public opinion and, save an exceptional few, by academic scholars alike. In the rest of the conclusion, I offer reflections that connect the factors for this forgetfulness with the lessons that may be learned – in this study or in prospective research that may draw on its conclusions – from unearthing the consumer movement’s underappreciated history. I will discuss these reflections in regard to three realms of research that guided the current study, and that the study sought to bring together: political economy, social movement mobilization, and the idea of collective identity or group-collectivity.

Starting with political economy, I argued that the mobilization of the consumer movement in the 1960s was facilitated by a political agenda and policy regime of consumer protection and, more broadly, that it was the consequence of a political-economic paradigm that emphasized consumers in the aggregate or their collective sense. Once the political-economic paradigm shifted, the general meaning of “the politics of consumption” or “consumer politics” also transitioned: from its meaning as a state-centered pursuit in the sake of a collective constituency to a market-based understanding, in the form of individually exercising ethical and political preferences in regard to consumption. This broader argument, however, is met with the limitations of the strategic approach of a single movement case-study, as such political economy arguments call for comparative research framework. The empirical historical materials I presented could show clearly the links between the consumer protection policies and other social policies taken by the government and between consumer mobilization. They could also show the consumer movement’s actions in the face of the uncertain and turbulent political-economic context, how it responded to the shifts in economic policies in the latter half of the 1970s and in the early 1980s, and how its earlier successes and failures contributed, sometimes inadvertently, to the factors that influenced these shifts. Yet, these historical materials are not sufficient to validate the argument, plausible as it may be, regarding the general connection between the Keynesian paradigm and consumer mobilization, and between the political-economic paradigm shift and the changing meaning of the politics of consumption. These remain hypothetical for now, and they need to be corroborated or qualified by further comparative research, which could look at different historical iterations of consumer mobilization in the American context or examine varieties of capitalism and the dynamics of consumer mobilization under them.²

What can the consumer movement teach us about social movements’ mobilization? I argued that the mobilization of consumer movement was characterized first by being facilitated mostly top-down from the policy effects and the mobilization endeavors of the Washington, D.C.-based interest groups that constituted its national leadership; and second by the relative absence of

² One researcher who engages in such a cross-national comparative project is Gunnar Trumbull, *Consumer Capitalism: Politics, Product Markets, and Firm Strategy in France and Germany*, Cornell Studies in Political Economy, (Ithaca, N.Y.: Cornell University Press, 2006); *Strength in Numbers: The Political Power of Weak Interests* (Cambridge, Mass.: Harvard University Press, 2012); *Consumer Lending in France and America: Credit and Welfare* (New York: Cambridge University Press, 2014). Although Trumbull is more interested in the policy regime itself of consumer protection in a comparative perspective (somewhat similarly to this is also Monica Prasad’s works), and less in the aspects of mobilization. (However, his 2012 book does address this question of mobilization and collective action.)

protests – and surely the absence of mass organized street protests. Both characteristics, and especially the latter, depart from the sweeping 1960s protest movements that have served as paradigmatic cases and underlie the social movement literature’s conventional mobilization model. These characteristics are probably the reason, at least in part, to the scant attention that the consumer movement has received from this literature. It is possible that the lack of a mythic mass-protest event is also a contributing reason for the relative omission of the consumer movement from collective memory.³ I nevertheless justified the treatment of the consumer movement as a social movement thanks to its extensive mobilization, as manifested in the many consumer groups and organizations that comprised it. By making this claim, I followed in this study an established methodological and theoretical approach that views social movements through an organizational lens. Viewing social movements as a historical phenomenon, and following a historical case study, this approach had obvious advantages since organizations tend to leave ample archival traces. But other theoretical approaches exist, with their methodological implications, and social movements can also be conceptualized and studied through looking at their outcomes, such as laws and policies (or cultural norms) they sought to change or challenge; through a biographical lens, examining their members and their life-histories; through analyzing series of historical events related to a movement; or through looking at network relations between nodes, which can be any of the above: organizations, individuals, events, or other objects.

