

Giving Done Right, Season 6, Episode 5 – Bryan Stevenson on Narrative, Courage, and Meeting This Moment

Bryan Stevenson: I feel like I've gotta be prepared to do things I wasn't prepared to do a decade ago, or to say things I wasn't prepared to say a decade ago. And I am feeling that, and I'm ready to meet this moment because someone has to meet this moment. And I think the foundation community, the philanthropy community, can embrace the same mindset, and ought to and should. And the powerful thing is it will not only be honorable, but it will feel uplifting. You'll feel like you're part of something beautiful and powerful.

Phil Buchanan: Welcome to Giving Done Right. I'm Phil Buchanan. Few Americans alive today have done more to fight for peace and justice than Bryan Stevenson, founder and executive director of the Equal Justice Initiative, a nonprofit based in Montgomery, Alabama. As an attorney, Bryan Stevenson has won reversals, relief, or release from prison for over 140 wrongly condemned death row prisoners, and won relief for hundreds of others wrongly convicted or unfairly sentenced. He argued and won a 2019 Supreme Court ruling protecting condemned prisoners with dementia, and a landmark 2012 ruling banning mandatory life without parole for children 17 and under. He is the author of the brilliant 2014 memoir, *Just Mercy*, which was turned into a film in which Stevenson is played by Michael B. Jordan. He and EJI have created a truly remarkable set of legacy sites in Montgomery, Alabama, including the Legacy Museum, the National Memorial for Peace and Justice, Freedom Monument Sculpture Park, and Montgomery Square. I wanted to have Bryan on the show to talk about what this moment requires of individual and institutional donors.

Brian, welcome to the show. So glad to have you.

Bryan Stevenson: Thank you. Great to be with you.

Phil Buchanan: I've had the pleasure of hearing you speak a couple of times at our conference in 2017 and then again in 2025, and we're in such a different and challenging moment right now than we were in 2017, which was also a challenging moment in a different way, and I am wanting to understand how you think about this moment of backlash to a focus on racial equity. How do you put that into context for yourself?

Bryan Stevenson: Well, I think you're absolutely right that we are seeing the consequences of a narrative struggle in this country, and it's not unprecedented. Whenever there's been forward progress on issues of justice, and particularly issues of racial justice, it's always been accomplished by narratives emerging that make most Americans feel like we've gotta do something differently. That was the thinking in the 19th century when abolitionists were challenging everyone in this country to reject the institution of slavery, and what they were mostly doing was narrative work.

They weren't filing lawsuits. They were getting books published that were written by formerly enslaved people who could document in detail the horrors of slavery. They were dramatizing the multiple ways in which enslavement was horrific and brutal and violent. They were countering this idea that it was benign and it was beneficial to the enslaved. And that narrative prevailed, and we fought a civil war, and ultimately the 13th Amendment passed, which ended chattel slavery.

There was an immediate counter-narrative during Reconstruction where those who had tried to preserve slavery argued that white supremacy should survive even if slavery doesn't. And because we didn't have a narrative to counter that narrative of white supremacy, it prevailed. Our Supreme Court retreated from enforcement of the 13th and 14th and 15th Amendments, which guaranteed equal protection and the right to vote. And within a very short period of time, we betrayed those four million Black people who were emancipated after the Civil War by denying them that equal protection that the Constitution guaranteed and the right to vote. Even though they were constitutional, the court prioritized states' rights over constitutional rights. But that was a consequence of a narrative struggle where those former Confederates, those former enslavers, prevailed in this idea that there had to be racial hierarchy, that there had to be white supremacy. And that, of course, led to decades of terror violence, and the codification of a racial order that required segregation. And it wasn't until the 1950s and '60s that again a new narrative took shape in the civil rights movement that exposed the brutality, the violence, the horrors, and the wrongfulness of this racial construct. And they prevailed in getting the Civil Rights Act passed and the Voting Rights Act passed, and tore down the legal architecture of Jim Crow and segregation. But as soon as that happened, there was again a counter-narrative. Many segregationists said, we're not gonna cooperate with this new civil rights era and they began to do all kinds of things to resist, from legally challenging integration to fleeing spaces where there was the potential for integration. And we've largely been in that pattern for the last 60 years with increasing reluctance to give voice to that racial hierarchy, that racial order, that white supremacy narrative. And then I think you saw in 2020 the continuing manifestations of the problems, you know, the presumption of dangerousness and guilt that gets assigned to Black and brown people played out in these high-profile, highly accessible acts of police violence, George Floyd, Breonna Taylor, Ahmaud Arbery, and so many others. And so you had a reaction to that because people wanted to believe before that that we were past that, that we were somewhere beyond this problem, and we weren't. And many donors and many communities and many institutions said, "Oh my God, we're still dealing with this. Let's do some things."

Phil Buchanan: Yeah.

