

LAW AND CONTEMPORARY PROBLEMS

Volume 62

Autumn 1999

Number 4

WHY “AMATEURS”?

CHARLES T. CLOTFELTER*

I

INTRODUCTION

He is a retired military officer, on his way to eastern North Carolina, where he will spend three weeks unloading trucks of food and supplies for residents who have been forced from their homes by a hurricane and the subsequent flooding. His experience with logistics in the military makes him a valuable worker in the massive Red Cross relief effort following the storm. Despite the considerable economic value that his experience brings to the relief effort, he is an amateur, in that he will receive no pay, other than living expenses, for his three weeks of work.

She is fresh out of college, has no education courses on her transcript, has no previous teaching experience, does not hold a teacher's certificate, and plans

Copyright © 2000 by Charles T. Clotfelter

This foreword is also available at <http://www.law.duke.edu/journals/62LCP/Clotfelter>.

* Z. Smith Reynolds Professor of Public Policy Studies; Professor of Law and Economics, Duke University.

The planning for this issue of *Law and Contemporary Problems* began while I was on leave at the Duke Law School. I am grateful to my colleagues there and in the Terry Sanford Institute of Public Policy for their suggestions and support for this project and to Duke's Center for the Study of Philanthropy and Voluntarism for the financial assistance that made the project possible. In addition to the authors and commentators in the volume, I am especially indebted to these scholars for their suggestions and helpful discussions about the project: Alan Abramson, Harry Boyte, Evelyn Brody, Harvey Dale, Paul DiMaggio, Laurie DiPadova, Thomas Ehrlich, Joel Fleishman, Joseph Galaskiewicz, Kristin Goss, Kirsten Gronbjerg, Henry Hansmann, John Hasnas, Virginia Hodgkinson, Michael O'Neill, James Perry, Susan Rose-Ackerman, Richard Schmalbeck, John Simon, John Palmer Smith, Melissa Stone, Neil Vidmar, and Dennis Young. For his comments on this introduction, I am grateful to Jeffrey Brudney. Needless to say, none of these scholars should be held responsible for the decisions I made as special editor of the volume, nor do the views expressed in the volume necessarily represent those of any organization.

eventually to go to law school, but right now she is a regular third-grade teacher in an urban public school in New Orleans. She is one of the tens of thousands of young graduates who annually enlist for tours of duty through various public service programs in return for modest paychecks. She is also an amateur, doing work for which she has received no formal training and which she will probably not pursue in the future.

Despite the undeniable trend over time toward greater professionalization of so many activities, including those of government and nonprofit organizations, a significant amount of effort that advances social policy in the United States continues to be carried out by persons such as those described above, who either do not receive a paycheck or receive a modest paycheck for doing work for which they were not professionally trained. These workers are all "amateurs" in one of these two senses, though some do in fact have training relevant to their volunteer work. Lest one object that the term "amateur" denigrates those volunteers who apply their professional training to their assignments, it is instructive to remember that some of the most famous sports stars have been amateurs, not because they were untrained, but because they were unpaid. Admittedly, the term as used here is somewhat artificial because it groups together three different types of actors. However, this grouping is well justified because these three groups raise a common set of issues that arise when capable, motivated individuals who are not regular paid staff are employed to achieve social objectives.

Most numerous, and therefore most prominent, among these amateurs are unpaid volunteers. They deliver food to shut-ins or magazines to hospital patients, act as mentors to teenagers, and tutor children in the public schools. In 1996, about half of the adult population reported doing some volunteer work of this sort, with the average person contributing about four hours each week.¹ Volunteers ranged in age from teenagers to retirees. A second form of amateur public service is service programs that offer modest compensation, such as the Peace Corps, Volunteers in Service to America ("VISTA"), Teach for America, or AmeriCorps. A third, largely distinct form of amateur service is community-oriented service performed by students under the auspices of "service-learning" programs, or as part of school-imposed requirements to perform community service. Because they are not trained or paid, students in these programs are clearly amateurs as well.

The purpose of this issue is to examine the use and usefulness of public service work performed by amateurs. Since there is no reason to believe that existing patterns of usage are necessarily optimal for society, it is appropriate to describe and evaluate these current patterns according to the standards of social science. The issue therefore considers the effectiveness of using amateurs to carry out the functions for which they are employed and the effects of such service on those who volunteer. It presents eight articles describing and ana-

1. See Eleanor Brown, *The Scope of Volunteer Activity and Public Service*, 62 LAW & CONTEMP. PROBS. 17, 20 (Autumn 1999).

lyzing various aspects of amateur service. In addition, it contains three commentaries on the articles and the issues they raise. It is my hope that this collection of papers will be useful in addressing the question of whether it is good public policy to rely on and indeed to encourage service by amateurs. Before turning to the articles and commentaries, it is helpful to begin with an overview of the subject and its significance. Accordingly, the next section of this foreword describes the scope of activities covered in the issue. The following section summarizes three empirical questions that originally motivated the issue, the answers to which are central to the consideration of public policies related to amateur service. The last section offers a brief preview of the articles.