Following each of these methodological paths – studying outcomes, biographies, historical events, or network relations – would have likely produced a different picture of the consumer movement than the one portrayed in this study. It is especially tempting to envision what would have been a picture of the consumer movement generated by looking at events. With its focus on protests as proxy for mobilization, the social movement scholarship has tended to look at protest events – usually as they are reported in mainstream media – as indicators for mobilization. Studied from this perspective, the consumer movement would have probably generated two conspicuous peaks: the nationwide “meat boycott” protests of fall 1966 and spring 1973. But it is

³ While this is probably the case to some degree, I still believe that mostly, the decline in public opinion and memory stems more from the political-economic shift, which, in respect to consumer politics can be summed as the move from “the right of to be heard” in the policymaking forums to “vote with your dollar”. Yet another important reason was that in this arena, the public face of the movement was Ralph Nader, even though his relationship with and to the movement had always been more of a loose overlap than organic membership. Still, from the perspective of public opinion, the fate of his image and popularity affected the movement’s perception.

doubtful what would be there otherwise. Although other protests did occur, they were local and tended to be small, and surely inconspicuous from the perspective of mainstream media outlets. Such is the nature of a diffuse social movement. Furthermore, these protests around rising food prices were not so much the outcome of an organized mobilization effort, at least not on behalf of any national consumer organization, but rather the catalyst of further such organizational mobilization (like the National Consumer Congress that resulted from the 1973 protests). Therefore, these and possibly other protests may be thought of not just as proxies for mobilization but as mobilizing factors in themselves. And it can also be useful to think about types of events other than protests that can serve either as indicators for mobilization, or as mobilizing factors – especially events such as conferences like the Consumer Assembly. While such a view challenges the “definitional requirement” of social movement in the streets, it extends the application of the social movement perspective to include, for example, mobilization by religious organizations, and alternately, by business groups.

On this point, a couple of comments should be made about the issue of top-down mobilization. I claimed this this form of mobilization characterized most – though certainly not all – of the mobilization that the consumer movement included, whether it was top-down in the sense of facilitated by policy effects, or in the sense of a central advocacy-oriented leadership mobilizing the grassroots. First, because the paradigmatic cases of the mobilization model have tended to emphasize the spontaneous mobilization from the bottom up, there seems to be a tendency to belittle the enthusiasm or question the authenticity of such top-down mobilization. (In the case of the consumer movement, this may also possibly be due to the lower level of commitment that is required in mobilization that does not take the form of street protests.) I should emphasize that such a doubtful outlook was not my intention in characterizing the consumer movement’s mobilization as mostly top-down. I hope that I managed to convey in the previous chapters the passion, enthusiasm, and level of commitment that the members of the consumer movement embodied, even when prodded to organize by government officials or called to take action by the members of the national interest group. These enthusiasm and commitment were expressed also by the professionals among the members, like the lawyers working at NCLC, or the student activists at the PIRGs. Clearly, conducting price surveys at grocery stores or handling consumer complaints was not as exciting and stirring activity as

marching in mass-attended rallies, but this should not entail a depreciation of the excitement and commitment for the cause that was common among consumer advocates and activists.

At the same time, and here is the second comment, the charges often expressed by the speakers of the business community about “self-appointed” professional consumerists could find some grounds on the basis of this view of top-down mobilization. The present study did not include as part of the archival research the aspect of business community mobilization during the 1970s (although I mentioned it in relevant places, relying on others who studied it more closely). These endeavors to mobilize the business community can be seen as a “counter-movement” to the consumer movement. And although I believe that students of the consumer movement should be careful not to attribute to it too much influence (as it is clear that the mobilization of businesses in that period had other urgent reasons), the movement’s role in driving the business community to mobilize can be learned from such repeated comments of business executives on the “dangers” that Esther Peterson, Ralph Nader, and “consumerism” in general posed to the system of free enterprise. In making these comments about “professional consumerists who do not speak for all consumers and only seek to increase their own power,” clearly the commentators were attempting to disparage and delegitimize the efforts of consumer advocates and the movement at large. Still, such comments could possibly find resonance with politicians or with the general public, precisely because of the perceived structure of the movement as mobilized from the top-down, and perhaps even as lacking a substantive grassroots component (although, as I showed, this was a problematic perception). Perhaps more interesting still, is whether and to what extent the tactics of business mobilization, which included various top-down measures, were influenced by the way that the business community observed and perceived the consumer movement. Future research can answer these questions.

