NONPROFIT ADVOCACY AND THE POLICY PROCESS
A SEMINAR SERIES
VOLUME 2

Exploring Organizations and Advocacy
GOVERNANCE AND ACCOUNTABILITY
ISSUE 2

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and
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The Urban Institute
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The Urban Institute’s Center on Nonprofits and Philanthropy (CNP) explores the role and impact of nonprofit organizations and philanthropy in democratic societies. By deepening the understanding of the multiple roles that nonprofits play—as service providers and as avenues of civic participation and public voice—CNP research endeavors to address the relationships among nonprofits, government, and the market from a variety of perspectives.

The Center strives to build the necessary research tools, contribute to sensible theory, and develop applications that illuminate both policy and practice in the nonprofit sector. CNP’s research projects combine qualitative and quantitative data, the theoretical framework of civil society, and practical public policy considerations.

A major component of the Center is the National Center for Charitable Statistics (NCCS), which serves as the national repository of statistical information on the nonprofit sector from the Internal Revenue Service (IRS) and other sources. NCCS’s mission is to build compatible national, state, and regional databases and to develop uniform standards for reporting on the activities of charitable organizations. These data enable researchers to develop a comprehensive picture of nonprofit-sector trends as well as in-depth analyses of financial data.

Together with the IRS and Philanthropic Research, Inc. (PRI), NCCS provides scanned images of IRS Form 990, the financial information report that tax-exempt nonprofit organizations file with the IRS. Information from the scanned images is being digitized to create the most comprehensive and highest-quality database ever available on nonprofit organizations. For information visit our Web site, http://www.urban.org/centers/cnp.html.

Dissemination of CNP research findings includes electronic publications on the Internet as well as policy briefs, working papers, and monographs. In addition to the Nonprofit Advocacy and the Policy Process Seminar Series, CNP holds regular seminars, discussion groups, and conferences to discuss research findings and topics of current interest to the field.

Elizabeth T. Boris is the first director of the Center on Nonprofits and Philanthropy at the Urban Institute and was the founding director of the Nonprofit Sector Research Fund at the Aspen Institute, where she worked from 1991 to 1996. Prior to 1991, she was vice president for research at the Council on Foundations, where she developed and directed the research program for 12 years. The author of many research publications and articles on philanthropy, including Philanthropic Foundations in the United States: An Introduction, Dr. Boris is also coeditor with Eugene Steuerle of Nonprofits and Government: Collaboration and Conflict (Urban Institute Press, 1999). She is active as a board member and advisor to many nonprofits and is president of the Association for Research on Nonprofits and Voluntary Action and the Insights editor for Nonprofit and Voluntary Sector Quarterly.
The Center on Nonprofits and Philanthropy has convened a series of 10 seminars—Nonprofit Advocacy and the Policy Process: A Seminar Series—that examines the current regulation of nonprofit advocacy, proposed reforms, and the impact of regulation on nonprofit contributions to civic and political participation, policymaking, and representative democracy. The series began in February 2000 and ended in December 2001. The papers presented during the seminars, as well as summaries of the seminar proceedings, are being disseminated through a series of four edited volumes.

- Volume I, *Structuring the Inquiry into Advocacy*, published in October 2000, covered the seminars held during the winter and spring of 2000. It introduced advocacy as a concept, examined the structure of nonprofit regulation under federal tax and election law, and discussed the evolving relationship between nonprofit organizations and money-driven elections. This volume has had considerable resonance with policymakers and leaders in the nonprofit sector.

- Volume II, *Exploring Organizations and Advocacy*, includes papers and findings from seminars held during the fall and winter of 2000–2001. Because of the diversity of elements that were discussed during the seminar sessions, this second volume is divided into two parts. Issue 1, *Strategies and Finances*, examines strategies for influencing policy and election outcomes, as well as the ways in which nonprofit organizations fund their advocacy activities. Issue 2, *Governance and Accountability*, examines the internal operations of nonprofit organizations and how their missions, capacity, governance, and constituencies shape their advocacy and their internal and public accountability.

- Volume III includes the findings and papers from the 2001 fall seminars. This volume focuses on constitutional and theoretical frameworks that shape the law and practice of nonprofit advocacy in America, as well as the role of groups in democratic governance today.

- Volume IV concludes the series, summarizing findings from the seminars and listing future research questions generated from the seminar papers and participants’ comments.

The Seminar Series’ publications are posted on our Web site, http://www.urban.org/advocacyresearch. The series is made possible by the generous support of the Robert Sterling Clark Foundation, the Ford Foundation, the Nathan Cummings Foundation, and the Surdna Foundation, Inc.

Elizabeth T. Boris  
Director of the Center on Nonprofits and Philanthropy
### Seminars in the Series on Nonprofit Advocacy and the Policy Process

#### The Spring/Summer 2000 Series: Structuring the Inquiry into Advocacy

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Executive Summary

*Exploring Organizations and Advocacy*, the Fall/Winter 2000–2001 series, examined the operations of nonprofit organizations and their interaction with the regulatory and policy environment, funding sources, and citizens. Three seminars were conducted during the series, and the papers presented, as well as summaries of related discussions, are published in two separate issues: Issue 1, *Strategies and Finances* (released in August 2000), and Issue 2, *Governance and Accountability*.

This issue, *Governance and Accountability*, contains the complete text of five papers that were presented at Seminars 6 and 8 during the winter and spring of 2001. These papers examine the internal operations of nonprofit organizations and discuss how their mission, capacity, governance, and constituency shape their advocacy and their internal and public accountability. They also examine important aspects of nonprofit advocacy at the international level from a practitioner and legal perspective. We hope that the themes discussed in this volume open new research avenues by which to study and compare advocacy groups at the local, national, and global level.

Summary of Chapters

Judith Saidel, of the Center for Women in Government and Civil Society at the University at Albany, reviews and synthesizes significant recent empirical studies written to answer very different research questions. She offers an integrative framework of political engagement processes to which many nonprofit organizations make important contributions. Saidel also examines the functions of nonprofits in overlapping phases of political engagement—activation, mobilization, political participation—and analyzes how current public policy trends support or impede each of these engagement processes. Volunteers and political engagement, and the growing influence of elites within nonprofit organizations, receive analytical attention. Saidel identifies contradictory findings and gaps in the literature, as well as promising directions for future research.

Michael Foley, of the Catholic University, and Bob Edwards, of East Carolina University, examine the question of how members “count” for their organizations—how having members affects their start-up and survival, financial stability, tactics, credibility, decisionmaking, and governance—with an eye to larger questions about what membership means for democracy. The authors attempt to clarify concepts and point to ways in which the current debate might be enriched and research enhanced. They argue that “membership” may be too unstable a concept to yield much analytical purchase and suggest a vocabulary that might better shape future research. In the final part of the paper, Foley and Edwards analyze a unique data set on peace movement organizations in the 1980s to demonstrate that current perceptions of the nonprofit advocacy sector are skewed by a “tyranny of existing data” that overemphasizes large, national organizations.
Walking a Political Tightrope: Responsiveness and Internal Accountability in Social Movement Organizations

Debra Minkoff, of the Department of Sociology at the University of Washington, examines the tension between external responsiveness and internal accountability in social movement organizations. Drawing on organizational case studies of three recent social movements—feminism, AIDS, and public interest science—she demonstrates the ways that organizational identity both enables and sets a boundary on trajectories of organizational change and the internal consequences for the group. Extending or altering issue emphasis appears to be less disruptive than creating new operating procedures, but, to the extent that structural change is required, organizers need to convince members and supporters that changes are congruent with group identity. Some strategies for maintaining internal accountability include diversifying the grassroots base of support and working with new organizational constituencies to familiarize them with the group’s original identity while also giving established stakeholders a role in the new practices being put into place.