II

VARIETIES OF AMATEUR SERVICE

Amateur service comes in three major forms in contemporary America: unpaid volunteering, enlisted work for service organizations, and service-learning in schools.

A. Unpaid Volunteers

Most prominent, because they are most numerous, are unpaid volunteers. As Eleanor Brown notes in her article, as many as half of all adults, approximately ninety-eight million, report doing some kind of volunteer work over the course of a year.² Estimates suggest unpaid volunteers provide the equivalent of almost eight million full-time workers.³ No other form of amateur service comes close in scale to this effort. Most commonly, this work is done under the auspices of a religious congregation or some other nonprofit organization, but a significant amount of volunteering is also done for government agencies.

Table 1 shows the distribution of volunteering by broad sector in 1991. Churches and other religious organizations accounted for one-third of the total, and all other charitable organizations, primarily colleges, schools, and hospitals, accounted for another third. Of the remaining types of organizations using volunteers, local governments use by far the most, with local public schools having the biggest share. Among the nonprofit organizations using volunteers, some have high-profile national reputations, such as the Red Cross, Habitat for Humanity, Meals on Wheels, Girl Scouts and Boy Scouts, and the YMCA and YWCA. Most, however, are local organizations with no such brand-name recognition. This is a significant fact because the effects of policies regarding volunteers will tend to be local rather than national. To be sure, some volunteers work under the auspices of government programs. For example, in 1997, some

2. *Id.* at 19. The types of activities that should be counted as volunteering is not altogether clear. While unpaid work for established nonprofit organizations surely should be and is in fact usually counted, surveys generally do not count informal aid such as caring for a sick neighbor. Thus, coaching a Little League team counts, but taking neighborhood kids to the park does not.

3. *See id.* at 25. An estimated 15.7 billion hours was volunteered for organizations, implying 7.85 million full-time, year-round workers. *See id.* at 20.

450,000 older Americans volunteered for the Retired Senior Volunteer Program (“RSVP”).⁴

TABLE 1
DISTRIBUTION OF VOLUNTEER HOURS BY SECTOR, 1991

	Percentage of volunteers' hours
Religious institutions*	33.5
Other charitable organizations*	32.4
Other nonprofit organizations	2.2
For-profit organizations	6.5
Government agencies	
Federal	1.7
State	2.5
Local	21.1
Total**	100.0

Source: VIRGINIA ANN HODGKINSON & MURRAY S. WEITZMAN, *NONPROFIT ALMANAC 1996-1997: DIMENSIONS OF THE INDEPENDENT SECTOR* 105 tbl. 2.19 (1996).

* Charitable organizations are those covered by Internal Revenue Code section 501(c)(3). The tax code allows a charitable deduction for contributions to these organizations.

** Due to rounding, the total may not equal sum of column.

Given the sheer magnitude of volunteer effort, it should come as no surprise that scholars have analyzed volunteer behavior and that leaders of nonprofit organizations that use volunteers have worried about whether they can rely on a supply of volunteers. A particular worry has been whether women's increasing abandonment of stay-at-home roles will erode an historically important source of volunteers.⁵ At the same time women were entering the labor force in record numbers, however, longer life spans were swelling the numbers of retirees who might be willing and able to volunteer.

Another supply-related concern, raised in a recent article by Kristin Goss, is that current levels of volunteering depend heavily on the time contributed by the generation now in their retirement years.⁶ Using data spanning the last twenty-five years, she finds that the retired generation has been responsible for

4. See *Senior Corps* (visited Oct. 11, 1999) <www.cns.gov/senior/research/overview_rsvp.html>.

5. For an analysis of volunteer effort by women, see CHARLES T. CLOTFELTER, *FEDERAL TAX POLICY AND CHARITABLE GIVING* 142-70 (1985).

6. See Kristin A. Goss, *Volunteering and the Long Civic Generation*, 28 *NONPROFIT & VOLUNTARY SECTOR Q.* 378, 378-415 (1999).

a large and growing share of the nation’s volunteer effort, leaving the nation vulnerable to a drop-off when that generation passes from the scene.⁷ To put into perspective the volunteer effort of the elderly, the top part of Table 2 shows how volunteering among those twenty-five years old or older was distributed by age in 1996. Those sixty-five years old and older were indeed significant, doing more than fifteen percent of all volunteering. Although this group’s rate of volunteering is below average—for they make up a fifth of the population—it is possible that they are more active as volunteers than the succeeding generation will be when it reaches the same age.

