**FALL 2024** 

MAKE THE CONNECTION

BIRNBAUM WOMEN'S LEADERSHIP CENTER



DEMOCRACY

#### **MAKE THE CONNECTION**

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### CENTERING GENDER

The Birnbaum Women's Leadership Center at NYU Law is grateful to and inspired by the Ford Foundation — especially Hilary Pennington and Sarita Gupta for spearheading and championing as bold and forward-thinking an endeavor as Ford's Centering Gender initiative, and Erika Wood who deftly brings it to life on behalf of Ford's Civic Engagement and Government program. Truly, the best advice this toolkit can offer is to study and learn from the Foundation's vision and experience.

#### Hilary Pennington and Jessica Horn, Ford Foundation (Fair Play: Why Centering Gender is the Only Way to End Inequality)

"When we focus on gender-competent solutions in our programs and policies, we get at the root causes of inequality. Leading with gender early and upfront is more impactful than the status quo, which addresses gender inequality as an afterthought.

The move to center gender in all of our programs hasn't always been easy, but we committed to it. At every level of the foundation—from the board to program officers to operations — we had difficult conversations. We conducted trainings to build expertise. We created a formal steering committee to foster dialogue and engagement across teams, programs, and regions. With the help of a dedicated outside team of experts, we

learned that even if we ushered unheard voices to the table — and created space for them to participate in conversations — we would only scratch the surface on climate change, criminal justice, and other issues if we failed to acknowledge certain realities about the gendered nature of power.

Today, every single program team at the foundation is analyzing how power and gender dynamics play a role in their work and embedding those lessons in their strategies and grantmaking. And we are establishing a set of metrics that will help us monitor our progress and ensure the center holds so that our work can continue. Last but not least, we are putting our resources behind the rhetoric, with dedicated staff and funding at the team and institutional levels."

# EXECUTIVE SUMMARY

Around the world, democratic backsliding and authoritarianism are on the rise — which go hand in hand with rollbacks of women's, reproductive, and LGBTQ rights and safety.

These connections are neither casual nor coincidental: bodily autonomy is inextricably tied to the integrity and durability of the body politic; full and fair political participation, representation, and power are essential to a functioning democracy.

"There's not an authoritarian regime in the world that isn't obsessed with gender.

If you care about protecting democracy, know that this is the clearest sign of vulnerability – exploited by governments around the globe."

Imara Jones, TransLash Media

### EXECUTIVE SUMMARY

As **Journalist Irin Carmon** remarked in her role as moderator at the **Birnbaum Women's Leadership Center 2023 symposium**, the event that inspired this toolkit:



"[Authoritarians] actually practice their own form of 'intersectionality.' Which is that they realize these issues are deeply interconnected – and if they can control who can vote, who can make medical decisions, who has autonomy over their lives, if they can inject billions of dollars unaccountably into the political process, if they can rewrite the map literally to favor a minority interest – they will be able to prevail."

Whereas actual and aspiring autocrats understand and internalize this intersection, and make it a central agenda, U.S. pro-democracy philanthropy has lagged — still prone to treat women's, reproductive, and LGBTQ rights as standalone 'issues,' adjacent but not intrinsic to structural democracy reform. The result? Fragmented support for the essential shared work and organizing now urgently needed.

It is a paradigm ripe for change. **MAKE THE CONNECTION** aims to help spur that change by providing practical resources so that funders, philanthropy leaders, and other stakeholders will be more deliberate and full-throated — in word and deed — in the fight for robust democracy and gender justice so that they become one and the same.

"It is certainly hard to have these conversations for a variety of reasons, ranging from short-term political needs to, frankly, the gender and racial characteristics of who controls the money.

Infrastructure for gender justice too often doesn't translate to democratic infrastructure. It's dealt with as something needed for a few months, to get young people or women to turn out for a ballot campaign. And then there's no money to implement the victory, no money to protect it from backlash – hurdles that are mind boggling.

Everybody in this field understands that. The question is: How do we change it?"

Tarso Luís Ramos, Political Research Associates

It reflects input, perspective, and feedback from more than 50 funders, advocates, scholars, journalists, pollsters, and other stakeholders, with whom we spoke and engaged over a ten-month period (October 2023 - July 2024).

It is not a research study, but rather a curated collection of reflections and recommendations for how funders and philanthropy leaders can best leverage their influential voice when using "the purse, the pen, and the podium."

It offers an array of collateral: adaptable and/or replicable resources, model essays and think-pieces penned by movement and philanthropy leaders, summaries and recordings of expert panels, and mini-case studies from which lessons can be gleaned.

"Authoritarian forces have been acting on these connections for decades . . . [and are] counting on us to miss the connection. Once more of us make these connections, we will become unstoppable."

Pamela Shifman, Democracy Alliance (There Is No Democracy Without Gender Justice)

A 2023 research brief published by Georgetown
Institute for Women, Peace and Security, *Exploring*the Links between Women's Status and Democracy,
calls upon policy stakeholders to view investments
in strong democratic systems as follows:

"It is clear that any democracy work that does not see gender equality as a core principle is not actually "democracy work."

There can be no governance by the people and for the people if half of the people are disproportionately affected by barriers to political, social, and economic participation."

The authors go on to urge that:

"Strengthening democracy requires addressing gender blind spots."

It is incumbent upon the pro-democracy philanthropic community to do the same in every place your voices have influence, including and especially . . .

FOR AND WITH YOUR GRANTEES AND THEIR RESPECTIVE COMMUNITIES, COALITIONS, AND CONSTITUENCIES

WITHIN YOUR OWN FOUNDATION, ORGANIZATION, OR NETWORK

WITH PHILANTHROPY COLLEAGUES

IN THE PUBLIC SQUARE

... and to leverage that influence through

#### THE PURSE

#### THE PEN

#### THE PODIUM

For each of the above audiences and scenarios, this toolkit offers easy-to-adapt talking points and other engagement strategies. Treat it as a menu, a collection of a la carte options from which to consider, whether that enables you to **MAKE THE CONNECTION** by incorporating a key phrase into a speech or on your organization's website; explicitly including language in your strategy documents and funding outcomes; restructuring the meetings, events, and panels you host, underwrite, and attend; and/or reenvisioning philanthropic support.