Bryan Stevenson: And of course, you saw that. And of course, again, there was a counter-narrative, and we have seen that counter-narrative now silenced many of those institutions, those companies, those corporations, those academic places, foundations, and caused them to retreat. And so I guess I see this as a continuation of a long struggle in America to overcome the problem we have all inherited, which is the problem of racial inequality, racial injustice. And from the very founding of this nation, we've tolerated this kind of narrative about racial difference that has caused

us to have, I think, a very polluted environment. And we breathe in this contaminated air, and it causes us all to be less healthy than we should be. And we make progress, and we have made progress. But then we don't do the hard work of completely changing the narrative, of getting to a place where we will never tolerate the kind of bigotry and discrimination and racial animus that we have long been burdened by. And I think that's where we are today. We're still in this struggle, and I'm disappointed by what I've seen in the last few years, but I'm not surprised by it.

And I just believe that this time I hope we will make the kind of commitment to fundamental narrative change, to fundamental transformation so that we don't stay in this cycle generation after generation.

Phil Buchanan: Yeah. Thanks for that. And it's so interesting because I was in Montgomery a couple of weeks ago with my 21-year-old daughter, and we visited all four of the legacy sites. And even if you think you know the history, first of all, you don't know all the history. And then secondly, the power of the story that is told that links moments in history from the forcible removal of people and, you know, the horrors of what happened as they came to be enslaved in the United States all the way up to, you know, mass incarceration. And that thread is so powerful. It left me feeling that if every American could spend a few days in Montgomery, maybe things would shift. But it also left me wondering for the folks that I work with, the folks that we work with at the Center for Effective Philanthropy, donors and foundations, let's talk first about the ones that haven't retreated, that are as committed to racial equity as their website said they were in 2020. And you look at the different tools. I mean, you're a lawyer. You're incredibly successful using the courts as a way to make change, but then you felt, you know, more is needed, and you focused on what you've called the narrative war. In this moment right now, with the courts that we have, with the public conversations that we have, what kind of advice do you have for individual and foundation donors about the most effective approaches beyond giving to Equal Justice Initiative, which I'm sure would be top of the list. What comes to mind for you?

Bryan Stevenson: Well, first of all, Phil, thank you for making the trip here to Montgomery. I want to invite anybody and everybody who is in philanthropy, who thinks about using their resources to make a difference in the world to increase the justice quotient, to come spend time in our space because I do think it helps you become more informed, more tactical, more strategic, and more aware. We've never done a very good job of educating people about the history of racial inequality. Racial injustice is so pervasive, I think most people feel like they know a lot about it because it is everywhere. But the truth is, very few people commit to the kind of engaged and focused learning that I think is required to root this work in a way that allows it to be the most effective. And so I do believe that process of learning is an action item. I think to learn is to do something. And the institutions that I think are still engaged are the institutions that seem to have the most knowledge about the nature of this problem, and so they continue to find and look for new ways, but we can all get better at learning and understanding and knowing more. Those connections that you referenced become critical at a time like this that is very polarized, where it's uncertain where we're going. And so understanding where we've been, I think, is really key. I do believe we are in this narrative struggle, and we have to do a better

job of helping people understand the harms of inequality, of injustice, of bigotry, and I think we've never really committed to that.

We've just assumed that people get it. And so for me, some of the most effective work is work being done to help expose people to the legacy of many of the problems and practices that we have inherited. So I'm the great-grandchild of people who were enslaved. My foreparents, my great-grandparents, were legally prohibited from learning to read or write. That creates a legacy. To not be able to read or write at the end of the 19th century put you in a very different place than you would be if that hadn't been legally prescribed. Now, I happen to be the great-grandchild of a man who risked his life to learn to read and write. And shared that knowledge with other formerly enslaved people, and that became a part of my identity. My grandmother, he taught to read and write, and even though she worked her whole life as a domestic, she was a reader. She believed very strongly in the power of education and of reading. And, you know, I joke because she told me that her father would call people to their house once a week, and he would read the newspaper from start to back. And she loved the fact that her father knew how to read, and she told me that when he would start reading, she would rush and get next to him and just throw her arms around his leg. And I said, "Well, Mama, why'd you do that?" And she said, "Well, I did that because I wanted to learn to read, too." And she said, "I thought you learned to read by touching somebody while they read." And he said, "No, Victoria, that's not how you learn to read." And he taught her to be a reader. And even though she worked as a domestic, she instilled in us this quest, this desire for learning. I'd go visit my grandmother, and she'd come out with a stack of books. She'd make you read something before she would let you in the house. She'd make these amazing desserts, and she would make you read something before you could have some of that dessert. I grew up in a very poor, racially segregated community, but my mom, my grandmother's daughter, went into debt to buy us books, and she bought us the World Book Encyclopedia, and it opened up a world that we couldn't see outside our doors, but we knew that that world existed. Now, that's a legacy of learning and education, so that if you're doing funding around racial equity, you wanna create that same kind of appreciation, that same kind of relationship to the power of reading and knowledge. But we can't assume that everybody starts there. And so the more you know about this history, the more positioned you are to think tactically and strategically about strategies that work. I think we haven't done very much to talk about the harm created by the decades of terror violence that displaced millions of Black people. Six million Black people fled the American South during the first half of the 20th century. Many of them left lands that they owned. They couldn't pass wealth to their children and grandchildren because they were denied security. Mobs were lynching, pulling Black people out of their homes and torturing them, sometimes on courthouse lawns, and our country did nothing about that. And I think a right-thinking foundation can say, a right-thinking donor can say, "I want to address the harms created throughout most of the 20th century between 1910 and 1970 when millions of Black people had to flee because they could not be safe and secure in regions of this country where they were subjected to terror violence." And we know where they went. They went to Chicago and Cleveland and Detroit and Los Angeles and Minneapolis, and the footprint of that exodus is still evident in these cities. Where you have the equivalent of refugee camps; places where people didn't face the same risk of mob violence, but they also weren't welcome, they weren't supported, they weren't cared for. And so a donor can say, "I want to focus on these