TABLE 2
DISTRIBUTION OF VOLUNTEERING BY AGE AND EDUCATION, 1996

	Percentage of all adults	Percentage of all volunteering
<u>Age</u>		
25-34	24.0	23.7
35-44	25.6	27.4
45-54	18.6	21.0
55-64	12.0	12.5
65-74	12.9	10.7
75+	7.0	4.7
Total*	100.0	100.0
<u>Educational attainment</u>		
Elementary school	6.0	1.5
Some high school	12.4	5.2
High school graduate	29.5	24.8
Technical, trade, or business school	10.9	12.0
Some college	19.9	21.4
College graduate	21.3	35.2
Total*	100.0	100.0

Source: Author’s calculations, drawn from VIRGINIA A. HODGKINSON & MURRAY S. WEITZMAN, GIVING AND VOLUNTEERING IN THE UNITED STATES app. D, tbl. 1, at D147, D150-D151 (1996).

* Due to rounding, the totals may not equal sums of columns.

One can also consider the concerns about the supply of volunteers by focusing on differences by education instead of age. As the bottom part of Table

7. *See id.*

2 shows, rates of volunteering differ much more dramatically by education than they do by age. For example, high school graduates volunteer less than average, accounting for almost thirty percent of adults but only one quarter of all volunteering. By contrast, college graduates, who account for only about one fifth of adults, do thirty-five percent of the volunteering. Thus, the steady increase in college attainment in the country would appear to correspond to increases in the supply of volunteers. However, volunteering will be affected by generational effects, as noted above, as well as more widespread factors that influence the volunteering of all groups.⁸

B. Service Program Recruits

A second class of amateurs in public service are paid enlistees in formal service programs. Frequently referred to by the somewhat inelegant term “stipended volunteers,” these recruits—most of whom are in their twenties—are typically paid a nominal wage to carry out an organization’s mission. Among these organizations have been manifestations of national calls to public service, such as the New Deal’s Civilian Conservation Corps (“CCC”), the New Frontier’s Peace Corps, the Great Society’s VISTA, and the Clinton Administration’s AmeriCorps. Programs of this type also have operated on the state level. For example, the Volunteers Program of the North Carolina Fund of the 1960s, described by Robert Korstad and James Leloudis,⁹ was a precursor of VISTA. The current California Conservation Corps—modeled after the federal CCC by undertaking outdoor work such as clearing trails, restoring historical buildings, and constructing playgrounds—sports a motto that captures much of the spirit of these programs: “hard work, low pay, miserable conditions . . . and more!”¹⁰ Nonprofit organizations, such as Teach for America and City Year, provide similar enlistment opportunities, as do a host of missionary programs designed for young people. Whether or not they are run by a government agency, programs of this sort operate on the public-nonprofit borderline either because they rely on government funding or because the functions they perform are substitutes for those ordinarily undertaken by government itself.

The largest of the current service programs in the United States is AmeriCorps. Authorized as part of the National and Community Service Trust Act of 1993,¹¹ AmeriCorps is run and financed by the Corporation for National Service and state governments. The Act provided for modest stipends to recruits, with a minimum of \$7,662 per year for full-time recruits, plus education awards of

8. Among the factors mentioned by Goss that might influence the supply of volunteers are church membership, health, financial security, and the nature of the nonprofit organizations that adults are joining. To the extent that the organizations involve local, face-to-face associations rather than the financing of national advocacy efforts, for example, membership in them would be more conducive to volunteering. *See id.* at 393-410.

9. Robert R. Korstad & James L. Leloudis, *Citizen Soldiers: The North Carolina Volunteers and the War On Poverty*, 62 LAW & CONTEMP. PROBS. 177 (Autumn 1999).

10. *California Conservation Corps* (visited Oct. 11, 1999) <<http://www.ccc.ca.gov>>.

11. 42 U.S.C. § 12651 (1994).

\$4,725 for recruits who serve a full year.¹² Beginning in 1994 with 20,000 recruits, AmeriCorps had grown to 40,000 by 1998.¹³ Although most service programs rely on young adults for their recruits, some, including the Peace Corps, use older recruits as well. In 1997, for example, the federally funded Foster Grandparents Program, which uses recruits age sixty and older as mentors, tutors, and caregivers, had 25,000 active recruits, about half of whom were in their seventies.¹⁴

The idea of universal national service, particularly the idea of instituting a draft-like mandatory service requirement for all young people, is a policy option related to “stipended” service programs and has been a perennial issue of debate in public policy circles. Touted as a leveler, an antidote to excessive materialism, and a source of fertile soil for the growth of civic values, compulsory national service apparently has enjoyed popular support. In a 1984 Gallup survey, sixty-five percent of adults approved of a one-year compulsory national service program.¹⁵ Unlike AmeriCorps, which is decidedly voluntary, such a program would be mandatory, which would dramatically increase not only its cost and the difficulty of finding productive assignments, but also surely the political opposition to it. Former Senator Gary Hart once stated, “Compulsory national service may be the biggest issue of the eighties.”¹⁶ If it ever was, the feeling appears to have passed, though the idea remains one with lingering appeal.