### THE PURSE

Several recently-published reports clarify and quantify the current funding landscape in the United States and scope of support for democracy and gender, respectively — which, in sum, comprises a tiny fraction of U.S. philanthropic support, roughly 3%.

<u>Democracy Fund</u> estimates as much as \$3.4 billion in support for democracy groups in 2022 — those primarily focused on voting rights, voter engagement, and election administration — with institutional funding for the field expected to grow in 2024 (45% of survey respondents planned to increase funding).



Funding for women and girls was last assessed in 2020 at \$8.8 billion, less than 2% of all giving, according to a recent study conducted by *Bridgespan*; support leans heavily toward the human services, health, and education sectors. Transformational support is limited: in 2021-22, out of the largest gifts to U.S. social change causes (200 grants worth \$25 million), just 16% named gender as an explicit focus.

The Ms. Foundation for
Women reports that less than
0.5% of all foundation grants
go toward women and girls
of color. Data from the Black
Feminist Fund shows funding
for these groups to be between
0.1 to 0.35% of all philanthropic
dollars.

According to <u>Funders for LGBTQ Issues</u>, a record high of \$251 million in foundation grants went to LGBTQ communities and issues as of 2021; funding to Black and/or southern LGBTQ communities lagged, as has support for trans issues, which receive less than 4 cents per \$100 of total giving.



### THE PURSE

Funders who expressly elevate gender in their giving, including on democracy issues, "stand to accelerate progress; those who don't risk failing to achieve the impact they seek." (*Illuminating Impact: Why Gender Matters for Funders in Any Issue Area*)



Shake The Table urges recognition that

"the greatest risk is not investing in the feminist leaders and organizations that are actively tackling systemic injustice – and facing wellfunded opposition. This is true not just for outcomes for women and girls, but for all people."

(Lighting the Way: a Report for Philanthropy on the Power & Promise of Feminist Movements)

"Between 2013 and 2017, the "anti-gender" movement – which the U.N. describes as opposition to reproductive rights, sexuality, and gender-sensitive education in schools, the rights of the LGBT community, and in some cases, even the very notion of gender – received over \$3.7 billion, more than triple the funding for LGBT groups globally in those years."

(The Growing Movement to Make Global Philanthropy More Feminist)

"Consider that in 2020, the Christian Nationalist movement spent over \$300 million just researching anti-trans legislation. They've clearly made the connection. We can no longer afford not to."

Shelby Chestnut, Transgender Law Center

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#### THE PEN

The primary source for and force behind MAKE THE CONNECTION are philanthropy and movement leaders themselves — many of whom provided diverse thought and strategy about the simultaneous challenge and promise of funding at the intersection of democracy and gender. Their ideas inspired the creation of an op-ed project, a series of opinion pieces that help bring to life the underlying framework for this toolkit. These pieces, all published in May-June 2024, express the respective authors' own views; their recommendations are meant to be shared, discussed, cited, and adapted as a template for your own talking points and funding frameworks.

#### So Goes Reproductive Freedom, So Goes Democracy

Laleh Ispahani, Open Society-U.S. and Jennifer Weiss-Wolf, Birnbaum Women's Leadership Center at NYU Law

There Is No Democracy Without Gender Justice

Pamela Shifman, Democracy Alliance

To Counter Anti-Democracy Efforts, It's Time to Invest in Florida Year-Round

Quanita Toffie, Groundswell Action Fund

Care Is About Democracy

Anna Shireen Wadia, Care for All with Respect & Equity (CARE) Fund

Invest in Reproductive Rights - \*That's\* What Democracy Looks Like

Cristina Uribe, Collaborative for Gender + Reproductive Equity

To Defend Democracy, We Must Protect Bodily Autonomy

Julia Reticker-Flynn, Rights, Faith, & Democracy Collaborative at Proteus Fund

Most Americans Support Abortion. The Political System Is Failing Us

Steph Sterling, Democracy Revival Center

Women's Rights Are Essential to Democracy. Why Do Philanthropists Treat Investments in Women as a Special Interest?

Shaunna Thomas, UltraViolet



#### THE PODIUM

"The U.S. Supreme Court returned women's equality to the political process precisely at the moment it intervened to make democracy more elusive. I don't think it's hyperbolic to say that democracy is on the line."

Professor Melissa Murray, NYU Law

Public events and expert convenings are a powerful way to uplift messages and messengers. The Birnbaum Women's Leadership Center developed its own event series to determine how best to communicate to an array of audiences, framing the agenda as follows:

Justice Alito purported in the Dobbs decision that electoral and political process are a sufficient antidote to the Court's stripping away bodily autonomy and privacy rights. He wrote: "Women are not without electoral or political power. It is noteworthy that the percentage of women who register to vote and cast ballots is consistently higher than the percentage of men who do so."

Yet as voters do exactly that – turn out consistently, overwhelmingly, successfully every single time abortion has appeared on the ballot since 2022 – they've been met with a new influx of anti-democratic maneuvers, from vote suppression to gerrymandering, along with attempts to curb direct democracy. These are not one-off transgressions or piecemeal degradation of systems, but deliberate, systemic mechanisms for defying the popular will and entrenching power. How do we fight for gender justice and democracy simultaneously — and what do we stand to accomplish by doing so?

### THE PODIUM

Among our takeaways: robust (100K+) viewership for sponsored public programming; ideas that sparked national/local media coverage; emergence of new multi-issue partnerships. Our events are linked below and can serve as inspiration for your own convenings (agendas, panels, talking points):

- Backsliding Democracies and Women's Rights
- @ NYU Law (April 18, 2023)
- **Democracy and Reproductive Rights and Justice**
- (closed door expert convening with Yale Law School) (January 26, 2024)
- Backsliding Democracies and Women's Rights in the U.S.
- @ 92NY (January 30, 2024)
- Backsliding Democracies and Women's Rights Around the Globe
- @ 92NY (February 28, 2024)



### FOR & WITH GRANTEES



"In order to protect democracy you can't only stay behind the castle walls. You have to go to the frontiers where democracy is most under threat. And that's inevitably outside of your comfort zone and the places that you've normally funded. That's likely outside of the ways that you've even been trained to think about as frontiers of democracy."