zip codes in these major urban areas where there was this Black flight because of the injustice and inequality." And you can defend it in terms of that history in ways that I don't think people typically do. And then you can talk about what are the consequences for creating wealth in a nation that denied people the security of land ownership, of home ownership. There's a whole way of talking about responding to the crisis of land and home ownership that is rooted in a narrative that we've just never given voice to. My dad was a veteran. He fought in the Korean conflict, fought in a segregated unit. When he came out of the military in 1951, 1952, maybe '53, he wanted to do what many veterans wanted to do. He wanted to build a home and start a family. But unlike white veterans, Black veterans in many parts of this country could not access loans that they were entitled to through the GI Bill because the government gave power to administer those resources to the states, and so states denied Black veterans access to these loans. And so my dad couldn't get that money, and so he had to build a house through some exorbitant loans through private sectors. And when he died eight years ago, he still didn't own the house he built in 1957, 1958. I didn't inherit wealth, I inherited debt. And we can document hundreds of thousands of Black families that were denied these benefits because of bigotry and discrimination in the 1950s, in the 1960s. And I'm just saying that if you're a philanthropist or you're thinking about how do we repair the harms of history, that opens up a whole new space to think about. But if you don't know this history, it doesn't occur to you. And so I do think that learning is going to be key to how we respond and, and I think creating narratives around why we do what we do. It's interesting, foundations that get involved in climate change or foundations that get involved in immigration, they spend a lot of time learning about it. They don't assume that they know everything. They actually have program staff and, and others advising them on what's the most effective strategy, on, on what can and should they be doing. And I just think when it comes to racial justice, we haven't been as invested in learning as I think we should be. We tend to react, and a lot of what happened in 2020 and 2021 was a reaction to this moment, and it's better than nothing, but it would have been even better if we could have grounded that reaction in a commitment to learning more about the history of policing, about the history of how in which some people are presumed dangerous and guilty. We could learn more about the ways in which we've used violence to maintain and control groups that are othered. And I just think if we do more of that, and that's what we're trying to do, we'll be better prepared to get to a healthier place in this country.

Phil Buchanan: So many thoughts. First of all, a parenthetical about the sites in Montgomery. And for folks who don't know, there are four. There's the museum, the National Memorial for Peace and Justice, the Freedom Monument Sculpture Park, and Montgomery Square, which I understand is the most recent addition. This is a parenthetical because it's not really on point, but I wanna say it. On this show, we often talk about assumptions folks have about nonprofits and their ability to get things done and get things done well. In addition to the substance of those sites, I just wanna say that it's like one of the most well-run set of places I've ever been, right? Like I would challenge any company to run something as well as just every little detail, the interactions with the staff, just truly incredible. Operationally, I don't know who your CLO is, but whoever they are, they should get a raise. So that's just a parenthetical. Then in terms of the substance connecting to what you were saying, I think one of the things that you walk away from... One of many insights you walk away from those sites with is a deeper understanding of generational wealth and

generational poverty that you were alluding to, and the degree to which racial oppression has fueled wealth creation that is passed generation to generation as well as poverty. That said, I wanna play back something that I hear from donors and foundations and ask you to respond, which is folks who, you know, would probably consider themselves sort of left of center ideologically or centrist will say, "Yes, but what about deep entrenched white poverty?" And when we talk through how we are acting to combat wealth inequality or, or create opportunity too much through a lens of race, they will say to me, "We lose a part of a coalition." So there's this argument that gets made, Okay, we're talking about the history too much, and thereby losing folks who would otherwise be part of a coalition to do something about poverty. I have my own thoughts about that, but I want you to reply.

