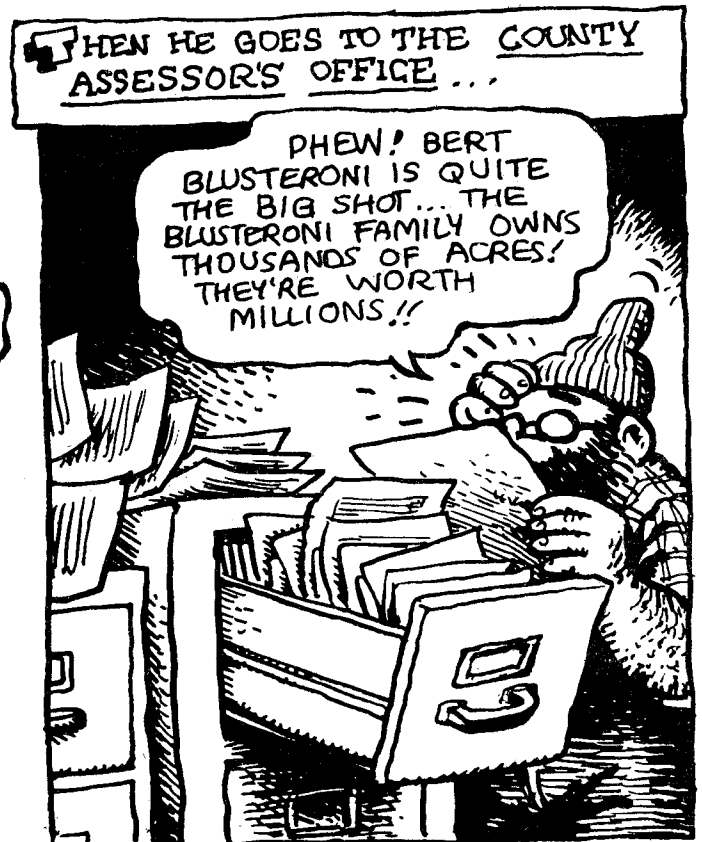
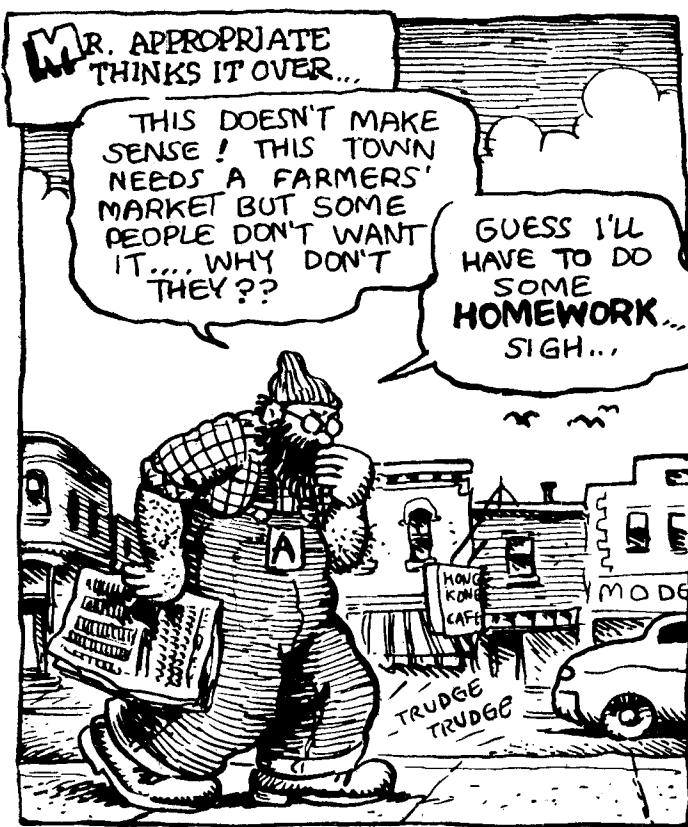


Research for Action

A Guidebook to Public Records Investigation for Community Activists



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Introduction

This guidebook is intended to help community activists who are working for social change. Community based organizations often find that they need basic information about the interests of individuals or businesses who are involved in a particular dispute. In many cases, the needed information is available but it is not used because of a lack of familiarity with where to look or what to ask for. In other cases, fragmentary information can be found but it must be supplemented with other data to give even a rough indication of what is actually involved.