C. Service-learning

The third form of amateur service is service-learning, which refers to school-based courses or programs that attempt to integrate public service into formal education. Whether they make explicit reference to John Dewey’s emphasis on informal learning, are justified in terms of the moral or civic development of students, or are seen as an integral part of the academic curriculum, service-learning programs exist widely in colleges as well as in schools.¹⁷ Many schools, both public and private, not only encourage but also require some community service as a condition of graduation, a requirement that has elicited legal challenges to their use in the public schools, as discussed by Rodney Smolla in this

12. See Thomas J. Smith & Linda Z. Jucovy, *AmeriCorps in the Field: Implementation of the National and Community Service Trust Act in Nine Study States* 3-4 (1996).

13. See *AmeriCorps* (visited Feb. 9, 2000) <<http://www.americorps.org/research>>.

14. The Foster Grandparents Program is part of the Senior Corps, which in turn is part of the Corporation for National Service. Recruits work for 20 hours a week and receive stipends financed primarily with federal funds. See *Senior Corps* (visited Feb. 9, 2000) <http://www.cns.gov/senior/research/overview_fgp.html>.

15. See RICHARD DANZIG & PETER SZANTON, *NATIONAL SERVICE: WHAT WOULD IT MEAN?* 4 (1986).

16. *Id.* at 9.

17. For a discussion of the relevance of Dewey’s philosophy of education and civics education, see Mary A. Hepburn, *Service Learning in Civic Education: A Concept with Long, Sturdy Roots*, 36 *THEORY INTO PRACTICE* 136 (1997).

issue.¹⁸ As Brown notes, about one in six middle school and high school students attended schools having such a requirement in 1996, and another four out of six were in schools that made service opportunities available to their students.¹⁹ The extent of these school programs is a clear indication of the widespread belief that programs of this kind can have a positive impact in the personal development of young people, in particular, on their orientation to civic life.²⁰

III

THREE EMPIRICAL QUESTIONS

The compilation of this issue was motivated in large part by three factual questions about public service work done by amateurs, all of which should be relevant to one's assessment of the legal and public policy stance toward the role of amateurs. How effective are amateurs in delivering services? What are the effects on participants? What are the political effects?

A. How Effective Are Amateurs in Delivering Services?

An economist naturally sees these amateurs as "inputs" into various "production functions." They are used along with other inputs, such as paid staff and equipment of various sorts, to do the work of the nonprofit organization or government agency for which they work. Not only must these organizations usually use resources to recruit the amateurs, they typically provide the new workers with training and other types of support on a regular basis, functions that cost money. Research cited by Jean Grossman and Kathryn Furano estimates the cost of mentoring programs at \$300 each year per mentor.²¹ Because of their amateur status, these workers usually need this training and support. Despite their lack of training, however, volunteers may bring to their assignments compensating advantages beside their low cost, such as enthusiasm, idealism, and a fresh perspective. It is relevant to ask not only how productive these amateurs are in providing services, but how their presence influences the effectiveness of paid staff.

Questions of this sort are best answered by empirical studies of actual programs. Such evaluations may produce reproducible "best practices" to guide program managers of similar operations. In other applications, empirical studies might conclude that an analyzed program yields no easily generalizable lessons. The success of using amateurs must depend in part on the supply of potential participants, the cost of training, and the potential costs of inadequate

18. See generally Rodney A. Smolla, *The Constitutionality of Mandatory Public School Community Service Programs*, 62 LAW & CONTEMP. PROBS. 113 (Autumn 1999).

19. See Brown, *supra* note 1, at 30.

20. Another form of mandated service, community service that is part of a court sentence, is not considered in this issue because it is so different from the types of voluntary activities considered.

21. See Jean Baldwin Grossman & Kathryn Furano, *Making the Most of Volunteers*, 62 LAW & CONTEMP. PROBS. 199, 219 (Autumn 1999).

performance. Perhaps recruiting is more important than training, or perhaps it is the reverse. There is great potential value in having competent evaluations of actual programs to make some of these determinations.