Bryan Stevenson: Well, I mean, I think the problems of poverty are distinct from the problems of race. And I think in some ways it's important to kind of have that distinction in mind, that there is absolutely an intersection, but I don't think we should conflate those things. I mean, first of all, there's all kinds of data about how poor white people with high school degrees are in many sectors going to fare better than Black college graduates because of racial bias. And there are ways in which efforts to combat poverty have been undermined by those who don't wanna help the poor who have racialized it. A lot of advocates in the poverty space are constantly talking about how, "Look, this isn't just Black people and brown people. There are a lot of poor white people." But if you're beating up on the poor, the narratives that are dominating right now to sustain these cuts to health benefits and to food benefits and to basic... it's this fraud narrative. You know, you listen to people in Congress, and to them, there isn't a poverty problem in America, there's a fraud problem. And they use these narratives about fraud targeting Muslims in Minneapolis or targeting Black people in urban spaces to create this idea that the bigger problem is fraud. And so they're using race to deny assets and support to everybody who's poor, including people who are white. But I think it's just misguided to ignore the challenges of racial bias and bigotry onto this false idea that somehow we're just talking about wealth, because we're talking about more than wealth, right? You can be middle class, you can be employed, and you will still be subjected to abuse and mistreatment that you would not be if you were not a person of color. Look, I graduated from Harvard Law School. When I was practicing in Atlanta, Georgia, coming home late one night preparing on a case, I parked outside of the apartment that I rented, my apartment in downtown Atlanta and someone didn't think I belonged there, and they called the police, and two SWAT officers pulled up. I got out of my car to explain to them that this is where I live. They pulled a gun, threatened to blow my brains out. I had to calm these officers down to save my life. And they were nervous and young, and I finally said, "Look, it's all right. It's okay." And after a lot of illegal searching, they finally let me be. But that's not right. That is not... I spent weeks running up to every Black child I could find to talk to them about what to do when they encounter the police because I thought about myself. I was 28. My 16-year-old, 16-year-old Bryan Stevenson, if the same thing had happened to him, might have done something different. I might have run. I might not have known to say, "It's all right. It's okay." I might have turned and run, because I'd never had anybody point... So that's a reality. That is a problem that transcends economic. Now, some people may be affluent enough to create the security, but that's very rare. And so I don't think we should conflate these issues. The problem of police violence and the problems that we were reacting to in 2020 and 2021 weren't just problems connected to wealth,

and so I think we should hold that there. If we're gonna talk about poverty, then absolutely we need to see the conditions that create these issues. But that doesn't mean we should be silent about the ways in which racial bigotry, racial discrimination has sustained poverty for many groups of people. And the truth is, a poor white soldier in World War II and a poor white soldier in the Korean conflict, a poor white soldier in Vietnam was going to get resources that a poor Black soldier could not get, and we should just acknowledge that. Doesn't mean that we're not gonna look for ways to talk about how we bring people together, but I think the conversation about poverty has to again begin by redefining what poverty is. We've started an anti-poverty project at EJI. We're now providing support to thousands of families in Alabama who are dealing with food insecurity. Many of those families are white. They are immigrant communities. They're majority Black because you're dramatically more likely that the disproportionately high percentage of people dealing with food insecurity in this state who are African American. But what we're trying to do is to actually create a new way of thinking about the harm of hunger. And so we're working closely with these families. We're hearing about them, and our strategy is to give money or a debit card to these families so they can spend them in grocery stores so that they can maintain some dignity while they manage these complex things. You know, we're doing things like providing healthcare to people coming out of jails and prisons who can't get healthcare because they don't have insurance. And we do it for people who are white or Black. We don't care what the race of the person is. And there are a lot of things we can say about those kinds of programs, but I don't think that means that we should be silent about the other problems that are created by this legacy of racial bias and discrimination.

Phil Buchanan: Yes. Also, of course, and we shouldn't have to necessarily appeal to people on these terms because there should be plenty of other reasons why we care, but I also think I've heard you make the argument, and Heather McGhee, who we've had on this show, who wrote *The Sum of Us: What Racism Costs Everyone and How We Can Prosper Together*, make the point that we all suffer. Her example that stuck with me most from that book, you know, that is just so, so powerful and hurtful, was the paving over of neighborhood swimming pools by white communities rather than having integrated swimming pools. And not only is that obviously terrible, it denies little white kids the opportunity to have a swimming pool. So I think sometimes we do a poor job of understanding that this kind of institutionalized racism hurts us all at some level.

Bryan Stevenson: Yeah. Yeah. I mean, I think when you know that so many Southern governors in the 1960s said they would close the schools rather than allow integration. That's what they did in Arkansas. That's what they did in Georgia. That's what happened in Mississippi. And of course, affluent white families would have the resources to seek some kind of alternative education, but poor white families would not. But the narrative was that integration is a bigger threat to the future of this country than the absence of education; than ignorance. They'd rather people be ignorant and segregated than educated in an integrated space. And if we don't understand that and talk about that, how that is a disservice to everyone, then we're not really getting at the problem. That means that those generations of white families won't be prepared for the technological age. They're gonna be left behind as we move from manufacturing to new skilled roles in the American economy. They're not

gonna be prepared to deal with a digital age that requires some literacy and some basic know-how about technology. They're condemning all of them because they see integration as a greater threat, which is why, again, I think that learning more about this intersection is key if we're gonna be effective at creating a future that works for everybody.