What Practitioners Can Tell Us: Critical Lessons from the Advocacy Institute

David Cohen, of the Advocacy Institute, addresses issues of social justice advocacy that affect people worldwide, cutting across national boundaries and differences in cultures and histories. These issues are drawn primarily from the Advocacy Institute’s experience working at the national and international level. Cohen examines how practitioners and researchers can work together to explore and learn about advocacy issues that have been ignored. The author calls practitioners to share valuable insights into how social change is created and thwarted, and encourages researchers to probe and reflect on these themes.

Global Advocacy: The Building of Civil Society through NGOs

Milton Cerny, of Caplin & Drysdale, Chartered, examines the growth of voluntary organizations in Eastern Europe, the tax structures that regulate them, and some examples of current issues facing nongovernmental organizations in the arena of international philanthropy. Cerny states that in many countries, the change from a centrally planned to a market-oriented economy requires fundamental modifications of the tax policy. These tax regulations will promote the growth of the nonprofit sector as governments begin to realize the value of nonprofits in relieving state obligation to conduct social welfare and humanitarian activities. These legal changes will also occur as governments begin to perceive the need to share scarce revenues with these nonprofits and to provide tax incentives for donors who contribute to these organizations.
In the United States today, and increasingly around the world, a recurrent theme in public policy discourse is the relationship between a vital civil society and democratic functioning. Spurred by dramatic political transformations in central and eastern Europe in the late 1980s and early 1990s, interest in the concept of civil society as the public space between individual citizens, the state, and the market has undergone a “worldwide resurgence” (Burridge 1997, 8). A key element of this resurgence is the notion that formal and informal associations often function within civil society as fundamental vehicles for political participation by citizens seeking to forge more just, democratic, equitable, humane, and less violent societies.

Pioneering research conducted in the United States over the past decade or so sheds new light on political participation processes rooted in civil society. For instance, Verba, Schlozman, and Brady (1995) offer a civic voluntarism model of the participatory process that is supported by a robust set of empirical data. McAdam, McCarthy, and Zald (1996) push the frontiers of social movement theory and articulate three central concepts—political opportunities, mobilizing structures, framing processes—that extend their earlier resource mobilization research and synthesize the findings of other social movement studies. Skocpol (1999) and Skocpol and Dickert (2000) examine the transformation of national advocacy groups, and Berry (1999a, b, c) analyzes the participation of citizen groups in the national policy arena. Boris (1999) and Reid (1999) build a conceptual foundation for expanding theory on advocacy and civil society. The publication of Robert Putnam’s data-packed volume, *Bowling Alone* (2000), renewed widespread attention among scholars, the public, and the press to the vitality in contemporary American culture of community ties and networks of trust, key dimensions of civil society.

In addition to significant new literature on political participation, scholars have grappled with the influence of public policies on collective participation processes. For example, a number of important studies examine the impact on nonprofit political advocacy activities of privatization and devolutionary policies, including government contracting with nonprofit organizations to deliver public services. Alexander, Nank, and Stivers (1999), Kramer (1981), Smith (1993), Smith and Lipsky (1993), and Wolch (1990) weigh the effects of contracting on the scope and
content of nonprofit advocacy agendas. Salamon (1995) analyzes extensive national survey data to make a comparable assessment and offers an alternative interpretation. Saidel (1998, 2000) describes a set of interrelated consequences that includes attention to new players in the advocacy arena. Each study cited, and many others, contribute to a growing body of work on political participation processes, especially as they are structured, at least in part, by nonprofit or nongovernmental groups. In this analysis, formalized nonprofit organizations are the associational form of interest within civil society.

This chapter draws on the rich literature now available and offers an integrative framework of political engagement processes that are shaped in important ways by nonprofit organizations. It examines the functions of nonprofits in three overlapping phases of political engagement—activation, mobilization, and political participation—and, in the process, attempts to resolve the analytical dilemma inherent in incorporating both individual and organizational levels of analysis into a single framework. It addresses two questions: What are the functions of nonprofit organizations in political engagement processes? How do current public policy trends support or impede these processes?

The questions organize the flow of the literature synthesis and framework development. First, the political engagement framework and its three phases are introduced. In the sections that follow, a review and synthesis of the relevant literature structure the explanation of each phase. The analysis highlights the functions of nonprofit organizations in activation, mobilization, and political participation. The final section examines the effects of current public policies on each phase of political engagement. The chapter draws from recent research studies, points out contradictory findings and gaps in the literature, and identifies policy effects that facilitate or undermine political engagement processes. In the conclusion, promising directions for future research are identified.

The chapter provides a map that marks the conceptual space in the American polity where nonprofit organizations play a part in political engagement processes. Within its boundaries, the map locates a number of recent research studies conducted from a variety of disciplinary perspectives. The analysis synthesizes important empirical work written to answer very different research questions. Through this integration, the chapter offers a comprehensive framework that identifies the junctures in our democracy where nonprofit organizations can facilitate or impede political engagement processes. Explanation of how public policy influences the ways in which nonprofits function in these processes completes the framework.

Before the political engagement framework is introduced, an acknowledgement of the limitations of the analysis is in order. The focus is on one kind of organization—formalized, public benefit voluntary associations or nonprofit organizations—that serve as vehicles for political engagement. Although the extraordinary diversity along numerous dimensions of charitable, social welfare, and membership organizations is recognized, the broad political engagement processes described in the framework are generic processes in democratic systems and apply across organizational types.

Valuable contributions to participatory processes made by other forms of associational activity, such as self-help groups and informal grassroots networks, are not
part of the conceptualization scheme. Of course, organizations are not the only conduit for political participation. The chapter does not examine nonvoting or voting, that “single, anonymous unit of input” (Verba et al. 1995, 13) to the political system. Nor is the analysis extended to macro-level shifts in the contours of the associational world or to social movements, although key elements of social movement theory related to social movement organizations inform the framework in significant ways. The analysis is limited to the American context and draws on research by scholars in the United States.

**Political Engagement Framework**

To provide conceptual underpinning to a set of diffuse processes, heavily laden with values across the political spectrum, the framework depicted in figure 1.1 posits three *overlapping* phases of political engagement. Emphasis is on the word “overlapping” because the phases are not mutually exclusive categories. At the same time, some “conceptual precision” (McAdam et al. 1996, 6) is achieved by separating the phases for purposes of analysis. The framework is anchored in the empirical literature that includes a number of research studies, many of which have been published over the past 10 years.

In the framework’s activation phase, analysis begins at the level of the individual, but moves quickly to the individual’s encounter with the dynamics of collective associational activities. The mobilization phase captures aggregation and sense-making processes that unfold inside organizations. “Organized action for change” (McCarthy and Zald 1977, 1219) is at the core of the political participation phase. Advocacy, defined by Reid as “attempts by nonprofits to influence government decisions” (1999, 291), is the major expression of this phase. Interestingly, Verba et al. use similar language and define political participation as “activity that is intended to or has the consequence of affecting, either directly or indirectly, government action” (1995, 9). In the political engagement framework developed in this chapter, activity shaped by formal organizations is of primary interest and the kinds of organizations of interest are voluntary sector organizations.

**Activation**

The civic voluntarism model of the participatory process elaborated by Verba et al. (1995) provides the major set of ideas in the activation phase. The model makes an important contribution to our understanding of the precise ways in which individuals involved in the activities of voluntary organizations come to participate in the political realm. In explaining this connection, the authors note, “As we show, the institutions with which individuals are associated as they move through life . . . produce the factors that foster participation. In this way, our analysis links political life to social life” (17).