B. What Are the Effects on Participants?

Fundamental to the rationale behind service-learning is the notion that public service work will have a beneficial effect on the students who participate. It is probably just as likely that the act of participation has an effect on volunteers and public service recruits as well. Indeed, the aggregate importance of such participation effects may be much greater in the case of volunteers—because of their huge numbers—or public service recruits—because they are very likely to take leadership roles as they mature—than for participants in service-learning.

Several kinds of effects have been mentioned. One rather straightforward effect that is seemingly easy to verify is whether service-learning work in school increases the chance that a young person will volunteer in the future. Other effects of amateur service could include changed attitudes about civic life and social problems, or an enhanced occupational outlook or improved mental health. There is evidence, for example, that elderly volunteers are more likely to have a feeling of purpose in life than their peers who do not volunteer.²²

Unfortunately, all of these empirical questions face a daunting methodological problem—the question of causation. If volunteers are found to have systematically different attitudes from those of non-volunteers, for example, it is by no means obvious that volunteering affects attitudes or vice versa. Both volunteering and attitudes could be correlated to a third, unmeasured variable that caused both of them. Even if observations are separated in time, the problem of causation is not easily solved. When one draws conclusions based on the association of some treatment and other supposed results, one should be cautious whenever the selection into the treatment group was not random, which it seldom is. This is not to say that empirical analysis cannot uncover behavioral or attitudinal consequences of volunteering and public service participation, but only that care must be taken to distinguish correlation from causation.

C. What Are the Political Effects?

As documented in this issue by Helmut Anheier and Lester Salamon, otherwise similar countries have relied to different degrees on the nonprofit sector, as opposed to government, to carry out various social functions.²³ These differences illustrate that, at its core, the use of amateurs in public service inevitably has political implications. In the United States, the political significance of volunteering and the nonprofit sector was manifest in the call by the Reagan and Bush Administrations and the Republican Congress of the 1990s for the non-

22. See generally Lawrence Weinstein et al., *Purpose in Life, Boredom, and Volunteerism in a Group of Retirees*, 76 PSYCH. REP. 482 (1995).

23. See generally Helmut K. Anheier & Lester M. Salamon, *Volunteering In Cross-National Perspective: Initial Comparisons*, 62 LAW & CONTEMP. PROBS. 43 (Autumn 1999).

profit sector to take over from government more of the responsibility for dealing with social problems. At a more theoretical level, the use of amateurs affects the health and development of social capital, the trust and feelings of reciprocity that are believed to be important to the successful functioning of democratic institutions. To the extent that this "social capital" is strengthened through volunteering, service-learning, or public service programs, the use of amateurs in the United States surely has an effect on the functioning of political institutions, albeit a subtle one.²⁴

Much less subtle is the potential political importance of public service programs that use full-time recruits. However politically neutral in their conception, these service programs tend to stir up waves in the pool of politics, especially when they are funded directly by the government. Policies to encourage volunteers is one thing, but when legislatures are called on to pay for the work of usually young, idealistic recruits, those legislatures, not surprisingly, adopt a heightened level of scrutiny. A basic issue, of course, is whether such programs are an appropriate function of government and, if so, what level of government should be responsible for it. Much more prominent on the political radar screen, though, are the actions of those recruits. As Korstad and Leloudis show, idealistic volunteers for the North Carolina Fund of the 1960s could and did come into conflict with political leaders in communities where they worked.²⁵ These recruits openly questioned Jim Crow segregation and the white power structure that upheld it; the War on Poverty is replete with similar instances elsewhere in the South.²⁶ As a reaction to VISTA's efforts at community organizing, the Nixon Administration placed restrictions on its recruits.²⁷ It seems likely that confrontations between the efforts of recruits and entrenched local power may well be common, especially in the public service programs powered by idealistic and articulate college graduates. Once released to do good, these recruits may be a genie that will not quietly go back into the bottle. The most recent illustration of the political controversy that public service programs can engender is that which surrounded the authorization and funding of AmeriCorps. Although passed in 1993, the program was nearly demolished after the congressional elections in November 1994, when the House of Representatives voted to reduce its funding by three quarters. Republicans criticized AmeriCorps as a veiled employment program and one that was subject to too much federal control.²⁸ The program survived, of course, but this battle serves

24. Of course, causation might work in the opposite direction as well, with social capital manifesting itself in volunteering and other service. For discussions of the connection between social capital and democratic institutions, see ROBERT D. PUTNAM, *MAKING DEMOCRACY WORK: CIVIC TRADITIONS IN MODERN ITALY* (1993) or Robert D. Putnam, *The Strange Disappearance of Civic America*, 24 AM. PROSPECT 34 (Winter 1996).