Phil Buchanan: Stick around. We'll be right back

BREAK

Phil Buchanan: In the first days of this presidential administration, when there was a flurry of executive orders, including several related to diversity, equity, and inclusion, we saw remarkable capitulation of corporations who had previously touted their commitment to these issues. And then we saw some companies stay with it. I saw an interesting analysis by some researchers out of Berkeley that just came out that showed that those companies that stuck with their DEI programs paid no price in terms of revenues or stock performance. And then more in our little world here at CEP, we saw some foundations and donors stand firm, double down, do more, and then we saw others retreat in ways, call me naive, that I found shocking and disappointing. Racial justice programs, grant-making programs shut down, DEI roles eliminated. There were more than a few of those examples, and I don't know how to understand that other than a lack of courage. I don't know if that's too simplistic, but so I've thought a lot about how do we get these institutions, despite what they may hear from legal counsel or board members, to show just a little bit of courage. What would you say to these folks who are very much focused on sort of this parochial sense of institutional self-protection? "Oh, we have to do this 'cause legal counsel said there's some risk here." What would you say to them?

Bryan Stevenson: Yeah. You know, I think it's two things. I think you're absolutely right, Phil. I do think one of them is courage. But I think the second is context and creating an understanding about why these programs are necessary, and this is particularly true in the corporate sector. Most of the corporations that adopted DEI didn't do what I would have recommended, which is to first articulate the reason why some kind of remedy, some kind of repair is needed. And the way you do that is you articulate, you define, the problem. And so if these companies had put out a 30-year history of hiring and promotion and leadership where they established that lots of women who were more qualified, lots of people of color who were more qualified, were denied promotions because the judgment was that people didn't wanna be led by women or people of color. And they just documented that problem over the last 30 years or 50 years or 100 years, whatever was relevant. And then people heard the problem, presented the problem. Everybody would then be similarly situated to say, "Oh, wow, that's bad. We need to do something about that." Legal counsel would be saying, "Oh, we should act proactively to remedy this problem, because this is gonna come back and haunt us. This is going to undermine our effectiveness." And so let's start from a place of awareness of a problem, and then when you say, "Okay, and so we're now gonna make a new commitment in 2010, 2015, 2020, that we will never again deny promotions to the most qualified women or the most

qualified people of color because of their gender or their race. We're going to actually be proactive in making sure if the most qualified people are people of color and women, they get those promotions, they get hired." Then it isn't seen as some gimme, some gift to people of color and women that they don't deserve. It seems as a minimal response to decades of harm that we have created for these excluded groups. And when you do it that way, it actually requires less courage. Because if I do a review of some company or some foundation, and we demonstrate that there's widespread corruption or stealing and everybody sees it and it's documented, then when new policies are created to eliminate the threat of corruption or stealing, everybody embraces them. Because most people don't wanna work for a foundation or a company where the revenues are being stolen by people who don't follow the rules. They don't wanna work at a place where people are benefiting from corruption. But you have to articulate that problem. And it's funny, these major sports teams, when there's some big incident, they always bring in some outside firm to do a study, and they do a history, and they, "Oh, yes, you're right. You've got a problem with this. You got a problem with that." And then they're ready to act. And we just haven't done that when it came to diversity, equity, and inclusion. And so I think if we have the courage to acknowledge the harms of our own institutions, I wanted newspapers across this country over the last 50... look at how they covered the civil rights movement. Look how they covered the '70s and '80s, and just identify the multiple examples of the way in which they used language that supported racial bigotry, that fed racial antagonism. Just own up to it and then say, "Okay, we're not gonna do that anymore. And one of the ways we're not gonna do that is we're gonna be intentional about making sure that we have a diverse working place that will be a remedy, a bulwark against that kind of issue." But they weren't willing to do that. And very few institutions, even when I was talking with the sports leagues in 2020 and 2021, they were very worried that these majority Black leagues were going to go into some kind of crisis because the athletes were tired of being presumed dangerous and guilty despite their talent and skill. I said, "You know, you can do the same thing. Just own up to the ways in which you have denied Black athletes opportunities in the '50s and say it's not a very difficult thing to do. It's widely known, but you should embrace it. You should talk about it and say, 'We're gonna now be intentional.'" Instead, they kind of skirt around it. And so I think you have to first have the courage to admit the problem, to acknowledge the problem, both institutionally and then globally. Then I think it becomes easier to make a commitment to do the things that must be done. And the kind of problems I'm talking about are problems that are not obscure or new or deeply psychological. They're very basic. You know, it's just not hard to show that in many places we have denied opportunities to women and people of color, despite the fact that women and people of color were more competent, more qualified, more capable. And I do think that's part of it. I think on the courage point, the history of struggle, the history of change has always required being willing to stand up when people say, "Sit down," being willing to speak when people say, "Be quiet." People think that non-violence was the defining feature of the American civil rights movement, and it was a defining feature. Dr. King and so many others were committed to demonstrating a kind of moral power that those who use police and billy clubs and violence to suppress did not have. And so that moral struggle was a struggle that they clearly wanted to win. But I think the defining characteristic of the civil rights movement was courage because you had to face certain violence, certain abuse, certain harassment, certain degradation and humiliation with nothing other than your body sometimes. And that's why, you know, I insist on being hopeful about