The experience represented in the material presented in this guidebook includes certain general conclusions about how information can be used to promote social change. One of the lessons is that effective action is enhanced by the clear identification of the different, conflicting interests in a particular struggle.

The material presented in this guidebook is designed to acquaint activists with the techniques used in public records investigation. Chapter 1 describes a number of recent controversies in which this kind of research played a central role. In each situation conflicting interest groups struggled over control of a vital resource: land, a public hospital, or a major institution.

In one case, private medical interests were influential in formulating a proposal to shut down certain services offered by a public hospital. The fact that private physicians were involved was not widely known in the community when the proposal was first put forward. It was only after the extensive investigation that the nature of these interests was perceived. Even so, the full story was not uncovered at the time that it mattered and is not even known today, several years after the fact. The process of investigation that we describe is best thought of as trying to put together a jigsaw puzzle for which you don't have all of the pieces and you don't know what the final result should look like.

It is vital to realize that information, no matter how accurate, will not, by itself, produce social change. Only the action of hundreds, or thousands, of informed people acting together has the potential to transform societies. Investigation helps to clarify the real interests of different parties in a particular dispute. But organized groups of people are needed if one hopes to challenge the existing power structure in a community.

The specific contents of the Research for Action guidebook have evolved over several years of teaching workshops to activists. Political activists, VISTA volunteers, and members of labor and women's groups have contributed to improving the materials used in the presentations through active participation in the workshops.

Fundamental to investigative research is the fact that an astonishing quantity of material is available in public records. Your right to know is embodied in public law and is as basic a right as is freedom of religion or speech. This is because the historic pattern by which persons in power in America have tried to blunt the impact of movements for social change has included granting of disclosure of previously confidential information. For example, millions of Americans lost all, or nearly all, of hard earned savings during the Great Depression of the 1920s and 1930s. Some lost their holdings in the stock market crash, others in bank failures, and still others exhausted their resources while out

of work. The social movements of that epoch threatened the very structure of capitalism itself in response to the failures of the private sector. One concession granted by the people then in power was mandatory public disclosure, for the first time, of basic financial records for the largest corporations. This move was intended to help restore “confidence” in the corporate system. The U.S. Securities and Exchange Commission was created to develop and police disclosure of accurate records of corporate activities. Thus, instead of replacing the privately owned corporations with community controlled businesses, the government leaders and their corporate associates developed a compromise that resulted in detailed disclosure of hitherto secret corporate records.

It is disclosure under SEC regulations that has been a pivotal factor in a number of campaigns attempting to force private corporations to act responsibly. And in one contemporary case an imaginative effort is underway to spread out ownership of stock in one particular corporation so that it would be forced to disclose financial data under SEC requirements. This is because the regulations apply to corporations with more than 500 stockholders. In this case, the Sisters of Loretto, an order of Roman Catholic nuns who minister to the poor, are waging a campaign against the Blue Diamond Coal Company. Blue Diamond owns 145,000 acres of Appalachian coal land including the Scotia, Kentucky, mine that was the site of a tragic series of explosions in 1976 that resulted in the deaths of a 26 mine workers. The company reportedly has accumulated a total of 4,600 Federal safety violations since 1970. The nuns and their allies own a total of 167 shares of Blue Diamond stock parceled out among willing individuals and a Jesuit order. They believe that they have raised the total number of company stockholders to 500. According to John McBride, an activist working with the nuns, “This is an important first step in ending Blue Diamond’s perpetuation of secrecy around its operations. We have served notice that there will be no more business as usual behind closed doors and Blue Diamond.”

Through knowledge of SEC regulations, the Sisters of Loretto have become a force in corporate America. Sister Mary Swain says, “We have no illusion that we can change the corporate structure of the nation overnight. It’s still a David and Goliath battle. But 10 years ago corporations didn’t even know who we were. Now they do.”

The lessons of the collective experience represented by the discussions in this guidebook are summarized in the following manner.

First, in every issue that comes up, try to determine who will benefit if each possible outcome were to occur. It is a lesson of experience that behind every controversy there are conflicting interests. One purpose of investigative work is to pinpoint those interests and educate the community about their nature.

Second, document your statements before going public.

Third, try to determine if any of the interests involved in a controversy are among the types of businesses regulated by government agencies. These reports are usually the most complete sources of information.

Fourth, use the information uncovered to organize people.

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