25. See Korstad & Leloudis, *supra* note 9, at 189.

26. According to Karen M. Paget, *The Big Chill: Foundations and Political Passion*, 44 AM. PROSPECT 30 (1999), in many communities, Head Start was the largest employer not controlled by the local white power structure.

27. See *id.*

28. See Smith & Jucovy, *supra* note 12, at v, 3-5.

as another illustration of the political potentialities embedded in publicly funded service programs.

IV

OVERVIEW OF ARTICLES

What follows this introduction are eight articles addressing the issues sketched here, interspersed with three commentaries. I asked each of the commentators to discuss the papers immediately preceding his entry as well as to reflect more generally on the issues raised in the volume. To conclude my introduction of the volume, I present here overviews of each of the articles.

In *The Scope of Volunteer Activity and Public Service*, Brown sets the stage for a larger examination of the role of amateurs by providing some empirical dimensions to this activity as it is carried out in the United States.²⁹ Employing the latest data available from household surveys, she summarizes estimates of the total amount of volunteering and compares the frequency of volunteering by various social and demographic groups. That volunteering is an activity of tremendous social and economic importance is indicated by the fact that about half of the adults in the United States volunteer each year. The government recognizes the importance of volunteering and implements federal programs designed both to encourage volunteering and to engage recruits as full-time service-providers, with programs such as AmeriCorps and the Peace Corps.

Brown pays special attention to the factors that explain the differences among adults in their propensity to volunteer, including attitudes—such as caring and feelings of empowerment—and previous volunteering in youth. Because she believes that volunteer activity can shape one’s civic attitudes and behavior, the connections between youthful volunteering and later participation cause her to emphasize the possible importance of service-learning programs in schools. Citing evidence that simply making service opportunities available to high school students induces student participation as effectively as school-mandated service requirements, she favors policies that take the former approach to encouraging volunteering by youth. In contrast to Goss’s argument,³⁰ Brown concludes with an optimistic appraisal of future trends in the rates of volunteer activity in the United States. She argues that the proliferation of service-learning programs in schools, aided by the improving health status of the elderly, should lead to increasing levels of volunteering.

In *Volunteering in Cross-National Perspective: Initial Comparisons*, Anheier and Salamon take a comparative look at volunteering, focusing on Europe, but also touching on other developed countries and a few developing countries as well.³¹ Drawing from detailed surveys conducted in more than twenty countries, they show how the relative size of the nonprofit sector, as measured by paid

29. See generally Brown, *supra* note 1.

30. See text accompanying notes 6-7.

31. See generally Anheier & Salamon, *supra* note 23.

employment, and the extent of volunteer activity differ across countries. In contrast to the nearly one-half of adults who volunteer in the United States, for example, the comparable average in Europe is closer to one quarter. This difference illustrates their central argument, that one cannot fully understand a country's volunteer activity without also considering the country's political institutions and its traditions for meeting social needs. European nations simply have chosen to meet the various demands of their citizens in ways that are different from those chosen by the United States, and also different from one another's. Anheier and Salamon argue that volunteering is deeply embedded in the path a society takes in this allocation of social functions. In the highly developed welfare states of Scandinavia, for example, volunteering traditionally has been little more than a minor ornament added to the important functions performed by government. In "statist" societies such as Japan, where government's role in social welfare functions is much more limited than in welfare states, volunteer activity traditionally has also been marginal. By contrast, both the nonprofit sector and volunteer activity have assumed much more importance in the liberal and "corporatist" regimes, such as the United States and Germany, respectively.

In some other respects, volunteering in other countries looks similar to the American variety. For example, the rate of volunteering rises with socioeconomic status and educational attainment in Europe, as it does in the United States. However, its functions differ from country to country, in sometimes subtle, sometimes significant, ways. For example, in the countries of Eastern Europe, "volunteering" under the old communist regimes was often an obligation imposed on citizens by the state, obviously robbing it of the voluntary nature that is usually its hallmark. In the social democratic countries, where the welfare state has long been highly developed, volunteer activity, when it appeared, was more likely to focus on recreational activities, where the state was less active.

In *Community Service Programs in High Schools*, sociologists Sally Raskoff and Richard Sundeen focus on service-learning programs in high schools as an institution that works alongside schools, families, and churches to socialize youth.³² Lest one underestimate the potential importance of these programs, they note that some four-fifths of high school students attend schools where community service opportunities are available, forty-five percent of the largest school districts in the country have at least one school that requires some form of service, and one-third of those have district-wide requirements. In fact, the state of Maryland now requires high school students to perform at least seventy-five hours of community service to graduate from high school. Raskoff and Sundeen review the extensive literature on the rationale, operation, and effects of service-learning programs, noting the importance associated with such

32. See generally Sally A. Raskoff & Richard A. Sundeen, *Community Service Programs in High Schools*, 62 LAW & CONTEMP. PROBS. 73 (Autumn 1999).

aspects as connection to course work, identification of community organizations to act as hosts for students, and reflection on the experience by students.