Imara Jones, TransLash Media

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#### **FUND MULTI-ISSUE ENDEAVORS**

Identify the players who have consistently organized their communities and invested in building trust — fund them directly and help amplify their work. This includes supporting coalitions, alignment tables, and other essential infrastructure entities.

Create opportunities and incentives for organizations to explore or implement an intersectional approach or strategy; this can include joint partnerships and proposals across and among single-issue groups.

Elevate initiatives that have broad impact across issues and communities, like the Census, redistricting, and court reform.

Encourage issue organizations to incorporate a gender lens:

- Pivotal supported a 2024 study on political violence with a specific focus on women in local and state leadership.
- CGRE funds a concerted effort to develop multi-issue coalitions dedicated to educating voters about the importance of state court elections.



### FOR & WITH GRANTEES



#### **FUND EXPANSIVELY**

Invest in state-level work where the need – and the impact – is often most critical.

Erika Wood, Ford Foundation: "Given that so many of the opportunities and challenges in this work play out at the state level, funding has to be scaled accordingly both to incubate proactive reforms and to respond to threats and attacks. If a foundation is unsure how or where to start, donor collaboratives can be a good place to turn, and can provide a vehicle for funding local- and state-based organizations."

#### **FUND EARLY**

With flexibility and longevity, and beyond Election Day.

"The most essential action funders can take is to lead the way in breaking down silos. For democracy funders, this entails treating bodily autonomy as a necessary component of a healthy democracy. For funders of reproductive freedom and LGBTQ liberation, this means viewing attacks on the institutions and structures of democracy as direct threats to bodily autonomy. When judicial independence is attacked, and the right to protest curtailed, bodily autonomy is under threat.

Julia Reticker-Flynn,
Rights, Faith & Democracy Collaborative, Proteus Fund
(To Defend Democracy, We Must Protect Bodily Autonomy)





### FOR & WITH GRANTEES

# PEN

#### **CULTIVATE AN ENVIRONMENT OF COLLABORATION**

Engage grantees through thought partnership by asking questions, exploring ideas, and seeking feedback about how they are seeing the threats to gender and reproductive justice and democracy intersect.



Make introductions between organizations and leaders that have similar approaches or who may be eager to share notes and learn from each other.

Design and support convenings that help grantees build relationships.

Cooperation across immediate interests can be a vital starting point. Advocates who engage one another on immediate term campaigns benefit from mutual investments and learning opportunities.

"In state after state, organizing and social change movements are far ahead of their funders in moving from cooperation ('same goals') to solidarity ('shared goals'). To turn back the tide of authoritarianism, philanthropy must follow their lead."

Cristina Uribe,
Collaborative for Gender + Reproductive Equity
(Invest in Reproductive Rights —
\*That's\* What Democracy Looks Like)

### WITHIN FOUNDATION, ORGANIZATION AND NETWORK

Breaking down silos also applies to internal organizational structure. In addition to Ford's *Centering Gender* initiative, The Overbrook Foundation and The David and Lucile Packard Foundation approach democracy with a broad lens:



Under a "Human Rights" portfolio, Overbrook focuses simultaneously on "defending democracy and advancing reproductive rights, health, and justice in the United States." Says **Overbrook's Risa Kaufman:** "Movement leaders are very intentionally working at this intersection. They are not siloing the work. By housing these grant portfolios under the umbrella of human rights, we are better able to understand, support, and amplify these connections."

Packard's work to create a "just society" includes five program areas: Reproductive Rights, globally and domestically; Civil Society rights and capacity-building; U.S. Democracy; and U.S. Racial Justice. This has "helped us to think much more concretely about the intersections between gender rights and democracy, and to bring that lens across all of our work," says Packard's Kelly Born. "Today, we are witnessing a global competition between liberal versus illiberal democracies. At the heart of liberalism is the protection of minority rights. The same is not true of illiberal democracies. I hope that people are starting to understand the correlation between revocation of women's rights, transgender rights, and the rights of many other historically disadvantaged groups as a cornerstone in the populist or illiberal playbook."

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# WITHIN FOUNDATION, ORGANIZATION AND NETWORK



#### **ENABLE MULTI-ISSUE ENGAGEMENT**

Structure grantmaking in ways that enable multi-issue engagement across programs:

- Develop a **MAKE THE CONNECTION** challenge that incentivizes cross-program coordination and learning.
- Allocate dedicated funding for opportunities like matching grants, cross-program partnerships, and networking opportunities.

Ensure flexibility in funding strategies and leave room for innovative intersectional approaches.

Emily Lockwood, Pivotal: "We realized that if we wanted to build women's political power, we couldn't only invest in building the pipeline – we also needed to invest in changing the political system itself and making it easier for women to participate. For us, that meant it was critical to make connections in the democracy field where organizations are working to improve everything from governing systems to voting systems."

Join donor collaboratives and pooled funds, which have expertise in bringing in and educating new stakeholders, and providing trainings, recommendations, and support:

- Collaborative giving vehicles around gender include

  <u>Collaborative for Gender + Reproductive Equity, Groundswell</u>

  <u>Fund</u>, and <u>Ms. Foundation for Women</u>; more are listed <u>here</u>.
- \*\*supports power-building to create an abundance of resources for the justice and liberation of all queer communities."
- "Using trans people as a wedge has been a strategy for over a decade and it surely isn't going away. The time is now to fund trans led organizations in these spaces already of which there are several and rely on the expertise of Grantmakers United for Trans

  Communities." Kris Hayashi, National LGBTQ Task Force
- Democracy pooled funds include the <u>Fair Representation in</u>
  <u>Redistricting Initiative</u> (housed at <u>New Venture Fund</u>), <u>Piper</u>
  <u>Fund</u>, <u>State Infrastructure Fund at NEO Philanthropy</u>, <u>Trust</u>
  <u>for Civic Life</u>, and the <u>Funders Census Initiative</u>.



### WITHIN FOUNDATION, ORGANIZATION and NETWORK







Gender-focused grantees do not always self-define as democracy groups — but are explicitly doing the work of defending democracy, focusing on systems (voting, the judiciary, etc.) and mobilizing civic engagement.