**Resources.** What are the participatory factors to which the authors refer? Beginning at the individual level of analysis, they substantiate the importance of a person’s own resources for his or her political activism. Money, such as discretionary income that can be used to make campaign contributions, is such a resource. The resource of discretionary time that can be invested in political participation is identified as especially
valuable. Civic skills, including organizational and communication competencies that position individuals for political participation, are a third resource identified in the civic voluntarism model. While civic skills are learned through families, community life, formal education, and on the job, voluntary associations are also important venues for skill development (see also Reid 1999). At this point, Verba et al. establish a link between social life and political participation, and the individual and organizational levels of analysis begin to converge. “[I]nvolve in the non-political spheres of American voluntary activity,” they demonstrate, “can enrich the stockpile of resources relevant to political action” (1995, 8).

The role of voluntary sector organizations as incubators of democratic citizenship competencies has long been recognized. In this context, passages related to associations from Alexis de Tocqueville’s 19th century work, Democracy in America, are often cited. Among contemporary scholars, Smith (1993) and Alexander et al. (1999) offer incisive analyses of the function of nonprofits “as schools or laboratories of democratic citizenship” (1999, 453). These studies, described in a later section, are particularly relevant to this chapter because they assess the influence of current policy trends on the function of nonprofit organizations as venues for civic skill building.
Motivation. Money, time, and civic skills together constitute an individual’s capacity to take part in the political process. However, in the absence of a second participatory factor—the motivation to take part—individuals are unlikely to engage in political endeavors. On the basis of multiple regression results, Verba et al. (1995) disentangle the wellsprings of individual motivation to participate in politics and identify interest, information, efficacy, and partisan intensity as contributing motivational elements. Remembering that the focus of the political engagement model in this chapter is on organizational influences, we should attend to the fact that nonprofit organizations often provide a setting in which the elements of individual motivation are likely to be heightened. Examples might include increased information about particular policies and how to direct requests for reform or an enhanced sense of efficacy based on new knowledge about specific outcomes that could result from advocacy efforts.

Recruitment networks. With respect to networks of recruitment, the third participatory factor in the civic voluntarism model, a similar observation about the function of nonprofit organizations can be made. As Verba et al. argue, a full explanation of the factors that foster political participation must include a catalyzing mechanism. How are individuals with the capacity and motivation to participate activated to participate? The authors explain that requests for individual participation are conveyed through recruitment networks. Again, nonprofit organizations frequently play an important role in creating such networks. “It is well known that social institutions play a major role in stimulating citizens to take part in politics by cultivating psychological engagement in politics and by serving as the locus of recruitment to activity” (1995, 7). Although not the only avenue for recruitment, requests to participate conveyed through interpersonal ties of trust and reciprocity among participants in nonprofit organizational activities are one important way in which the activation phase of political engagement is fully realized. The way recruitment networks function also illustrates the powerful connection between social capital and political participation (Putnam 1993, 2000).

Mobilization In the mobilization phase of the political engagement framework, analysis shifts from activation processes in which the individual is the focus of attention to the “organizational dynamics of collective action” (McAdam et al. 1996, 4). Still, it is useful to remember that little happens in organizations outside the boundaries of individual perception and behavior. Thus, the level of analysis arrow in figure 1.1 points simultaneously in both directions.

Two collective processes—aggregation and sense-making—are at the core of the mobilization phase. Resource mobilization and social movement theory offer substantial insight into both processes.

Aggregation processes. In a now classic article introducing the resource mobilization perspective, McCarthy and Zald (1977) explain that “resource aggregation requires some minimal form of organization” (1216) and it is, therefore, important for social movement theorists to focus analytical attention on organizations as vehicles for collective action. About 20 years later, McAdam et al. (1996) produced a comprehensive review and inclusive synthesis of social movement studies written from a variety
of theoretical approaches and cultural perspectives. One of the central constructs in their work is “mobilizing structures,” a construct that again defines resource aggregation processes shaped by both formal and informal organizations as a key element of collective social change efforts.

For the purposes of this assessment of the functions of nonprofit organizations in political engagement and the influence of public policy on those functions, it is important to identify the kinds of resources that are aggregated in and by nonprofit groups. McCarthy and Zald (1977) list money, labor, facilities, time, and legitimacy as important resources that individuals and other organizations make available. A study of resources exchanged between and highly valued by government agencies and nonprofit organizations supports the inclusion of information on the list (Saidel 1991, 1994).

Berry (1999b) speculates that insufficient resources are likely to contribute to the nonparticipation of traditional nonprofits (vs. citizen advocacy groups) in the national policy arena. At the state level, Saidel and Harlan (1998) report evidence that supports resource mobilization theory. They find that, with respect to involvement in political participation, nonprofit “bystanders” are more likely to lack the resources necessary for government-influencing efforts. In an explicit assessment of the fit between different theoretical perspectives and data on nonprofit advocacy, Salamon (1995) also finds considerable support for resource mobilization theory. A later section of this chapter examines in detail the varied impacts of public policy on the linkage between the capacity of nonprofits to mobilize resources, especially financial resources, and their political participation through advocacy.

Among the resources mobilized by nonprofits that are most relevant to political engagement are volunteers. According to The Nonprofit Almanac (2001), 1 in 14 Americans, or 10.9 million people, were paid employees in a nonprofit organization in 1998. Including full-time equivalent volunteers as workers, the number rises to 1 in 10 Americans, or 16.6 million people. The aggregated labor and time of individuals become collective voluntary action and, sometimes, political participation catalyzed by nonprofit mobilizing structures. Salamon (1995) describes the “voluntary nature of much advocacy activity” (3) and finds that “a greater proportion of voluntary activity is associated with higher levels of advocacy involvement” (14).

McCarthy and Zald (1977), in explaining the “resource mobilization task” (1220), offer an extended analysis of the range of adherents and constituents with varying levels of commitment to an organization. Although the discussion is not framed in terms of a volunteerism challenge, the authors grapple with the persistent mobilization issue of maintaining ongoing involvement of individual resource providers. Chambre (1991) also engages the issue of mobilizing volunteers and maintaining their involvement. She predicted an intensification of the challenge that would confront AIDS organizations in New York City in the 1980s with policies and organizational climates in place that were perceived as inhospitable by the newer communities of people with AIDS, their families, and friends.

Chambre’s interpretation of case study data on 16 AIDS organizations in New York City adds another layer of meaning to mobilization processes applied to volunteers. Her findings reinforce the long-understood function of voluntary organizations as a medium through which individuals come together and offer voluntary
service. At the same time, however, she reports that the mobilization process worked in a different way to enable volunteers to cope with the unpredictable vagaries of a devastating disease. “The mobilization of volunteers” she concludes, “was a collective response to the uncertainties of the disease” (538).

**Framing processes.** Chambre’s findings also illustrate the collective process of sense-making that is a feature of organizational life. McAdam et al. (1996) use the term framing processes to describe the “interpretation, attribution, and social construction” (2) that occur in organizations and social movements as individuals develop shared meanings of events. They emphasize the “importance of shared and socially constructed ideas in collective action” (5), highlighting the connection between collective framing processes and motivation for action. In the context of the experience of AIDS volunteers in the 1980s, organizational framing processes reinforced a strong belief in the beneficial contributions of social supports to longer life. This shared understanding, according to Chambre (1991), had a positive influence on the mobilization of volunteers as a form of collective action.4

Social movement theorists interested in the framing concept make a particularly important contribution to our understanding of mobilizing processes within organizations by emphasizing the dynamic character of framing processes. Although McAdam et al. (1996) focus primarily on the developmental phases of social movements, the insight applies as well to changes over time in the “ideational dimensions of collective action” (5) within organizations. Several studies in the nonprofit research literature incorporate social construction theory into their analysis (Bradshaw 2000; Heimovics, Herman, and Jurkiewicz 1995; Herman and Renz, 1997). However, as McAdam et al. observe with respect to social movement theory, framing processes have not yet received extensive theoretical attention in the literature on nonprofit organizations. Considering the critical link between individuals’ sense of efficacy about political participation and the development of shared understandings within nonprofit organizations about how collective action might redress perceived grievous inequities, the need for systematic investigation of framing processes seems considerable indeed.