To examine these issues in more detail, they discuss the findings of their exhaustive survey and interviews from such programs in 385 public and private high schools in Los Angeles County. Through service-learning programs in these schools, students worked in their own schools, other schools, hospitals and other health care organizations, churches, community service organizations, government agencies, and other organizations. Among other things, the students tutored younger children, distributed goods, assisted patients, helped teachers, and participated in clean-up operations. Although only about half of the volunteers reported they received any training, and one-third said they had not received encouragement by their schools, most students had a positive view about their service experiences. The lessons they drew from the experience tended to differ according to the type of school they attended; students in religious schools were, for example, most likely to remark that the experience had taught them about helping others. Whether the service was mandatory was important: Those who had been required to do service were less likely to say they planned to volunteer in the future. However, that finding could just as easily reflect sample selection as causation. In any case, the survey and interview results provide a rich store of findings to use in assessing the value of service-learning programs or in designing such programs in the future.

Smolla addresses the very important question of whether service-learning programs that require student participation are in fact constitutional in *The Constitutionality of Mandatory Public School Community Service Programs*.³³ Where such programs have been instituted, he argues, the requirements are the expression of popular demand, as they are adopted by elected officials on school boards or state legislatures. Such requirements evidently reflect the view that public education should contain some amount of service and, as such, the programs are not value-neutral, nor does the Constitution require that they be so. The question is whether these value-laden programs violate the Constitution. Smolla argues they do not.

After considering several possible constitutional challenges to mandatory service programs, Smolla concludes that none of the arguments are sufficient to doom such programs. An argument that mandatory service is tantamount to involuntary servitude would not hold up, considering that a military draft and compulsory schooling have already been adjudged constitutional. A substantive due process challenge, based on the doctrine of individual privacy rights, cannot be sustained in the case of mandatory service any more than it could in the case of compulsory schooling. If this doctrine were used to attack the specifics of the adopted curriculum, instead of the element of compulsory attendance, it would then face the same legal challenges as sex education or heavy homework; these, Smolla argues, are properly the decision of elected officials

33. See Smolla, *supra* note 18.

who run the schools. Challenges based on religious freedom and free speech are blunted, he argues, because mandatory programs give students a choice of organizations for which to work. Education authorities should be able, within the bounds established by the Constitution, to reject some organizations from participation, as long as the reasons for doing so are neutral and do not ultimately hinge on whether the organizations are religious or political.

As noted above, one of the central questions this issue is intended to address is what effect volunteering and service have on the participants themselves. Although several of the articles in the volume touch upon this question, Marc Musick and John Wilson deal with it most directly in *The Effects of Volunteering on the Volunteer*.³⁴ They combine an exhaustive review of relevant social science research with their own original research to identify possible effects of volunteering on individuals, along five different dimensions. They take special care to distinguish between characteristics that appear to be influenced by volunteering from those that are merely associated with volunteering. This distinction, of course, is crucial in any discussion of the effects of volunteering.

Empirical studies do show that volunteering is associated with civic-mindedness and feelings of trust, characteristics that, in current parlance, would be associated with social capital. However, as Musick and Wilson warn, even statistical associations that hold over a period of years in a person's life may not necessarily prove that causation runs from volunteering to favorable attitudes; it is possible that people who do the former usually are those who happen to have the latter. A second effect of volunteering is on anti-social behavior. Although it is not clear why it works, volunteering appears to be associated with reduced levels of such behavior. In a third category, physical health, volunteering has a strikingly powerful association: Those who volunteer live longer. Again, there may be other, unmeasured variables that explain both of these observations, but the associations certainly cannot be ignored. Similarly, volunteering has a significant association with mental health. Volunteering is thought to give people new roles in life, which, in turn, serve as some sort of antidote to sadness and disconnection, especially at older ages. Exactly what mechanisms are at work, how they differ by type of activity, and how their effect differs over the life cycle are all questions that need further study. Finally, volunteering may improve a person's job prospects. While Musick and Wilson find no evidence of a connection to labor force participation, they do find a statistically significant relationship between past volunteering and job status for a sample of young women.

A forerunner of VISTA is the subject of a case study in Korstad and Leloudis's article, *Citizen Soldiers: The North Carolina Volunteers and the War on Poverty*.³⁵ During the summers of 1964 and 1965, a nonprofit organization, the North Carolina Fund, sent college-student recruits throughout that state to deal with problems associated with poverty and racial discrimination. Using con-

34. See John Wilson & Marc Musick, *The Effects of Volunteering on the Volunteer*, 62 LAW & CONTEMP. PROBS. 141 (Autumn 1999).