#### FRAME AND FEATURE THEIR WORK SO THAT THEY ARE SEEN THAT WAY

Provide learning opportunities for staff and Board members:

- **▶** Bring in speakers from and across movements.
- **▶** Circulate articles, op-eds, and case studies.
- Be overt and deliberate in sparking conversation in formal and informal settings.

Incorporate an intersectional approach in funding strategy, name it in funding documents and tie it to outcomes and metrics.

Take advantage of internal opportunities such as strategic planning and milestone anniversaries to highlight and reflect an expansive pro-democracy approach:

- Do the same on public-facing platforms websites, grantee profiles, marketing materials.
- Description Consider not just the stories that are featured but the images that convey them; Pivotal Ventures invested in an Associated Press photo bank of empowering images of women's political leadership.

### WITH PHILANTHROPY COLLEAGUES



Elevate the connection between gender and democracy in the myriad real-time convenings being held and subsequent investments made. Engagement within philanthropy circles can have a strong ripple effect.

Co-invest in strategic mapping of state organizing structure and national multi-issue collaboration opportunities.

Serve as a clearinghouse for information about grantees working at the intersection of gender and democracy; host funder briefings to share this work and offer to make introductions between philanthropy colleagues and grantees.

"Advocates working on reproductive rights know the policies they champion are popular... but that the bigger challenge is structural impediments. And there is also increasing recognition from the democracy field that there is much to learn from other movements. Given we have the same goal – of weakening and dismantling authoritarianism, which has misogyny at its core – it is clear that if we don't work together, we will not succeed. That said, it can be hard to identify what you're not already looking for. So I think we all benefit from this nudge."

Lara Flint and Winny Chen, Democracy Fund



# WITH PHILANTHROPY COLLEAGUES

PEN





Be deliberate about bringing together grantees and funders across movements — as Pamela Shifman writes, "No more single-issue meetings, convenings, or panels." This includes:

- Centering a full panoply of voices to demonstrate how gender equity is democracy work.
- Scheduling multi-issue sessions when people are most likely to attend central, welcoming, practical, and useful; keynotes are preferable to breakouts.
- Including in those panels nonprofit, independent, and issue-focused journalists, as well as columnists for mainstream outlets, many of whom "make the connection" regularly in their work and can be essential force-multipliers in elevating the message.
- Similarly raising the issue in trade and philanthropy-focused media like the *Chronicle of Philanthropy*, *Inside Philanthropy*, and *Alliance* magazine.
- Leveraging the networking and convening power of philanthropy serving organizations such as the <u>Council on Foundations</u>, <u>Democracy Funders Network</u>, <u>Funders' Committee</u> for <u>Civic Participation</u>, <u>Philanthropy Together</u>, and <u>Women's Funding Network</u>.

"The idea of connecting gender and democracy is often understood to mean "get more women elected." We as funders are prone to treat democracy as a set of systems and political configurations – such that if they're all glued together right, then out pops equity and justice. What's also needed are investments in economic policies that shape how women earn, learn, and engage in the world. Because ultimately, that is how you know if your democracy works."

Keesha Gaskins-Nathan, Rockefeller Brothers Fund



### WITH PHILANTHROPY COLLEAGUES

PEN





Field scans and assessments are strongest when they incorporate a gender lens, even when it's not the lede.

**Field In Focus: The State of Pro-Democracy Institutional Philanthropy** acknowledges that key democracy funding areas — voting rights, election administration, voter engagement, misinformation and disinformation, and media policy — have become "deeply intertwined with other issue areas." An analysis that simultaneously considers overlapping investment in and impact of abortion-, LGBTQ-, and/or care-related advocacy would be powerful and useful.



"I just don't see how we are going to win against antidemocratic forces by avoiding one of their main arguments and targets. Investment in research in how to talk about trans people and how to fight back against the attacks, that includes trans people in the design and delivery, is essential."

Kris Hayashi, National LGBTQ Task Force

#### IN THE PUBLIC SQUARE







#### **PODIUM**



Invest in premium advertising space in major print newspapers for sign-on letters and statements that **MAKE THE CONNECTION** (as Leadership Now organized with <a href="CEOS IN 2021">CEOS IN 2021</a> in support of voting rights).



- Our op-ed approach is intended to educate and inspire; find your best medium and raise your voice there.
- Be an information source and quotable for journalists; help them **MAKE THE CONNECTION** in their reporting.
- We've deliberately dispersed quotes throughout this presentation adapt one or two lines for your repertoire and train yourself to say it automatically whenever you can.
- Share the mic and elevate under-represented democracy issues demonstration of alignment makes an impression.
- Think ahead about where and when you want to tell this story and be on the lookout for newsy moments Women's Equality Day, National Voter Registration Day, as state and direct democracy campaigns reach milestones or garner headlines.

# IN THE PUBLIC SQUARE

"If you're not at the table, you're on the menu. And by that I mean it is all about representation. Back in 2017, when antitrans bills began appearing in state legislatures, there was no one in the local communities, no constituent asking for or demanding it. Rather, it was a select few groups behind the process, secretly engineering model policies and pressuring their surrogates in state chambers to sponsor and pass them. The very epitome of an anti-democratic outcome."

Andrea "Andy" Hong Marra, Advocates for Trans Equality "Whereas some see democracy as a 'value' or a 'process,' and gender as an 'issue' – it is gender and racial justice that make democracy come alive for regular people, what makes them feel invested in protecting, expanding, and relishing it. What does it say when our opponents politicize gender – but our allies are too scared to talk about it because they think it is political?"

Cristina Uribe,
Collaborative for Gender + Reproductive Equity

"Young people are deeply committed to gender justice and at the same time have deep concerns and skepticism about the state of our democracy. And their disillusionment has not led to disengagement. Quite the opposite. They haven't given up on participating and making it better." *Kimberly Inez McGuire, URGE* 

"To address the gap between the care families need and the dignified jobs care workers deserve, a movement has emerged like never before, building power and political muscle to demand bold public investments. Care is not partisan, but rather an issue deeply tied to the strength of our communities. In this way, the fate of our democracy is inextricably bound to the fate of the care movement: attention to the care needs of voters – especially people with disabilities and family caregivers – is essential to ensuring they can exercise their right to cast a ballot and participate in the body politic."