the work that I do because I stand on the shoulders of people who did so much more with so much less. I'm in Montgomery, Alabama, a generation ago, people would put on their Sunday best and go to places to push for the right to vote, push for the right to be treated fairly, and they'd get beaten and battered and bloodied while they were on their knees praying. And that generation would go home, wipe the blood off, change their clothes, and go back and do it again. I've never had to be beaten and battered and bloodied for advocating for the people that I advocate. And that just means that it actually requires less of me than the generations that have come before me. My great-grandfather to learn to read or write, risked his life. He could have been sold or he could have been killed. I didn't have to do that. My grandmother and her generation had to flee terror violence because mobs could come at any moment and just randomly kill people with impunity. That hasn't been my reality. I did grow up in segregation, born, but I was in the latter stages of it. By the time I got to second grade, the schools did integrate, so I had opportunities that my parents didn't have. And I just think that means that we can't afford to say, "Oh, that's too hard. That's too difficult. That requires more courage than I have." And I think, again, learning this history creates a consciousness that teaches us that sometimes being courageous isn't as dangerous as staying silent, isn't as threatening as tolerating bigotry, tolerating injustice, tolerating inequality. And I'm inspired. The more I learn about what people have done before me, the more I'm prepared to do more myself.

Phil Buchanan: I think that's so powerful and really appreciate that. One of the things that is documented, you know, so well at the Legacy Sites is the way teenagers, children protested for their parents' right to vote, and the signs that just said, "Let my mom and dad vote." We're talking about children, you know, standing in harm's way because of their belief that their parents deserve just as much of a right to vote as anybody else. On the issue of voting rights, this is something that has been so discouraging, obviously, to see the backsliding and the dismantling of the Voting Rights Act, and so many funders in our audience are focused on democracy in one way or another. They have democracy funding programs or interests, and so much has changed in just the last few years. I guess I would like to ask you what advice you would have for donors who wanna do something to ensure that everybody has easy access to the vote and to combat the backsliding that's occurred.

Bryan Stevenson: Well, I think the first thing I would say is that we have to, again, reframe the narrative about what's happening right now. You know, I often joke with Fred Gray, the legendary lawyer who represented Mrs. Parks and Dr. King, who's still alive. He's 96 years old. I often joke with him. I said, "Mr. Gray, we need to find a time machine so we can go back to 1965." Because I think in 1965, a lot of people felt like once we had the Voting Rights Act, we would have everything we need to eliminate these barriers. But the truth is, we never talked about the harm created by a century of disenfranchisement, and we allowed people who were committed to disenfranchising Black people to get away with that history of disenfranchisement at no cost. We didn't demand anything. We even just said, "We're gonna now watch you more carefully." And I think that was a mistake, because the truth is, is that we should have in 1965 said, "Oh, no, you states that have been disenfranchising people for 100 years, you have to do something remedial to repair the damage