Accusing consumerists of being self-appointed power-seekers, the critics from the business-community alleged a conflict of interests between the consumer movement or its leaders and between the actual interests of the constituency that they claimed to represent. Whether or not this divergence of interests existed, this criticism resonated the gap between the modest portion of the mobilized movement and the enormous magnitude of its declared constituency. With this gap in mind, I turn back to the motivating theoretical puzzle of the research: how did the consumer movement manage to mobilize such an expansive and diffuse constituency under such an all-encompassing and purportedly apolitical category as consumers? Drawing on the findings

of my research, I pointed to two interrelated explanatory factors: the importance of the polity – namely, the policy regime of consumer protection, but arguably, also the broader political-economic paradigm – in binding together consumers as a collective political constituency; and the consumerist version of “consumer politics” as a worldview that animated this constituency, by positing it against its adversaries, the business community (and especially, Big Business, the “giants”). But the findings also indicated that the answer should be qualified: thanks to these factors, the consumer movement managed to mobilize but a tiny portion of the expansive and diffused constituency under the label of consumers. This mobilized portion was equipped with and incentivized by the self-understanding not so much of consumers, but of consumerists – indeed the few “knights” fighting the “giants” for the benefit of the many. But in the end, the many were not very impressed.

Ultimately, the problem of group size and forming an effective collectivity proved a problem indeed for consumers – or, rather, for the consumer movement. A collectivity was formed, but its scale as well as its underlying identity-processes worked on the movement level – in itself quite a remarkable achievement – but not at the level of the overall group. The movement enjoyed public popularity and political effectivity, at least for a while, but its members, the consumerists, could not impart a political shared sense of “we-ness,” as consumers, to the general public. In light of Olson’s economic logic of collective action, this was a problem of coordinating the interests of such a large group. Although this was not so much Olson’s famous free-rider problem (this was felt too, more by the smaller, local groups, who struggled to keep their membership committed after their consumer problems were solved), but the principal-agent problem (which Olson’s book suggests toward, but was formulated only later to its publication).⁴ This, at least according to those who questioned the consumerists’ own interests – but even those who did not raise this question had a hard time justifying how consumerists *know* the interests of consumers at large, especially with the contemporary economic conditions wreaking havoc in conventional understandings of any interests. Besides Olson’s economic logic, put in Simmel’s

⁴ “Only a *separate and ‘selective’* incentive will stimulate a rational individual in a latent [=very large] group to act in a group-oriented way. In such circumstances group action can be obtained only through an incentive that operates, not indiscriminately like the collective good, upon the group as a whole, but rather *selectively* [...] so that those who do not join the organization working for the group’s interest, or in other ways contribute to the attainment of the group’s interest, can be treated differently from those who do. [...] Large groups are thus called ‘latent’ groups because they have a latent power or capacity for action, but that potential power can be realized or ‘mobilized’ only with the aid of ‘selective incentives.’” Mancur Olson, *The Logic of Collective Action: Public Goods and the Theory of Groups*, Vol. v.124, Harvard Economic Studies (Cambridge, Massachusetts: Harvard University Press, 1965), 51.

geometric formulation, it was a problem of the expansive size of the group of American consumers. Seen in light of Simmel's model, within the expansive group of consumers, a distinct and much smaller group was formed, that of consumerists. This smaller group managed to have a relatively cohesive character and logic of its own, but it was independent from the diffused character and logic of the larger group. The former did not carry sufficient weight to influence the individuals comprising the latter expansive group, that is, the consumers.⁵