**The translation of aggregated resources and socially constructed understandings into action bridges the mobilization and political participation phases of political engagement (Boris 1999; McAdam et al. 1996). Blending the aggregation and sense-making elements of mobilization with action in the public domain that defines political participation, Alexander et al. (1999) describe the outcome of the translation process as “collaborative action that has public meaning” (454). In this chapter’s framework that identifies and integrates the particular contributions of nonprofit organizations to political engagement processes, political participation and nonprofit advocacy activities are one and the same.5

Research efforts that disaggregate the umbrella term “nonprofit advocacy” into discrete activities are few in number. An exception is Berry (1999a, c), who carefully studied the impact of citizen group testimony in congressional hearings, one form of legislative advocacy. In addition, he measured the visibility of citizen groups in general press coverage and coverage of research studies. Some proportion of that visibility is likely to be related to media advocacy practiced by the groups. According to
Berry (1999c), the “central finding is that citizen groups have been enormously effective in influencing the congressional agenda” (14).

Even less frequent in the research literature are studies that differentiate between participants in various organizational advocacy activities and the relationships between participants. In exploring the conditions under which members of nonprofit boards of directors and staff both engage in advocacy activities, one study did, however, find evidence of the importance of relationships between advocacy participants. Saidel and Harlan (1998) report that strong executive leadership of the board significantly increases the likelihood that both boards and staff will participate in advocacy activities. Another major gap in the literature on advocacy is research that identifies the predictors of organizational and individual participation and examines systematic relationships between these predictors and the extent, character, and effectiveness of particular nonprofit advocacy activities.

One study that offers a useful typology of nonprofit advocacy activities (Reid 1999) makes an important introductory argument that is included here before we explore the array of organized collective actions crafted by nonprofits to influence government decisionmakers. In a comprehensive exploration of nonprofit advocacy and political participation, Reid (1999) maintains, “There is no distinct line between the activities necessary for building strong organizations and advocacy, or between public education and advocacy, or between promoting a service mission and advocacy” (297). She notes that the blurriness of these boundaries complicates the efforts of regulators and others interested in finding ways to set limits on nonprofit advocacy. For purposes of this analysis, the linkages between service delivery capacity, advocacy, and public education are especially important in disentangling the multiple effects of public policy on political engagement processes in which nonprofit organizations play a part. This subject will be examined in a subsequent section of this chapter.

Reid (1999, 298–300) proposes a typology of “action” advocacy that includes 10 categories. Legislative advocacy refers to contacts with elected legislators and their staffs, including lobbying, sharing research, evaluating policy impacts, exchanging information informally, and testifying formally. Grassroots advocacy, by contrast, targets broader public opinion and catalyzes political action, such as calls to communicate with public officials or gather together in a demonstration. Public education and public opinion shaping contribute ideas for policy debate and build public awareness about policy issues. Nonpartisan electoral advocacy activities also target the general public and include voter registration drives and efforts to increase voter turnout.

Legal advocacy, administrative or agency advocacy, and corporate advocacy are defined by the institutional venues through which they are channeled. Advocacy efforts directed at the courts, government bureaucracies, and corporate headquarters, respectively, require some similar and many very different organizational capacities. Workplace advocacy is conducted by unions and other nonprofit groups with similar interests in issues ranging from jobs and compensation to work-related health and safety concerns.

Media advocacy includes strategies designed to elicit media coverage, such as issuing press releases, holding press conferences, regularly supplying information to reporters, or arranging for public events likely to attract media attention. International
advocacy deals with global issues and is often directed at international bodies such as the United Nations or the World Trade Organization. Nonprofit participants in this type of advocacy are frequently part of international networks of other organizations and individuals.

Public Policy and Political Engagement

In the introduction to this chapter, the contention was made that the relationship between a flourishing civil society and democratic political systems is a continuing strand in contemporary policy debate. One facet of the debate concerns the intended and unintended consequences of public policy on nonprofit organizations. Spurred in recent history by the 1977 publication of Berger and Neuhaus’s *To Empower People: The Role of Mediating Structures in Public Policy*, the framing question has been whether particular public policies benefit, hurt, or hold harmless intermediary institutions, including voluntary organizations. In the political engagement framework developed in this chapter, the question is reformulated: Do current public policy trends support or impede political engagement processes in which nonprofit organizations play a vital role? To address this question, we review research findings of a sample of recent studies that are relevant to activation, mobilization, and political participation.

Activation and Public Policy

The activation phase of the framework highlights the importance of resources available to individuals who may invest them in civic endeavors, if they are motivated and requested to do so. Therefore, public policies that significantly affect the availability of discretionary income to individuals are relevant in this context. It should be noted that several specific tax policy measures high on the federal policy agenda in recent months—deductibility of charitable contributions by non-itemizers and tax liability of estates—fall into this category. As might be expected, the potential effects of various proposals were under intense debate, and a key dimension of the debate was estimating the probable impact on nonprofit revenues.

Following Verba et al. (1995), a longer-term consequence of public policy and other factors with relevance to the activation phase is the widening gap between individuals at different income levels that has resulted in pronounced “participatory inequalities.” The authors focus on the important role of money in elective politics, the access to elected officials that it provides, and the resulting advantage in communicating preferences and viewpoints enjoyed by those who contribute money in large amounts to political campaigns. Refuting the notion that motivation alone leads to variation in participation, they contend, “Instead, participatory inequalities derive not only from differences in motivations but also from differences in access to the resources of time, money, and skills that facilitate activity. In this case, inequalities in participation pose a potential challenge to democracy” (11).

A less examined consequence of the income gap is what may be an increasingly ascendant role of persons from elite groups of wealth and professionalism in the affairs of some voluntary sector organizations, even as the same agencies are called upon to respond to a wide range of needy individuals. This is hardly a new phenomenon, of course. Still, given this chapter’s interest in policy impacts on activation
processes shaped by nonprofit organizations, the question raised here is whether contemporary policy trends push nonprofits toward revenue approaches that result in privileged access by individuals with wealth and other elite statuses. We return to this question in the following discussion on mobilization.

The convergence of accelerated devolution and privatization, or nonprofitization (Nathan 1996), as fundamental dimensions of the current public policy context illustrates the centrality of nonprofit organizations in the public policy system. The 1994 figure of $650 billion (Salamon 1999) invested by U.S. governments in social welfare service areas where nonprofits are major providers attests to the magnitude of exchange between public revenues and nonprofit service delivery capacity. It is not surprising, therefore, that these public policies have substantial consequences in both directions for nonprofit organizations as well as government decisionmaking. Here we take up the question of public policy influences on mobilization processes linked to the functions of nonprofits in political engagement. The overlap in real time between mobilization and participation processes is illustrated in the analysis that follows.

As explained in previous sections, two critical resources aggregated by nonprofit agencies and translated into collective action are money and volunteers. Although there has been significant variation over the past 20 years, especially but not only at the federal level, in the amount of government revenues available to nonprofits across different service areas, the overall direction for most nonprofits is substantial budgetary growth. Increases in budget size have been driven, in part, by revenues from government at all levels. Salamon (1995) offers one interpretation of the connection between these aggregated resources and nonprofit political participation. He reports that higher levels of government revenues in nonprofit budgets are associated with increased nonprofit advocacy activities. From a resource mobilization perspective, he argues, “The availability of at least certain types of financial support seems to be positively related to nonprofit involvement in advocacy, suggesting that advocacy is not simply a function of pre-existing grievances but also of the availability of resources to act on these grievances” (11).

Researchers also speculate that growth in the magnitude of contracting increases the stakes for nonprofits, thereby buttressing nonprofit advocacy that guards against the erosion of benefits for the individuals they serve and of jobs for the expanding nonprofit workforce (Berry 1999b; Saidel 2000). Additional studies on the implications of contracting for nonprofit advocacy are examined in the next part of this chapter.