you've done by intimidating Black people from coming to polling places, by blocking Black people from registering to vote. It's not enough to have a Justice Department that's gonna look over your shoulder. Let's repair the harm. Let's talk about the harm you've done by a century of disenfranchising people and the ways in which that has benefited this and that." We've never done that, and I go back and I joke and I say, "Well, what we should have done is made these states that disenfranchise people automatically register Black people to vote when they became 18 as a way of saying, 'We've done these things to disenfranchise. We've made going to the voter registration office dangerous. Let's do something reparatory.'" That would not have been radical. It would be the same thing we do in any other area of a conflict when we show a harm. The company that did the harm, the wrongdoer, has to do something to kinda create wholeness. We could have said that we're going to go into the Black community and get their votes on Election Day because we made going to polling places so threatening, it would not have been an unreasonable ask to say to these states, "You have to do more. You have to make voting easier for the communities you've made it so hard for." And I think if we'd had that conversation, if we'd talked about it in those ways, we wouldn't see what we're seeing right now, which is this effort that pretends as if somehow making it harder for Black people to vote with these restrictions, taking away the protections of the Voting Rights Act isn't racially biased, isn't connected to this earlier history. And so I think the first thing we have to do is to reshape this narrative so that we see what's happening today as a continuation of the same resistance to voting and equal opportunity to the ballot that existed 60 years ago. It's the same thing. Alabama didn't wait 24 hours before convening a special session to reconfigure districts, and it's no different than what you saw really with the poll tests and all of these sorts of things. But it's allowed to be perceived as somehow not racist and bigot... So I do think funders need to be investing in ways of reshaping the narrative because that's how we create a different consciousness about this. The second thing we have to do is to support those organizations, those entities, those efforts that are being made to once again motivate people who have been historically excluded and disenfranchised to overcome hurdles. We've made voting easy for people, and I think we should. I think it should be easy. But now there's an effort to make it hard, and the fact that we make it hard means we're gonna have to have other strategies for making it less hard. And I'm really motivated at this moment to do everything I can to encourage people to vote no matter what the obstacle. If you have to mail in your ballot even earlier than you did before, then that's what you have to do. If you have to go in person to vote, then that's what you have to do. We can't allow this effort at limiting political expression from some of the most vulnerable people in our country to prevail. What I say to people is that whatever we're gonna have to do in 2026 or 2028 isn't gonna be nearly as complicated as what people had to do in 1965, or even in 1970 or 1975, when they had to risk their life going to a voting place. And so I think, again, once you have that history, you're motivated to do things and understand things that you're not otherwise motivated to do. But I do think that reshaping of the narrative is gonna be key. We can't pretend as if this is somehow, you know, neutral or just a technical challenge or anything like that. This is, you know, a very clear effort to restore the political dynamics that existed before the passage of the Voting Rights Act.

Phil Buchanan: And it's so incredibly brazen. I was in Memphis, just coincidentally, in May at the Greater Memphis Community Foundation the day of the redistricting

vote. You know, and there's nothing subtle about this. I mean, it is so egregious. And so I completely agree that we need to call it out as such and recognize, you know, what a threat it is to basic principles. I wanted to ask you, because I've listened to many interviews with you, and I've never heard you address this because I've never heard you be asked about your experience as a board member at a foundation.

You've been on the Ford Foundation board, and yeah, just, like, what you've learned about philanthropy and about effective philanthropy over those years in that really interesting role with that perch on a really important institution.

Bryan Stevenson: Yeah. Yeah. Well, it's been a very rich experience for me. I have learned a lot. I agreed to join because I really did feel like there were some biases in large foundations in this country. I've long been concerned about the fact that the overwhelming percentage of resources that the major foundations have spent have largely been in urban centers in the North and the East and the West Coast, and the vast regions of the country, the South in particular, have been really under-financed, under-supported. And to be honest, my interest was in at least giving voice to the challenges of people in parts of the country that aren't as represented in many of these board spaces. And Ford was actually really wonderful in embracing me as somebody who had that background, who had that perspective, and I feel really good about, you know, the conversations I've had with my board colleagues on that. The second thing that I think is really important, particularly for the large foundations, is that, you know, we have a lot of people coming out of the corporate sector and the business sector, and they bring a lot of insight and a lot of skill and knowledge, particularly when it comes to, you know, how to protect the resources of a foundation with regard to investment and management and the operations and all of that. But I think it's also important to have the perspective of people who are doing work in this space. And if we don't have strong voices who can speak to what it's like to get a grant with 50-page reporting requirements and expectations of details and documents that way exceed the capacity of an organization to provide, we become full-time... You know, we work for the foundation too, because 90% of what we do is giving data to these organizations that doesn't get reviewed. And so there are things about that dynamic that I was interested in just giving voice to. And I think we've seen real progress over the last decade in creating a new consciousness about what's reasonable and what's appropriate and what's fair and what's healthy in the relationship between funders, grantors, and grantees. But you're not gonna get that if you don't have representation on boards and leadership that has been in that space. And so I've been pleased that there has been an openness and, and responsiveness at Ford and other foundations. Darren Walker, who was the president during most of my time, you know, became a real leader in pushing philanthropy to kind of adjust in this way. And I'm proud of that, and there's still a lot more work to be done. I'll be leaving the Ford Foundation this year, but I regard it as time well spent. I really do think we always have room to think critically about the structures that we inherit at foundations, and I think Ford in particular has done a good job at being open to that and rethinking that and I'm hoping that that will continue after I leave. And I hope all foundations will think about diversity, not just in terms of, of race and gender and age, but also in terms of experience. I think having people who have worked in the nonprofit space, who have worked in communities where there are a lot of vulnerable

people, where there are a lot of people who are marginalized, is really important for the health and the integrity of a foundation's ability to make a difference.