Anna Shireen Wadia, CARE Fund

#### 6.1

### STATE STORIES

State-level work overall — and several notable campaigns — have not only shaped and continue to define the national landscape but offer valuable perspective and context for **MAKE THE CONNECTION** purse, pen, and podium recommendations. These include:

Lessons over a decade from MISSISSIPPI

Laboratories for change in MICHIGAN and MINNESOTA

Recent catalysts in OHIO and WISCONSIN

Real-time opportunities in **NEW YORK** and **FLORIDA** 

"Sometimes it's more important to get that ballot measure, for example, passed, or to get that policy passed, or to win an election. But the problem is, that the path to there, will sometimes leave out folks most impacted; or substantial coalition building in a state; or the scrappier grassroots organizations. And that can leave coalitions in disarray. And so now that people are seeing abortion as a critical issue, we need to make sure that the millions being poured into states right now are actually building in institutions."

Silvia Henriquez, Ford Foundation

#### STATE MISSISSIPPI

In 2011, measures to codify fetal personhood and mandate voter ID were on the ballot in Mississippi. On-the-ground organizers prioritized tackling these in tandem, emphatically demonstrating the danger to bodily autonomy of an assault on democracy, and urged funders and national organizations to invest accordingly. Reproductive Justice pioneer Loretta Ross wrote for *Rewire*News on October 29, 2011, one week before the election:



"Mississippi Ballot Initiative 26 (Personhood) and Initiative 27 (Voter ID) may be one of the most important opportunities on the ground for movements to work together... a case study on *Roe v. Wade* intersecting with the Voting Rights Act and the 19th Amendment. For the Reproductive Justice movement, this is an example of theory meeting practice in which we have an opportunity to link our human rights struggles in a statewide campaign. The best spokespeople are readily talking about both ballot initiatives consistently by bringing together women, families, race, and poverty."



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#### STATE MISSISSIPPI

The fetal personhood measure was resoundingly defeated; the voter ID measure passed. In the aftermath, Professor Ross wrote for *Rewire News* on November 9, 2011:



"Millions of dollars of staff and resources poured into Mississippi from around the country to defeat Initiative 26. Mostly, we have to ask why [they] did not see the link between that and the Voter ID exclusion initiative. What this will mean for the future in Mississippi may be predictable. The antiabortion movement will probably try to achieve the same personhood goal legislatively that they tried at the ballot box. Given the preponderance of anti-abortion legislators in the state – with more to come with voter ID exclusions – they may have a better chance of persuading the legislature to pass yet another bill restricting abortion."

She summed up:

"If I blink fast and hold my nose for a moment, I can briefly forget that we have won the battle, not the war."

Which of course was prophetic. Within a decade, the state legislature went on to pass anti-abortion legislation that not only defied the will of Mississippi voters — but reached the Supreme Court in *Dobbs v. Jackson Women's Health Organization*, the 2022 ruling that overturned *Roe*.

### STATE MISSISSIPPI

In 2016, **Rewire News** reported of the national landscape:

"Efforts to enact voting restrictions have begun to gain steam, increasingly in many of the same places where abortion restrictions are also being passed. It's often clear that legislation to restrict access to the polls and abortion share similar goals and tactics — employing misinformation, attempting to dissuade people from access by making doing so too expensive or burdensome, and so on — in some cases, states are borrowing from the exact same playbooks to get their way."

Cassandra Welchlin, lead organizer of the Mississippi Black Women's Roundtable, told the <u>Mississippi Free Press</u> in 2021:



"The state's ongoing abortion battles are definitely bigger than just that. It's about the criminalization of our communities. It's also about voter suppression. And so we can't look at this in a silo. . . . These are issues we've been dealing with since the founding of our country. These are just tactics renamed and rebranded."

#### **KEY TAKEAWAYS FOR PHILANTHROPY**

Listen to, follow the lead of, and invest in on-the-ground coalitions and groups, especially when they are organizing around multi-issue initiatives. Provide funding early, consistently, and with flexibility — including after campaigns and elections end in order to ensure coalitions can tackle backlash and/or oversee implementation, as well as continue building power. Support nonprofit and issue-focused journalism (note that all previous citations are examples of both).

It is hard to imagine a clearer through-line than the example of Mississippi. The simultaneous rollback of voting rights in 2011 quickly unraveled the will of the people on abortion rights — and it took just ten years for that loss to spread to the entire country. The lesson for funders is that reproductive justice and democracy are inextricably linked.

### STATE MICHIGAN STORIES

Since 2018, Michigan's commitment to strengthening democracy has entailed:

- (1) expanding voting and registration options, including vote by mail, early voting, automatic voter registration, and same day registration;
- (2) creating an independent redistricting commission; and
- (3) promoting citizen-initiated ballot measures, particularly constitutional amendments, to increase direct democracy and enact popular policies.

"Michigan is exemplary because it managed to approve numerous reforms in a relatively short period of time, and it successfully implemented those reforms quickly. Strong leadership at both the state and local levels was critical. Michigan serves as an example of what is not only possible, but also realistic." (How Michigan Became a Blueprint for Strengthening Democracy)

Among the democracy reforms that have driven progress in Michigan: the use of citizen-led ballot measures, particularly constitutional amendments. This includes the successful 2022 campaign to amend the state constitution to guarantee the right to abortion and other reproductive health care. It followed years of organizing by advocates, who early on gathered nearly twice the number of signatures required. Ultimately, Michigan voters overwhelmingly approved the measure.

"We have always very intentionally talked about democracy and gender going hand in hand. Because for us, the voting rights work that we do and the broader democracy work that we do, we knew was so critical to opening the door to advance and protect reproductive and other rights in Michigan. When I think about the campaign in 2022 around the Right to Reproductive Freedom initiative, that's where I would say the funding became more transactional ... and where we'd love to see longer vision and connection between democracy and gender justice and reproductive rights, and centering impacted people."