Another important aggregation process in which nonprofit organizations play a major role is the mobilization of individual volunteers into collective voluntary action that may be directed at government policymakers. How does public policy support or impede this mobilization process? This is certainly not an easy question to answer, especially when the longer-term, indirect effects of many different public policies are taken into account. Important recent work in this area has been published by Putnam (2000), Van Til (2000), and Wuthnow (1998), among others. Perhaps the straightforward proposition can be advanced here that, according to Chambre (1997), “government-sponsored programs to recruit, train, and place volunteers have
had a positive impact on volunteerism” (469). The presidential bully pulpit continues, as it has over several decades, to function as a venue for exhortation to voluntary service (Chambre 1989; Saidel 1994), and it appears that the current administration will expand efforts in this area.

At the same time, it should be acknowledged that the longer-term effects of “the contracting regime” (Smith and Lipsky 1993) on nonprofit organizational capacity to mobilize volunteers for political activism are not yet known. When the institutional contours of current public policy trends were commented on by scholars 30 to 40 years ago, concerns were expressed that the complexity of blurred boundaries between public and private action would confuse citizens and increase the distance between citizens and government (Sharkansky 1975; Weidenbaum 1969). Smith (1993) returns to this observation and maintains, “The structure of contracting tends to obscure the details of the welfare state from citizens, who may be unable to understand a system that intermingles public and private responsibilities” (216). As professionalization influences continue to pervade most nonprofit organizational workforces, catalyzed in part by the contracting system, it is not yet clear whether volunteer willingness to participate in political activism will increase, diminish, or stay the same.

Wuthnow (1998) offers several important insights in this regard. With respect to volunteering in general, he observes, “Although volunteering is quite different from working as a paid professional at a nonprofit organization, there is a symbiotic relationship between the two. Indeed, volunteerism has been reinforced by nonprofit professionals, not replaced by them” (50). Reflecting specifically on volunteer engagement in political participation, however, he offers an important qualifying point: “In the current understandings of civic involvement, the role of political participation is more often in the background than it was in earlier understandings. . . . Of the current images, the nonprofit professional is most likely to be aware of interacting with government agencies. In comparison, volunteers may shield themselves from thoughts about government. . . .” (56). At this point in the explanation, we should remind ourselves again of the wide diversity of organizational forms in the voluntary sector, many of which are small, are modestly resourced, and do not have professional staffs.

To conclude this discussion, we return to the observation about what may be a trend toward increasing influence in nonprofit affairs by individuals in various elite groups. The questions of interest here are: Which volunteers are being mobilized by nonprofits for what purposes related to political participation? How has public policy influenced trends in voluntary activism mobilized through nonprofits? The questions are based, in part, on recent research into the establishment by a significant number of nonprofit organizations of ongoing advisory entities. In a 1992 survey mailed to a random sample of 400 New York State nonprofit organizations that receive government funds, executive directors from 101 or about 40 percent of the responding organizations (n = 249) reported that their organizations had an advisory group separate from the board of directors (Saidel 1998). On the basis of service area, budget size, type of primary service delivered, and geographic location, 16 organizations were selected from this group as sites for intensive face-to-face interviews.

Advisory bodies are variously named panels, committees, boards, teams, councils, and groups. In most of the organizations, members of these new entities are
professional, business, and social elites who can build strategic support among powerful political officials. In several, however, advisors are grassroots members of the nonprofit’s community of interest who legitimate the community-based nature of the organization in the eyes of government and foundation funders.

Regardless of group composition, most advisory entities are engaged in political advocacy activities. Advisors meet with local officials, attend legislative breakfasts, write letters and make phone calls on public policy issues, communicate with public funding agencies, and speak out in public forums on issues affecting the entity. Like some governing board members, advisory group participants open doors and facilitate staff access to public policymakers. For the most part, these are elite volunteers mobilized for collective political action related to government funding and regulatory relationships that derive from the contracting system. In the organizational structure of the nonprofits they serve, advisory groups work directly with executive staff and often function, in the words of one respondent, as “pro bono consultancies.”

Many, though certainly not all, of these advisors are also major financial contributors to nonprofits. Charitable contributions are increasingly solicited via sophisticated development campaigns that target donors capable of making major gifts. It is not coincidental that advanced development strategies coexist in some organizations with often substantial dependence on government grants and contracts. Delayed payments and government reimbursement policies make it costly to do business with government. Given the political connections of elite advisors who may also be major financial contributors, it seems highly probable that such individuals enjoy special access to nonprofit leaders. Does this suggest a pattern of participatory inequality or are other avenues of access to nonprofit decisionmakers open to non-elite stakeholders?

As noted in the introduction, several recent studies specifically examine the ways in which nonprofit political participation via advocacy is influenced by devolution and privatization policies implemented through the contracting process. Research findings offer alternative interpretations of policy consequences, thereby making the case that further investigation of this important issue is needed. In addition, theory that differentiates “advocacy for basic social change from advocacy for increased expenditures on programs that benefit an agency” (Salamon 1995, 3) has not yet been fully developed. We will see, however, that a recent study by Alexander et al. (1999) makes some theoretical headway.

In 1990, Wolch published The Shadow State: Government and Voluntary Sector in Transition. The volume’s central argument follows:

The increasing importance of state funding for many voluntary organizations has been accompanied by deepening penetration by the state into voluntary group organization, management, and goals. We argue that the transformation of the voluntary sector into a shadow state apparatus could ultimately shackle its potential to create progressive social change (15).

The general argument in Smith and Lipsky’s 1993 Nonprofits for Hire: The Welfare State in the Age of Contracting is consistent with Wolch’s warning about the potentially muffled advocacy voice of nonprofits in a service delivery system structured
by contracting relationships. In an article published the same year, Smith offers additional analysis and poses questions that relate directly to the political engagement issues raised in this chapter: “What happens to citizenship, citizen participation, and empowerment as public funding of voluntary organizations grows more common? What is the impact of contracting on the public social agenda? . . . How this affects the political role of nonprofit organizations is crucial to evaluating the impact of contracting on citizenship” (202).

Smith (1993) examines three political developments linked to the dramatic expansion of contracting in recent decades: the appearance of statewide associations that advocate on behalf of individual nonprofit agencies, new joint bargaining structures that involve government and nonprofit representatives and closely resemble corporatist political arrangements, and regulatory efforts by various federal control agencies, including the Internal Revenue Service, Financial Accounting Standards Board, and Justice Department. He finds that the net effect of each development is to narrow the scope of nonprofit political activism.

According to Smith, the negative impact of contracting on citizenship is an outcome of the altered nonprofit role in the newly devolved contracting system. “Citizenship changes because the nonprofits’ mediating role between the state and the individual is narrowed as they become part of government’s social service system” (214). The change in citizenship refers to a shift away from the earlier advocacy role of citizens mobilized through nonprofits to argue for alternatives to prevailing social service policies. Increasingly concerned about sustaining government funding, nonprofits’ political agendas shrink and begin to mirror the policy priorities of the state. Echoing the earlier warning of Wolch (1990), Smith argues that voluntary organizations will maintain some political participation, “but their activism will be focused on organizational concerns rather than broader public policy” (217–218).

As noted earlier, Salamon (1995) offers a significantly different analysis. Relying on survey results from 3,400 public benefit nonprofits other than hospitals and higher education institutions, Salamon refutes what he calls the “paradigm of conflict.” Describing it as “the dominant theoretical perspective on nonprofit advocacy in the United States” (6), he explains that the paradigm of conflict is based on the notion that conflict between government and voluntary organizations is fundamental to their relationship. According to this perspective, therefore, “the limited advocacy involvement of nonprofit organizations can be traced to the growth of government funding of nonprofit activity” (6).