If the sociological problem of mobilizing consumers were ever surpassable – and if, as I have argued, the key to binding consumers together as a mobilizable political constituency was to be found in the polity – then the 1970s was not an auspicious time to try this out. With its series of economic shocks and crises, and with its sequence of policy experiments – from the price-wage freeze in the beginning of the decade to the Volcker shock at its end – in that decade, consumers and mass-consumption were no longer celebrated as the heroes of the American way of life. Rather, postwar-style lamentations by intellectuals on the problems of consumer society not only proliferated, but now also informed policies. A decade earlier, Presidents Kennedy and Nixon announced consumers about their rights in the marketplace. In the 1970s, presidents asked American consumers to fulfill their duties to the nation by consuming less. This was the request in Nixon's 1973 energy conservation speeches, and, more emphatically, in Carter's 1979 speech on the Crisis of Confidence. In it, Carter designated consumer culture as the source of not only the dire economic straits, but also a national spiritual crisis. In the following election year, his opponent overwhelmingly won after delivering optimism and promises to regain confidence, including for consumers, but with the measures of supply-side economics and cuts in government funding. Consumer protection would be provided through the market. On this backdrop, having become more involved and absorbed in partisan politics during Carter's presidency, and following some blows it received at that time, the consumer movement faced waning popularity and dwindling membership even from among those who subscribed to the

⁵ Simmel's essay has, in fact, a possibly relevant part in which he discusses three levels of nested "social circles": the individual, the middle-level, and the largest level. According to Simmel, "A personal, passionate commitment by the individual human being usually involved the narrowest and the widest circles, but not the intermediate ones." (Georg Simmel, "Group Expansion and the Development of Individuality," in *On Individuality and Social Forms: Selected Writings*, edited by Donald Nathan Levine, The Heritage of Sociology, Chicago: University of Chicago Press, 1971), 267.) Simmel's example is self-sacrifice for interpersonal relationship or the family unit, or alternately for the nation or mankind, but not for a voluntary association. It is interesting to think about this "relative coolness, lesser stimulation of consciousness" in the context of mobilization, of consumers and more generally. (See also the end of the conclusion about recent movements of economic populism.)

consumerist vision. Those who stayed in the consumerists' circles turned – or rather, turned back – to operate as an interest group for consumers and focus primarily on advocacy activities.

Three and a half decades after the crisis year 1973, and within an entirely different political-economic context, another world-shattering crisis beset American economy and sent its chiefs to engage in soul-searching and policy experimentations. Among the federal policies taken following the Great Recession, a new bill was enacted – the first one in decades to bear the “consumer protection” phrase in its title: The Dodd-Frank Wall Street Reform and Consumer Protection Act (2010). It also created a governmental consumer protection agency for the first time since 1972: the Consumer Financial Protection Bureau. The advocacy network of consumer groups was significant to its design and passage, including several of the organizations studied here, such as Consumer Federation of America and the National Consumer Law Center. Similar to the late 1960s, they collaborated with sympathetic and proactive Democratic legislators and officeholders. Unlike the 1960s, there was no popular “consumer movement” backing up these policy endeavors.⁶ Yet, other popular movements and grassroots organizations did emerge in the wake of the 2007-8 economic crisis, and many of them were fueled by similar sentiments and the worldview of “consumer politics” that animated the consumer movement of past. Their messages and campaigns reverberated the familiar adversarial division of “the people” versus elite special interests, only theirs were under different expansive labels. On the left, the Occupy Wall Street mobilized protests against Big Banks and Big Finance, under the all-inclusive slogan “We are the 99%”. On the right, the Tea Party movement mobilized under themes that appealed to American nationalism. It rose not in direct response to the economic crisis, but to governmental policies taken by the Obama administration following it, and protested not against big business, but against Big Government and in favor of tax-cuts (another cause espoused by elements of the consumer movement in the 1970s).

⁶ For a well-researched B.A. thesis comparing the 1970s campaign for Consumer Protection Agency to the 2010 one, see Diya Berger, “A Tale of Two Movements: Consumer Protection in the U.S. from 1969 to 2010,” *CUREJ: College Undergraduate Research Electronic Journal, University of Pennsylvania*, June 3, 2013. On the consumer advocacy organizations' involvement in the Dodd-Frank bill and the creation of CFPB, see Robert N. Mayer, “The US Consumer Movement: A New Era Amid Old Challenges (Colston Warne Lecture),” *Journal of Consumer Affairs* 46, no. 2 (2012): 171–89. Mayer mentions that mobilizing the grassroots did fill a role in the campaign, but this was done by labor and civil rights groups: “It has been several decades since consumer groups have been able to get people into the streets for rallies and picket lines [...] Thus, the campaign to create the CFPB had a ‘people power’ element that consumer groups alone probably would not have been able to provide.” (179–80).