Loren Khogali, ACLU of Michigan

#### STATE MICHIGAN

"Emphasizing to voters the importance of state courts and the legislature has proven successful in Michigan where most recently, the Michigan Supreme Court expanded the protections of our state civil rights laws to cover gender identity and sexual orientation followed by the Michigan legislature codifying that change into law. The courts have also protected ballot initiative processes to get reproductive rights on the ballot and the legislature then repealed a harmful abortion ban from 1931. On many occasions, I've seen the interwoven issues of democracy and gender justice play out to strengthen civic engagement and rights for all people in our state."

Bonsitu Kitaba, ACLU of Michigan

"I keep going back to what is perceived to be apathy is really disappointment. And how do we restore trust in a democracy as a way of acting with people, with a like interest, and like values? A ballot initiative is such a pure form of democracy when people especially think that government does not serve them. So investing in that, investing in organizations that are trying to build an independent political power. In the end, it is about improving people's understanding and trust in democracy. Yes, the mechanics are important. But so too is people's belief that they can influence the system. And have a say in their future."

Danielle Atkinson, Mothering Justice

#### STATE MICHIGAN

#### **KEY TAKEAWAYS FOR PHILANTHROPY**

Elevate and invest in initiatives that have broad impact across issues and communities, like redistricting, state courts, and the role of direct democracy. Listen to, follow the lead of, and invest in on-the-ground coalitions and groups. Create opportunities and incentives for joint partnerships and proposals across and among single-issue groups.

"Among the ways the funding was so thoughtful and effective... there were not a million strings tied to how that work got executed, which was really important in Michigan. Critical to the success that we've had, has been the ability of nonprofit organizations in Michigan to work as a collective, understanding each other's strengths and gaps. Funders really allowed us to work as a cohort, which enabled us to explore different advocacy routes and build the power in a way that I don't know that we would have had the ability to do without that flexibility.

I appreciated that funders came into Michigan really curious . . . saying to us and other organizations, 'What is needed here? What are the opportunities? How are you all working with each other?' Understanding that maybe that wasn't all completely, fully formed, but trusting us to use our skills, and our experience, and our understanding of the ecosystem, to use that funding individually and collectively in a way that was going to result in building power long term in Michigan. So it wasn't just cyclical, which I think is often a challenge."

Loren Khogali, ACLU of Michigan



#### STATE MINNESOTA

By 2022, Minnesota was dubbed a *laboratory* for democracy reforms, demonstrating the power of long-term collaborative organizing and relationship-building (as well as a budget surplus and other factors).

Among the pro-democracy laws passed: the *Democracy for the People Act*, which includes pre-registration for 16- and 17-year-olds, automatic voter registration in state agencies, and penalties for voter intimidation and lies; and Restore the Vote which re-enfranchised 50,000 Minnesotans with felony convictions. The legislature also enshrined abortion rights, established paid family and medical leave, and created a refuge program for trans people denied gender-affirming care in other states, among dozens of other reforms.

"Back in 2012 we had Voter ID on the ballot, the proposed amendment to the Constitution, and also a measure restricting marriage equality. There was discussion in the community among organizers and organizations about whether we could do both. And the stance was we have to, we actually don't have a choice. And we were able to move some of the more traditional organizations to see those as intertwined. And won on both of them. I think we might have lost on both of them if we hadn't connected the dots and helped people understand the dual threats that these proposals were posing. It's one of the things that I've been really proud of about Minnesota.

As we all know, the policy change, the leadership within elected government – that changes all the time. But organizing power is ongoing, and it continues to build whether we win or lose. I mean, it's still the power that you're building."

Vina Kay, Piper Fund, Proteus Fund





### STATE MINNESOTA

#### **KEY TAKEAWAYS FOR PHILANTHROPY**

Fund multi-issue initiatives by identifying the cross-movement collaborations that already exist and invest in their capability to build and grow sustainably. Gender-focused groups are explicitly doing the work of defending democracy; frame and feature their work so that it is seen that way.

"What people in Minnesota keep coming back to is long term investment and cross-movement work at the state level. Working with a really strong organizing and litigation group, Gender Justice, they've built deep, deep, deep relationships over the last 10 years. And you know, when we asked them what led to the successes, they said it's been constantly showing up and building cross-movement relationships. They didn't compromise because they had built across movement for so long, and they were able to see how their issues were so deeply connected with others."

Julia Reticker-Flynn, Rights, Faith & Democracy Collaborative, Proteus Fund

### STATE OHIO

"People here understand that there is no correlation right now between public policy decisions and the things that regular people want. That cuts across party lines. In Ohio we were able to crystallize this moment: as we planned to put redistricting and abortion on the ballot, leaders tried to change the rules. That is the forever story in Ohio: suppress votes, gerrymander maps, purge voters from the rolls, pull out any stop to keep people from counterbalancing authority. People see the connection – that their rights are being stripped – and want to fight back."

Molly Shack, Ohio Organizing Collaborative

In 2023, Ohio lawmakers attempted to concentrate power and limit voters' voices and rights by undermining democracy itself — all to shut down powerful momentum for reproductive freedom. State organizers defeated "Issue 1," first by thwarting the state's effort to raise the threshold for citizen-led ballot initiatives from a simple majority to 60%, and then mobilizing voters to enshrine abortion rights in the state constitution. Both ballot battles took place in an off-cycle year, when average turnout is less than a million: 3.1 million voters participated in the August special election and 3.8 million voted that November to protect reproductive freedom.

Implementation remains an ongoing battle, as the Ohio Attorney General fights to keep earlier abortion restrictions in place. Judicial elections will be of utmost importance given the role of the state Supreme Court as interpreter of constitutional provisions.

Equally important is a redistricting measure on the ballot in November 2024, a proposal for nonpartisan citizens' commission to create fair and impartial districts.

#### 6.5

### STATE OHIO

#### **KEY TAKEAWAYS FOR PHILANTHROPY**

Elevate and invest in initiatives that have broad impact across issues and communities, like redistricting, state courts, and the role of direct democracy. Identify the local coalitions and groups that have consistently organized their communities and invested in building trust — and power. Create opportunities and incentives for joint partnerships and proposals across and among single-issue groups. Fund the work early, with flexibility and longevity, and commit funding beyond Election Day.