Analysis of the survey data, however, supports a different interpretation that, according to Salamon, is consistent with the “paradigm of partnership.” From the perspective of this paradigm, one would predict a positive correlation between higher levels of government funding and higher levels of nonprofit advocacy activities. This positive correlation is a function of the combined influence of bureaucratic politics (i.e., public agencies’ search for political support from nonprofit clients and constituents), the reality of shared purposes between nonprofits and government agencies, and nonprofits’ need for the resources government can provide.

The final study to be reviewed in this exploration of the effects of public policy on nonprofit advocacy comes out of data on the impact of welfare reform on social service nonprofits in Cuyahoga County, Ohio. In this analysis, Alexander et al. (1999) contribute to theory on nonprofit advocacy by describing the nature of the
erosion in citizenship that they observe in the implementation by localities of the 1996 Personal Responsibility and Work Opportunity Reconciliation Act.

Building from an analysis of less familiar passages in Democracy in America, the authors describe de Tocqueville’s vision of a “more politically charged civil society,” and the voluntary associations within it as, in the authors’ words, “a school of citizenship by enabling citizens to discuss matters of mutual concern, gather information, hear others express their views, and debate policies” (454).

Nonprofits have historically generated a variety of public goods. They have provided the institutional base where citizens could come together and discuss their problems, thereby engaging in an active form of citizenship. Nonprofits have advocated for their client communities, giving voice to their needs in policy dialogues; they have provided community education through outreach programs; and they have served the indigent (Alexander et al. 1999, 460).

Reporting their findings, however, Alexander et al. describe a significant reduction in the political participation of nonprofits and a narrowing of their role as laboratories for democratic citizenship. The public goods that respondents indicate are diminishing are “research, teaching, advocacy, citizenship, and serving the poor” (460). They assess this consequence of devolved policy implementation as connected to new public management tenets that impose professionalization and market-oriented and business-oriented management practices on nonprofits. “The shift from service delivery to increasing emphasis on management concerns such as need documentation, fund-raising, and outcome measurement makes less tangible civic dimensions of nonprofit organizational life increasingly tenuous” (462).

Broadening the definition of marketization to include the dramatic increase in commercialization strategies adopted by nonprofits in virtually every service area, we note that the impact of these developments on nonprofit political participation is largely unexplored. Many consequences flow from these changes in nonprofit revenue-generation strategies. Although important work has been accomplished, significant gaps remain in deciphering relationships between the “commercial transformation of the nonprofit sector” (Weisbrod 1998) and political engagement processes shaped by nonprofit organizations.

Conclusion

The pioneering studies synthesized in this chapter map large parts of the conceptual space in which nonprofit organizations contribute to individual and collective political engagement processes. Researchers have explained a great deal about the functions of nonprofits in activation, mobilization, and political participation, as well as the impact of public policy on these processes. Still, in recognition of how recently most of the work has been produced, stronger emphasis is assigned to the vast territory that remains to be charted.

Warren (2001) and Foley and Edwards (chapter 2) argue that analytical studies must disaggregate the associational world and differentiate between the contexts within which associations exist. According to Warren, “The question of what kinds
of potential democratic effects associations have is only one part of the problem. The other crucial question is what kinds of contexts would evoke and develop these democratic potentials. That is, democracy describes an ecology of effects flowing from a multiplicity of forms of collective decision and action” (207). The research that this challenge provokes will extend far into the future.

The work of Putnam (2000), Wuthnow (1998), and others opens the door to further research on the impact of demographic trends and public attitudes on civic engagement linked to political participation. This resonates with McAdam et al.’s (1996) call for more research attention to framing processes and the ways in which different cultures account for variations in these processes. In the nonprofit research literature, further examination of social construction dynamics and their relationship to political activism would address a major gap in our understanding of the impact of organizational processes on advocacy. Work on other organizational processes and structures (Berry 1999b) that are relevant to advocacy activities would also be useful.

It should be emphasized that research on variation in any facet of nonprofit organizational life that might be more fully explained by attention to cultural differences is very rare indeed. Given the historic importance of voluntary associations as mobilizing structures for political activism by identity-based groups in the United States (Minkoff 1997, 1999), and given the dramatically increasing demographic diversity of the American population documented in the 2000 Census, the need for research in these areas is especially urgent.

Our understanding of political engagement processes in which nonprofit organizations play a vital role has been advanced considerably by recent studies. A key contribution they have made is the identification of questions that remain to be answered about the connections between civil society and democracy and the consequences of public policy for citizenship and nonprofit political activism. Converging policy trends virtually guarantee that the central role of nonprofit organizations in the contested world of political decisionmaking will continue into the foreseeable future. Given the continuing debate over an array of proposed new statutory and regulatory limits on political participation by nonprofits, research that illuminates the ways in which nonprofit organizations contribute to democratic processes seems not only an interesting endeavor but also an imperative one. Equally important is more nuanced attention to the implications of public policy trends and the adoption by many nonprofits of commercialization strategies on the boldness, clarity, and substance of voluntary sector voices in the public discourse.

NOTES

1. The term “political engagement” is used broadly to include the three participatory phases noted. Verba, Schlozman, and Brady (1995) use the term to describe a particular component of the political activation process.

2. At various points throughout the book, the authors analyze the important role of religious institutions in the development of civic skills among individual adherents. They argue that this role of faith-based institutions may function as a counterbalance to participatory inequalities that result from unequal distribution of other individual resources. See Warren (2001) for an alternative interpretation.

3. See, for instance, the passage on the propensity of Americans to act collectively that begins, “Americans of all ages, all conditions, and all dispositions constantly form associations” (de Tocqueville, Democracy in America, Vol. II, Book II, Chapter V.)
4. Framing processes can also dampen individuals’ motivation for collective action, as Carmen Delgado Votaw astutely observed at the Urban Institute Seminar on Representation, Participation, and Accountability, February 16, 2001. For instance, the advice of attorneys and accountants against undertaking any advocacy activities can all too easily become the prevailing view of the nonprofits on whose boards they serve.


6. Three national studies in progress will contribute insights on these questions among others: Nonprofit Advocacy and the Policy Process, A Seminar Series at the Center for Nonprofits and Philanthropy, Urban Institute; Strengthening Nonprofit Advocacy Project under the leadership of OMB Watch and Tufts University; and State of America’s Nonprofit Sector Project, Nonprofit Sector and Philanthropy Program, Aspen Institute, and Lester M. Salamon, Center for Civil Society Studies, Johns Hopkins University.

7. I argue elsewhere that the “defining quality” of the relationship between government and the subset of nonprofit organizations with government grants or contracts is “its reciprocal character” (Saidel 1994, 203). Although a two-way exchange of resources defines the interdependent relationship, reciprocal dependence is often asymmetric in character.

8. An impressive array of empirical studies on these consequences has been published in nonprofit, public administration, public policy, and social welfare journals, as well as in book-length form.

9. See Gronbjerg (1993) and Smith (1999) for in-depth treatment of these issues.

10. Salamon speculates in the paper’s conclusion about whether this distinction is achievable. “It is quite possible, after all, that the advocacy activity we are tapping is limited in scope and constrained in its objectives, focusing on expanding government funding of agency programs rather than broader social change. However, what constitutes ‘true’ social change is itself open to debate” (1995, 18).

11. A new publication, Philanthropy in Communities of Color: Traditions and Challenges, edited by Pier C. Rogers, is an exception.

REFERENCES


A frequent criticism of the large, national “public interest” nonprofits that have proliferated over the past 30 years centers on what critics often refer to as their “merely checkbook” memberships. Such critiques have resonated, not just with ideological enemies of Washington-based public interest lobbying organizations, but with critics from within the movements and communities they claim to represent. Representatives of grassroots advocacy groups often contrast the professionalized national organizations with their own “genuinely grassroots” organizations, run by volunteers and adept at “outsider” tactics, from direct action to litigation. Some politicians and professional adversaries of the advocacy organizations of the seventies, eighties, and nineties similarly have complained that such organizations are not representative or accountable and should have little place at the bargaining table when public policies are hashed out.