Both movements were relatively short-lived, but they would transmute in the following decade into the more substantial movements of economic populism that challenged from within the two-party electoral politics. The demographics of both Occupy Wall Street and the Tea Party tended to be predominantly white, relatively gender-balanced, and with above-average education and income. The former tended to be younger and urban, the latter older and suburban. A few years later, the members of the respective opposite electoral movements that supported Democratic outsider Bernie Sanders and Republican outsider Donald Trump also shared demographic similarities: they too were predominantly white, but tended to be more male-skewed and less educated and affluent than in their predecessor movements. On the left, Sanders expressed to his supporters messages that echoed those of the Occupy Wall Street movement. Their momentum put progressive economic policies on the Democratic platform, but was not strong enough to win over the party's establishment. On the right, Trump's version of economic populism veered more toward nationalist trade protectionism and anti-immigration policies, but it also contained messages against "Big Tech" and more nebulous rhetoric against "the rich" and "the powerful." The popular movement in support of Trump succeeded to secure for him the Republican party's presidential candidacy – and ultimately the presidency.

In making these comments, I do not mean to equate the two candidates nor the movements of their supporters. I do so only to point out, as many have done before, the two movements' similarities both in demographic and in the economic analysis that informed their policies. Nor do I mean to claim that these recent movements were in some way an iteration of the consumer movement. They emerged a generation later and in a very different world and economic environment than when the consumer movement was at its peak popularity. But I nevertheless see measures of continuity, not only in the rhetorical worldview (which is shared to other populist movement in different historical periods and national contexts), but also in terms of the perceived wide constituency: the broad (formerly) middle classes. In the time that passed, and the historical events that transpired between the 1980s and the 2010s, this wide constituency has perhaps become mobilizable. Perhaps it was mobilizable before, too, but not as consumers.

* * *

Previous writings on the consumer movement tended to have an evaluative undertone, whether the evaluation being critical or sympathetic – which often became more of an explicit tone, especially in the conclusion. Critics pointed out the middle-class character of the consumer movement (referring sometimes to its base and sometimes to the issues it focused on), and its tame reformism or lack of radicalism, either in tactics or in the underlying economic theory that guided it. More commonly, writers on the consumer movement tended to be sympathetic, even nostalgic, and this included both writing by participants of the movement and by those who studied it historically and retrospectively. These writers often celebrated the consumer activism employed by the movement members and by others. At the same time, however, they have often used the movement's fate to present broader laments on the social trends of the late twentieth century, whether framed as the commercialization and individualization of the citizen-consumer ideal, or as the shift from focusing on consumer rights and access to prosperity to focusing on consumer choice for those who can afford it. Obviously, I too have both critical but mostly sympathetic views toward the protagonists of this study (it is hard not to root for the knights when they are fighting the giants), and I have been fascinated by the possible connections that tie them and their actions to larger social and political-economic trends (as I indicated in this conclusion). My sympathies made it easier for me to employ the hermeneutic/Weberian methodological ideal of empathetic understanding (*Verstehen*) toward the subjects of my research. However, in employing this method, I was guided – to refer to Simmel one more time – by his comments toward the studied historical phenomena: “It is not our task either to complain or to condone, but only to understand.”

If I managed to properly understand the subjects of my study, which comprised the American consumer movement in the 1960s and 1970s, and if I was able to convey my understandings on these pages, then I hope I was able to successfully demonstrate the importance of the consumer movement as a topic for historical research. The consumer movement deserves to be studied first in its own right, as its history has not yet been sufficiently explored and told. Furthermore, studying the consumer movement provides us with new outlooks to understand social movements and their mobilization, and urges us to re-examine entrenched assumptions about these issues. It additionally calls for more attention in the study of social movements to the relationship between different kinds and different levels of the formation of collectivity with the

phenomenon of mobilization, politically or otherwise. Studying the consumer movement also reveals connections between consumption and politics that have been extensively explored but not sufficiently explained. These connections have been studied from different aspects and angles, but focusing on the consumer movement provides us new ways to understand how these aspects relate to one another and indicates possible explanations. Lastly, studying the historical phenomenon of the consumer movement, its rise in the 1960s and its decline two decades later, affords a unique perspective on American political and economic history.

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