"We hear from grantees who mobilize around gender and reproductive justice that their work isn't viewed as essential to building a healthy democracy. In Ohio, democracy funders invested in Issue 1, but it was reproductive and gender rights funders supporting both the Ohio Women's Alliance and the Ohio Organizing Collaborative. We all have to be part of building lasting power in Ohio, investing so there's strength in solidarity across and within movements."

Cristina Uribe, Collaborative for Gender + Reproductive Equity

"After you win an effort like what we've seen in Ohio (and Michigan), we also witness the tremendous amount of work involved in keeping coalitions together during the implementation phase. At the same time, donors for the opposition and a media climate which is not always friendly, pose real obstacles. Simply stated, we funders have to be in it for the long haul."

Trishala Deb, Collaborative for Gender + Reproductive Equity

## STATE WISCONSIN

In April 2023, Wisconsin voters turned out in force for its state judicial election, resulting in a change of the makeup of the state Supreme Court for the first time in 15 years. Political donations poured into the election at unprecedented levels too, topping \$51 million. Reproductive rights, voting rights, and redistricting were all central issues.

"State courts are playing an increasingly important role in preserving civil rights, especially those at the intersection of democracy and gender justice, given the hostility to these issues in the federal courts and at the U.S. Supreme Court. Funders now also see the importance of state court voter education initiatives, judicial races, and the importance of preserving a diverse judiciary. A strong state court system willing to hold the line and expand protections for LGBTQ+ families, reproductive justice, gender justice, and more is critical to our ability to make sustainable change that is felt by people in our state."

Bonsitu Kitaba, ACLU of Michigan

"Our takeaway is that the key asset we have going for us in this fight is that the majority of people in this country support human rights, pluralism, and democratic governance. And within that, they support reproductive rights. And so that's part of what is happening in Wisconsin and Ohio – the majority is expressing a reflection of those values."

Trishala Deb, Collaborative for Gender + Reproductive Equity

## STATE WISCONSIN

#### **KEY TAKEAWAYS FOR PHILANTHROPY**

As state courts continue to play a major role in our democracy's most pressing issues, it is exponentially important to invest in the organizing infrastructure for judicial elections. Gender-focused groups are explicitly doing the work of defending democracy when they mobilize around judicial elections; frame and feature their work so that it is seen that way.

"We saw it with Wisconsin. That was all organizing. It may not be what *The New York Times* reports, but it is organizing to get people out, to know that by voting in a judicial election they were actually voting for someone that was going to protect reproductive rights. When you're asking people to come out, to do something in a hostile environment, the only way they're going to do so is if they have a relationship with you, and they understand what's at stake. So many of these wins occur precisely because women of color are engaging in critical organizing work. We also see this as funder organizing – something we do through writing, organizing panels, and being out in the field. We're trying to keep ringing the bell to say 'don't forget about organizing."

Jennifer Agmi, The Libra Foundation

#### STATE NEW YORK

In 2024, New York is delivering on the hard-won passage of a public financing program for state legislative and executive races. A multi-issue, multi-racial coalition succeeded against a powerful incumbency to make it happen.

"It took months, if not years, working with people who advocate for impacted communities. Money in politics reform was never going to be the first issue of many of our allies, but just giving them some basic information about why does this matter? What could it do? How could it shift power and create more space for substantive justice and equality issues? And then how to do it, that was the big part, providing toolkits, talking points. For those of us coming from the systems reform side, we were deliberate and emphatic in communicating that political process work is a strategy – necessary, even if not sufficient, to achieve justice and equality for all."

Chisun Lee, Brennan Center for Justice

The 2024 elections also mark the opportunity for passage of a state Equal Rights Amendment. The process began in 2022 immediately post-*Dobbs* as a way to shore up abortion rights. [Under New York law, amending the constitution requires the approval of two separately-elected legislatures as well as a voter referendum.]

Over two years, the measure faced multiple attempts to keep it off the ballot, all of which were successfully beaten back by advocates. Given vast popular support for abortion rights in New York, ERA opponents turned to weaponizing transphobia to undermine the Amendment — a textbook authoritarian play according to author and historian **Ruth Ben-Ghiat** in **Decoding LGBTQ Scapegoating.** 

#### **KEY TAKEAWAYS FOR PHILANTHROPY**

Gender-focused campaigns such as the ERA do not always self-define as democracy initiatives — but they are explicitly doing the work of defending democracy. And vice versa for democracy campaigns that mobilize around gender. Frame and feature all of their work so that it is seen that way.

#### STATE FLORIDA

Florida holds its place as "an authoritarian stronghold in America," writes Groundswell Action Fund's Quanita Toffie as part of the MAKE THE CONNECTION op-ed project. She warns: "Florida is also ground zero for boom-and-bust electoral funding," even though issue-based organizing there is a constant. In 2024, that includes countering the state's recently enacted six-week abortion ban with a citizen-initiated opportunity, "Amendment 4," to enshrine protections for abortion in the state constitution.

The state Supreme Court's 4-3 decision to let the ballot measure proceed is *fraught*: the dissenting justices unanimously purported the state constitution grants fetal personhood, with three in the majority agreeing (even as they supported letting voters weigh in). This means that even if "Amendment 4" wins, its interpretation will be in the hands of six justices prone to limit its impact (and even cause national repercussions).

Florida's legislature and statehouse have a long history of sabotaging direct democracy wins. In 2018, an overwhelming majority of voters (nearly 65%) passed a measure to permanently end felony disenfranchisement in the state and restore voting rights for an estimated 1.4 million Floridians. Also called "Amendment 4," it was a widely-celebrated grassroots mobilization effort led by formerly incarcerated people. The legislature and governor responded by creating significant hurdles — among these, requiring that legal financial obligations be paid and cleared before a person could vote, even when the state itself had no way to tally those amounts — and threatening to impose criminal penalties.

Based on this experience (and that of other states), Toffie urges,

"We know the buck does not stop with the election. We need to prepare for legislative manipulation designed to interfere with and undermine a participatory democratic process."