Phil Buchanan: I so appreciate your answer to that one because I have been beating that drum for 25 years in terms of not that there shouldn't be lawyers and venture capitalists on foundation boards, but also it's a matter of degree, and the importance of having that nonprofit leader experience, you know, represented in those rooms, I just think it cannot be understated. Last thing I think I wanna ask you just relates to the sense of powerlessness and overwhelm that I have heard more from people, including people with a lot of potential to do something, a lot of resources, foundation presidents, individual donors, you know, who feel like, "I don't know what to do. I feel almost like I wanna disassociate or disconnect from what's going on because it's just too much." And I understand why people sometimes feel that way. What would you encourage people to think about to try to sort of combat that sense of everything's going in the wrong direction, I just feel overwhelmed by it, I don't even know where to begin?

Bryan Stevenson: Yeah. Again, I think one of the goals of our sites, and I invite people to come and spend time in our sites, is to kind of rebut any sense that what we're going through now is so big and so overwhelming and so devastating that we just have to give up, because that's what history teaches you. You know, the four million Black people who were emancipated after the Civil War could have said, "We want revenge against the people who enslaved us. We want retribution against the people who sold our children and our spouses and our siblings. We want to do harm to those who did harm to us." But they made the extraordinary decision to actually commit to this country, to build a more perfect union, to become great Americans, and they built churches, and they built families, and they built schools, and they had nothing. And when they were betrayed by Congress and the federal troops were withdrawn and the Supreme Court decided to prioritize states' rights over constitutional rights, they didn't stop, even though they were subjected to decades of terror violence, and lynching. I think about the Black women in Montgomery, Alabama, 1942, who began saying, "No, I'm not gonna give up my seat to a white person. That's wrong, and I'm going to push for a better America." And that's what young people did in the '40s, and that's what Claudette Colvin did in 1955. It's what Mary Louise Smith did. It's what Aurelia Browder did. It's what Susie McDonald did. It's what Rosa Parks did. And because these women said, "No, we're going to push this country to be a better Amer... And we don't have anything," things began to change, and we gave birth to the civil rights movement. And I just think the more you learn this history, the more you understand this history, the more you realize how actually shameful it would be to say, "Oh, it's too much for me right now in 2026." It's dishonorable. It's just not consistent with the spirit, I mean, I'm increasingly persuaded that this is a race. We're running a race, and it doesn't matter who we are, old, young, Black, white, brown, immigrant, not, whatever. And I'd like to believe that people who are running toward justice, toward equality, toward the kind of community where people are supported and, and embraced and loved and held up, have to keep running. And I see the enslaved in this country, my foreparents, they ran their race. They had their baton, and when they got to emancipation, they gave the baton to their children. And that generation ran into the 20th century despite the threats and violence of lynching, despite all of the hardship of convict leasing and

sharecropping and tenant farm. They kept running despite all of those hardships. And then when they died, they gave the baton to their children. And in the 1950s and '60s, those children stood up to segregation and Jim Crow. They stood up to disenfranchisement. They risked their lives. Some gave their lives to create a more perfect union, a better, more hopeful future. And when they died, they gave the baton to us. And I feel like I'm part of the generation who received the baton from people who did so much more, as I said, with so much less. And so it would be wrong for me, in 2026, with all of the privileges, with all of the support, with all the opportunities, with all of the gifts I've been given, to now put the baton down and say, "Oh, this race is too hard for me." It's just... It would be wrong. And beyond that, it would be inconsistent with believing in justice. Because we can't say we believe in equality and justice, and we do things that are unjust and that are unequal. And so I guess that's what I would say is I talk about hope. For me, hope is not a preference for optimism over pessimism. It's not some pie in the sky thing. It's an orientation of the spirit. Hope is being willing to position yourself sometimes in a hopeless place and be a witness. I think hope is our superpower. It's what will force us, cause us to do the things that must be done. And it's interesting because I feel more engaged, more energized right now, given what we're seeing. I feel like I've gotta be prepared to do things I wasn't prepared to do a decade ago, or to say things I wasn't prepared to say a decade ago. And I am feeling that, and I'm ready to meet this moment because someone has to meet this moment. And I think the foundation community, the philanthropy community, can embrace the same mindset And ought to and should. And the powerful thing is it will not only be honorable, but it will feel uplifting. You'll feel like you're part of something beautiful and powerful. I mean, that's the way I feel when I walk the streets of Montgomery. I feel like I'm walking with the spirits and the souls of people who've come before me, and they are right behind me, right with me, encouraging me every step of the way. And that's the community that I want to invite people to join, that community of people who do hard things even when they're challenging and overwhelming, who do great things even when it seems so difficult and so intimidating. And that's what's gonna be needed to create more justice in this world.

Phil Buchanan: That's beautiful and a great place to leave it. Bryan Stevenson, it's always such a privilege to spend time with you. So grateful for your leadership and for all you're doing in this challenging time. Can't thank you enough.

Bryan Stevenson: Thank you, Phil. Great to be with you.

Phil Buchanan: There are a ton of resources about effective giving on The Center for Effective Philanthropy's website, cep.org, as well as givingdoneright.org, where you'll find all of our episodes and show notes. You can also send us a note at gdrpodcast@cep.org.

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