35. See Korstad & Leloudis, *supra* note 9.

temporary documents, including the recruits' own diaries as well as recent oral histories, Korstad and Leloudis tell the story of this program. Although then-Governor Terry Sanford was one of the founders of the program, which would later become a model for a prominent federal program of the Great Society, the North Carolina Fund received its financial support from private foundations and the federal government instead of state appropriations, and it was quite deliberately operated outside of state government.

From the start, this program and its idealistic recruits signaled they would shake things up. A biracial group, the recruits made a point of defying the entrenched mores of the segregated South. Their assigned duties frequently took them into homes where many of them had their first close encounters with poverty. As their diaries and subsequent interviews reveal, these experiences influenced their attitudes and life courses, and their actions challenged existing social and political structures. As a result, they were often snubbed or denounced by local leaders. The Fund's subsequent termination of the volunteer program and its redirection into community organizing illustrates the tension between service and activism that can be seen today in all varieties of service by amateurs.

The issue concludes with two articles that examine the efficacy of volunteer programs. Volunteers are a source of labor that organizations can use in place of paid staff. Not only might their use lead to cost savings, but, as noted above, volunteers can also bring to their assignments other advantages, such as enthusiasm and life experience.³⁶ These two articles consider how organizations can best employ volunteers, as seen from the perspective of the organizations. The first article addresses nonprofit organizations; the second, government agencies.

In *Making the Most of Volunteers*, Grossman and Furano argue convincingly that volunteers can be effective, but they emphasize that they are not a “free” input and that they require training and supervision to fulfill their potential usefulness.³⁷ In addition, care, and thus resources, must be used when selecting volunteers in the first place. Screening is the first important function; it is especially important to make prospective volunteers aware if an assignment will have a large time commitment. In studies of mentor programs, they report, forming a youth-mentor pair that soon falls apart may be worse for a youth than never having a mentor at all. Basing their conclusions on numerous evaluations of mentoring programs, the authors also argue that training is crucial to the success of the programs: Mentors who had received good training were more likely to form and sustain successful relationships than those who had not. They cite evidence that the best training is that which contains not only general substantive information but also information on process, such as about rules and procedures for meeting with students in school. They also present strong evidence

36. Whether it is realistic to hope that the use of volunteers will bring about cost savings is an issue of debate. See JEFFREY BRUDNEY, FOSTERING VOLUNTEER PROGRAMS IN THE PUBLIC SECTOR: PLANNING, INITIATING, AND MANAGING VOLUNTARY ACTIVITIES 32-36 (1990).

37. Grossman & Furano, *supra* note 21.

on the value of supervision by paid staff and of meetings where volunteers can discuss their work.

While volunteers cannot entirely replace government services, Grossman and Furano argue that they can be very useful, particularly if the volunteers are supported through training and oversight. They note that the jobs volunteers are being asked to do are becoming increasingly complex, in many cases involving duties formerly done by paid staff. As they take on these roles, the quality of their work will become a bigger determinant of the quality of the organization's services, and thus its public perception. These changes will further increase the importance of the screening, training, and supervision organizations provide.

A surprisingly high portion of volunteer effort is expended on behalf of government agencies. As Jeffrey Brudney reports in *The Effective Use of Volunteers: Best Practices for the Public Sector*, this share is at least twenty-five percent.³⁸ People volunteer for assignments with public schools, public hospitals, libraries, fire and rescue services, museums, police forces, and parks. Most of this volunteering for government is at the local level, but some does occur with state and federal agencies. As an indication of how widespread volunteering has become in the public schools, a recent survey showed that sixty percent of public schools used volunteers.³⁹ Like Grossman and Furano, Brudney is concerned with the efficient use of these volunteers. From the literature on the management of volunteers, he offers a number of best practices, those features that are most likely to contribute to the efficient use of volunteers. The most important of these are recognition of volunteers, maintaining records of volunteer effort, training the volunteers, and providing volunteers with written policies and job descriptions. The literature also notes the desirability of creating leadership roles for volunteers where possible. Drawing on a survey of public agencies that use volunteers, Brudney then seeks to determine the prevalence of these practices, and whether they are correlated with perceptions of successful outcomes. He finds that they are, but he cautions that the correlation may be spurious, owing to the subjective and possibly endogenous measure of benefits used in the survey.

38. See Jeffrey L. Brudney, *The Effective Use of Volunteers: Best Practices for the Public Sector*, 62 LAW & CONTEMP. PROBS. 219 (Autumn 1999).

39. See VOLUNTEERS IN PUBLIC SCHOOLS 16 (Bernard Michael ed., 1990).