#### 6.8

## STATE FLORIDA

#### **KEY TAKEAWAYS FOR PHILANTHROPY**

Elevate and invest in initiatives that have broad impact across issues and communities, like redistricting, state courts, and the role of direct democracy. Identify the local coalitions and groups that have consistently organized their communities and invested in building trust. Fund expansively: where possible, support 501(c)(4)s, LLCs, and PACs. Provide funding early, consistently, and with flexibility and longevity; continue that support after campaigns and elections end to ensure coalitions remain strong and able to tackle backlash and/or capable of ensuring implementation and building power.

"For those supporting direct democracy initiatives in 2024 – Florida's abortion ballot measure and Ohio's for fair maps, for example – it means funding those efforts not just for a single win, but to harness momentum in communities and coalitions in ways that build a lasting democratic infrastructure."

Laleh Ispahani, Open Society-U.S. and Jennifer Weiss-Wolf, Birnbaum Women's Leadership Center at NYU Law (So Goes Reproductive Freedom, So Goes Democracy)



#### CONCLUSION

Understanding the role of anti-gender forces and ideology in the rise of authoritarianism and democratic backsliding is a key first step. The second is ensuring public messaging and grantmaking fully reflect the recognition that the fights for robust democracy and gender justice are one and the same. We look forward to working together to put this menu of recommendations into practice.

"Divorcing gender justice from democracy is inconsistent ideologically and unnecessarily expensive. For philanthropic leaders, the twin goals of strengthening democracy and advancing gender equity present a compelling case for simultaneous investment. Not only does it maximize resources to align investments in women's rights advocacy, civic education, electoral reform, and institutional capacitybuilding, but it also fosters sustainable progress that enhances democratic resilience, promotes inclusive governance, and enables a more equitable society. To separate them is to delay success - and pay for it many times over."

Shaunna Thomas, UltraViolet

(Women's Rights Are Essential to Democracy. Why Do Philanthropists
Treat Investments in Women as a Special Interest?)



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**ERIC WEINGARTNER** President, The Overbrook Foundation

**ERIKA WOOD** Senior Program Officer, Civic Engagement and Government, Ford Foundation



# SUPPORTING RESOURCES

**Dobbs Overturned Much More Than Roe v. Wade** Jamelle Bouie (New York Times)

On the Front Lines: Women's Mobilization for Democracy in an Era of Backsliding

Saskia Brechenmacher, Erin Jones, Özge Zihnioğlu (Carnegie Endowment for Peace)

**Revenge of the Patriarchs** Erica Chenoweth and Zoe Marks (Foreign Policy)

**Breaking Up The Philanthropy Boys Club** Emma Goldberg (New York Times)

The War Against Abortion Rights Is Also a War Against Democracy Jeet Heer (The Nation)

Protecting Abortion Rights Requires Protecting Democracy as Well Laleh Ispahani (The New Republic)

I Am A (Reproductive Justice) Voter In Our Own Voice: National Black Women's Reproductive Justice Agenda

Donors Need to Recognize the Link Between Abortion and Democracy — and Fund Accordingly

Brook Kelly-Green and Pamela Shifman (Chronicle of Philanthropy)

The Abortion Fight Is in the States. Funders, Meet Us in the Capitals Brook Kelly-Green and Cristina Uribe (Inside Philanthropy)

How Abortion is Reshaping American Elections After Dobbs Mina Kim, Michele Goodwin, Rebecca Traister (KQED)

Don't Be Fooled By Trump's Failure to Endorse a Nationwide Abortion Ban Serena Mayeri (TIME Magazine)





## SUPPORTING RESOURCES

**The Critical Role of History after Dobbs** Professor Serena Mayeri (Penn Carey Law Review)

**<u>Dobbs and Democracy</u>** Professors Melissa Murray and Katherine Shaw (Harvard Law Review)

**Ballot Initiatives that Protect Abortion Rights Depend on Fair State Courts** Amy Myrick, Alexander Wilson (State Court Report)

**Decoding LGBTQ Scapegoating Over Zero** 

The Growing Movement to Make Global Philanthropy More Feminist Astha Rajvanshi

Women Experts in Democracy Directory RepresentWomen

Abortion Ballot Measures Aren't Safe From the Courts Susan Rikunas (Jezebel)

Abortion Bans Can Doom Autocrats. Look at Poland Jennifer Rubin (Washington Post)

The Fight for Women's Rights is a Fight Against Authoritarianism Macarena Sáez (Human Rights Watch)

A global 'anti-gender' movement is coming for our democracy. Here's how we fight back. Pamela Shifman (The Hill)

The Anti-Trans Hate Machine TransLash Media

Young People's Policy Agenda Unite for Reproductive & Gender Equity

**Can Abortion Save Democracy?** Jessica Valenti (Abortion, Every Day)

**Democracy Is Feminist** Jennifer Weiss-Wolf (TIME Magazine)





# ABOUT THE BIRNBAUM WOMEN'S LEADERSHIP CENTER

The Birnbaum Women's Leadership Center (BWLC) at NYU Law was established to advance women's-focused leadership and ensure the success of women in public life and the law.

The Center carries out our mission through three core pillars of service: we provide top-notch leadership development opportunities for NYU Law students that invest in their success in law school and beyond; we spur innovative thinking and serve as a hub for thought leadership about gender equity at NYU Law and in the greater legal community; and we bring research, advocacy, and media expertise to bear to promote gender equity and free and fair democracy.

The BWLC takes pride in the Law School's legacy as among the first to routinely admit women and those from groups discriminated against by many other institutions. NYU Law is a pioneer in public service, guided by its mission to train excellent thoughtful citizen-lawyers so that they engage life and all its challenges fully and with integrity.

MAKE THE CONNECTION was inspired by and is an expansion of the BWLC's 2023 Annual Symposium, *Women's Rights and Backsliding Democracies* — in particular, a companion session for philanthropy leaders hosted by the Ford Foundation. Production of this toolkit has been a fully collaborative undertaking with the extraordinary professionals in philanthropy who are leading the way in the fight for a free, fair, and equitable democracy and gender justice for all.

Our deepest thanks to the Ford Foundation, especially to Erika Wood, for bringing to bear principled and creative approaches to putting gender at the center of the fight for a just future.

# THANK YOU DEMOCRACY