These criticisms raise the question of the importance of membership for nonprofit organizations of all kinds, but particularly for those that have assumed advocacy stances in public debates. It is important to note, nevertheless, that each raises distinctive issues. Robert Putnam (2000) has made his mark with the argument that face-to-face interaction is essential for the functioning of contemporary democracies. The national public interest lobbies, according to this argument, with few to no opportunities for face-to-face meetings among members, do nothing to build the “social capital” necessary to foster public spiritedness and civic engagement. Skocpol (1999) worries that the new generation of nonprofit advocacy groups, heavily reliant on professional staffs and with little or no membership activity at the local level, do little to re-create the sorts of multiclass collective identities that characterized what she sees as the “golden age” of “civic America.” Critics from the grassroots side of various social movements question the policy choices and lobbying tactics of the professionalized organizations and decry the lack of rank-and-file input in shaping those policy choices and lobbying tactics (see Sale 1993). And the ideological enemies of large, national lobbying organizations question their existence tout court, while pointing to any indication of a lack of representation and accountability to discredit them.

The public debate has oversimplified the world of advocacy organizations and the nature of their membership but produced little in the way of empirical evidence to support the claims of their critics. In the next two sections of this chapter, we review existing research and then attempt to clarify the question of membership. In the final
part of the chapter, we take a look at a data set unique in that it captures the whole range of organizations in one social movement. Our analysis demonstrates the degree to which perceptions of the broader nonprofit advocacy sector are skewed by a “tyranny of existing data” that overemphasizes large, national organizations, especially those with a presence in Washington. At the same time, we draw on these data to answer some of the more pressing questions about how, when, and why membership counts.

What We Have Learned from Prior Research

The scholarly literature on advocacy groups does not yield a great deal of consensus on many questions of interest (Baumgartner and Leech 1998). Baumgartner and Leech document the often-conflicting sampling frames and conceptual foundations of interest group research. They also note the narrow focus of much research on questions surrounding the motivation for membership and the problems of recruitment. The debate cited at the outset of this chapter has had the effect of refocusing a social science literature narrowly occupied with such questions to an equally narrow focus on their role in socializing members for citizenship (Putnam 2000; Skocpol 1999; Rosenblum 1998). Little attention has been paid to what members do for organizations—how they count in terms of financial stability, volunteer labor, participation in the advocacy process, strategies and tactics, goals, governance, and external legitimacy. Moe’s observation that “very little is actually known about the nature of interest groups as organizations” (1980, 219) is as true today as it was 20 years ago.

Systematic research on interest groups (often including many groups considered social movement organizations) has been based on samples of Washington-based interest groups or national organizations. In several cases, sampling frames were further limited to groups reputed to be especially influential in their policy domains. Despite the considerable merits of all these studies, the large body of state and local organizations that play an important role in nonprofit advocacy remain underresearched.1 Such groups, however, are arguably more significant numerically than “inside the Beltway” analyses suggest once we take into account the thousands of state and local organizations generally neglected in other data sets.

Membership is of interest for two primary reasons. First, we want to know what members do for associations—how having members affects their start-up and survival, financial stability, tactics, credibility, decisionmaking, and governance. Second, we want to know what membership means for democracy—whether and to what degree membership (or different sorts of membership) makes associations more representative and more accountable; whether and to what degree it makes people better citizens. We focus on the first question here, with only glancing references to the second.

We can imagine all sorts of relationships between members and their associations. Although it has become fashionable to speak of “checkbook membership” organizations (Hayes 1983), many groups—including many that arguably fit this stereotype—not only “have” members, but also attempt to educate them and call upon them to play a role on behalf of group interests. Members may have little contact with the organization except periodic updates by phone or letter on advocacy efforts accompa-
ned by an appeal (as in the case of the various public interest research groups [PIRGs]). Or they may receive a glossy magazine and access to insurance, travel opportunities, and other benefits, with little or no mention of the group’s advocacy agenda (the “selective incentives” or “AAA” model). Or members may receive a periodic newsletter, with regular appeals to write letters to members of Congress or other public officials. They might be enrolled in programs of “action alerts,” giving them timely information on matters of concern and easy opportunities for contacting officials or joining demonstrations (the “Common Cause” model—see Rothenberg 1992).

The impact of organizational membership—both on the members (“socialization”) and on the organizations themselves—is thus likely to be varied, with some members contributing substantially to the advocacy efforts of their organizations and others scarcely playing a role. Groups may educate their membership on issues of public interest, involve them in the policymaking process, and give them opportunities to participate more actively in the polity.

Members’ role in governance and policymaking varies greatly from none at all to full membership control of most aspects of organizational life. At one extreme, members may have no regularized means for exercising voice or vote aside from the annual decision whether or not to resubscribe. In other cases, of course, members vote on matters of importance to the organization. Yet, the vote may be as trivial as that for a corporate board—the Nature Conservancy, for example, invites members to send in their official ballot, marked “yes” or “no” to the statement, “I cast my vote for the slate of officers and governors proposed by the nominating committee” (Brulle 2000, 301). Or it may include significant input on the national policy direction of the organization—as in the Sierra Club’s infamous dispute over support for an anti-immigration platform. In some organizations—and not just at the grassroots level—members effectively control every aspect of the organization’s life. In others, they control none.

We have only spotty data on these matters. The National Center for Nonprofit Boards’ survey of 1,028 nonprofit organizations, heavily weighted toward the largest such organizations, indicated that just 19 percent of boards were elected by members or chapters (Moyers and Enright 1997, 15). Schlozman and Tierney’s (1986) survey of organized interests in Washington found that democratic forms were maintained in the majority of membership organizations, with 86 percent choosing their officers in elections. Forty-six percent of groups reported that they did so in contested elections. Yet, Brulle’s (2000) survey of 106 national environmental organizations classified groups according to their level of formal democracy and found that 61 percent could be classified as “oligarchies,” with members having no formal power over the board or its decisions. Like Catherine Alter (1998), Brulle accepts the argument that the more bureaucratic the structure, the less democratic the organization, though in practice his measures of “oligarchy” and “democracy” reflect the degree of control exercised by the board of directors (291), not staff. Jeffrey Berry (1977) found that among public interest groups, staff tended to dominate policymaking processes in more than two-thirds of the organizations studied, while members shared in such decisionmaking in only 10 percent of cases. Based on a broader sample of the associational universe, Knoke (1990) found that 56 percent of organizations had an annual general membership meeting at which
major policy decisions were made, and organizational elections usually involved two or more candidates running for the same office in almost half of the organizations. Significantly, highly bureaucratized organizations were much more likely to have democratic structures than less bureaucratized ones. Overall, 60 percent of organizations indicated that keeping in touch with members was as important as, or more important than, their contacts with government officials, and 72 percent reported devoting a great deal of time and resources to communicating with members (Schlozman and Tierney 1986, 139, 143).

If membership has the important intraorganizational effects suggested above, it can have external effects as well. Membership can be important to forwarding the policy goals of an organization and can influence the strategies and tactics employed by the organization, for several reasons. Advocacy organizations that can appeal to an organized constituency in a multitude of electoral districts gain legitimacy in the eyes of politicians. Organizations often employ these members in concrete advocacy campaigns. Unfortunately, even less evidence exists on these points than for the issues already discussed, in part because of the slippery character of membership already alluded to. Nevertheless, membership participation in advocacy efforts is often central to an organization’s strategy. Schlozman and Tierney report that 80 percent of organizations used grassroots lobbying and mobilized influential constituents to contact congressional representatives (1986, 150). Knoke’s broader sample of groups yielded substantially lower figures for such efforts, with just 37 percent of organizations mobilizing members to contact public officials and 32 percent encouraging them to write to newspapers. Not surprisingly, unions displayed the highest propensity to involve their members, with 87 percent mobilizing to contact public officials (1990, 199). Even among organizations whose principal purpose is not advocacy, we can conclude that members count when it comes time to attempt to exert influence.

Not all advocacy, however, obeys the simple electoral logic implied in the standard citizen-lobbying model. Many groups lobby administrative agencies, not Congress or the state legislature. Still others focus most of their efforts on educating public officials and congressional staff, providing information and contacts, or sponsoring events and trips; or they employ litigation extensively. Walker’s findings on the effect of different membership types on strategy and tactics shows that membership does make a difference. Walker found that, in the face of policy conflict, “decentralized organizations that maintain local chapters or subunits are likely to increase their use of outside strategies, no matter how large their central staffs in Washington may be” (Gais and Walker 1991, 117). Citizen groups and those whose members are from the nonprofit sector are much more likely to respond to conflict with outsider strategies. On the other hand, the existence of a large central staff is highly correlated with insider strategies (118). Many groups use both (Baumgartner and Leech 1998, 152).

Membership may also have a significant impact on the financial situation of advocacy groups, despite the fairly settled finding that advocacy organizations may start up without a stable membership (Walker 1991). Besides financial contributions, members may be important to organizations as sources of volunteer labor. Rothenberg (1992) has argued that, given the slim budgets of most advocacy organizations and their large potential agendas, they must rely on members to carry out much of the work. This may be true of public interest groups and social movement organizations. It may be less true of nonprofit organizations whose primary functions center
more on member services, such as trade and professional associations. Among the
former, however, Berry’s 1977 survey of 83 Washington-based “public interest lob-
bies” found that more than a third reported no use of volunteers, and another third
reported only irregular use (65). Knoke’s data illustrate the importance of volunteers
relative to support staff in membership organizations, but their surprisingly small
numbers relative to total membership: His “highly bureaucratized” organizations had
an average of 14.6 full-time equivalent staff and 17.3 volunteers, in organizations
claiming an average membership of more than 67,000. At lower levels of bureauca-
tization, volunteers outnumbered staff by between 5 and 10 to one. But even the least
bureaucratized organizations claimed just 2.7 volunteers for an average membership
of 1,489 (Knoke 1990, 79).

Summary: How Members Count

Members may “count,” accordingly, in a variety of ways. They may have significant
impact on internal governance and decisionmaking or be left altogether outside these
activities. Different sorts of membership may have an impact on organizational goals,
quite apart from member participation in the organization. Member type may have
an impact on organization strategy and tactics, and members themselves may play an
important role in an organization’s advocacy activities. Members may contribute a
great deal to the financial resources and financial security of an organization. Finally,
members may play an important role as volunteers in the day-to-day operational ac-
tivities of the organization.

At the same time, it is important to note that what constitutes “membership”
varies enormously from group to group. Many of the functions of “members” within
groups may also be carried out by people who are not formally members: Volunteers
can come from all sorts of places (Edwards, Mooney and Heald 2001). Supporters
and fellow travelers may sign on to a petition or respond to an appeal to contact a
Congressperson. Contributions frequently come from nonmembers, and contributors
and funders of all sorts can have a profound impact on an organization’s strategies,
tactics, and even goals. With these ambiguities in mind, it might be better to set aside
the notion of membership altogether, in favor of categories more expressive of the
sorts of relations people can have with a cause and the groups that represent it.2

In the preceding pages, we have argued that existing analyses rely mainly on data
sets covering principally national-level organizations. Such studies, valuable as they
are in many respects, do not help us answer questions about how membership func-
tions in advocacy organizations across the spectrum. In this section, we look at re-
sults from the analysis of a unique data set, covering organizations large and small,
national and local, those with tax status and those without, from a single-issue
domain—the peace movement of the 1980s. Though this domain might appear
rather narrow in scope, the organizations represented here include the Natural Re-
sources Defense Council, state chapters of Common Cause, and the Peace Forum of
the thoroughly mainstream Rotary Clubs of America, alongside venerable pacifist
organizations and newborn local peace groups of all sorts. The data thus give us ac-
tess to a level of advocacy organization rarely touched in the research cited above in
addition to the “usual suspects” in such research. As such, they enable us to see how
membership counts among thousands of organizations that are typically missed by analysts and represent hundreds of thousands of Americans. 3

In the analysis presented here, we focus on how membership counts within these groups and on the differences discernible among groups characterized by different types of membership. Thus, organizations may have 1) exclusively individual members, 2) exclusively organizational members, or 3) both individuals and organizations. At the same time, we can discern some important differences between larger national or state-level organizations and smaller ones in degree of formalization, member involvement in the life of the organization, and, sometimes, choice of tactics.

The peace movement in the 1980s constituted a sizeable enterprise. More than 7,000 groups are represented here, and they mobilized some 7.2 million individuals, or about 3 percent of the national population, assuming no overlapping memberships (table 2.1). Together, these organizations employed nearly 10,000 staff and expended some $230.8 million in 1987 ($355 million in 2001 dollars). 4

Nonnational and smaller, mostly local organizations, moreover, constituted a sizeable portion of the field and involved large numbers of people. The approximately 227 national organizations accounted for just 3.2 percent of peace advocacy groups nationwide. Meanwhile, some 2,858 groups, or more than 40.4 percent of the total, were working for peace without any federal tax status, nor were they affiliated with another organization that had a tax status. Together, the smaller organizations and those without tax status involved more than 2 million citizens. When we include the larger nonnational organizations, the peace movement “outside the Beltway” 5 enrolled some 4.5 million Americans in 1987. Clearly, the nonnational organizations captured by our data set represent an important segment of American advocacy organizations.

These groups varied considerably across the spectrum in number of members, degree of formal organization, member participation, and choice of tactics. The typical national advocacy organization had a total of 2,500 members, with four members (just .16 percent of the membership) contributing at least five hours per week as volunteers. About nine in ten of these organizations employed paid staff, with a median staff size of five employees. Median 1987 expenditures were $150,000. The no-tax-status groups, by contrast, had a median membership size of 35. The two volunteers of a typical organization compose 5.7 percent of the membership. Annual expenditures were just $2,500 for small-budget groups with a tax status and $500 for the no-tax-status group. Groups with a religious constituency make up an increasingly large proportion as we move away from the national category, with more than one-third (37.5 percent) of the no-tax-status groups categorized as religious.

How Membership Counts across the Spectrum

How does membership count among these groups, and do different sorts of membership matter? Table 2.2 takes up the issue of membership directly by presenting the types of members advocacy organizations have—whether individuals only, organizations only, or a mix of both. Then it presents results for what organizations require of their individual and organizational members and how those requirements vary across the four advocacy group types.
What sort of membership structure do these organizations have? About half of the larger have only individual members, while the smaller groups are more likely to have exclusively individual members. Relatively few groups have only organizational members, but that membership strategy is more pronounced at the national level.

Membership clearly means different things to different groups. A majority of organizations of all types require “members” to at least sign up for the mailing list, and sizeable majorities in most categories require some sort of dues. Magazine subscriptions as a part of membership are much more common among the large national organizations than among smaller groups, while attendance at meetings is much more likely to be a requirement for the smaller organizations. Thus far, the stereotypes of national versus local organizations hold up, though we should note that between 18 and 29 percent of the larger groups require members to attend meetings. Moreover, “checkbook memberships,” whether that means that groups count members solely on the basis of those on the mailing or subscription list (“Checkbook I”), or includes the additional requirement that members pay dues (“Checkbook II”), account for only a small proportion of groups, even at the national level. Some 25.7 percent of national groups might be described as having purely checkbook memberships, but almost 75 percent do not; the smaller groups do not differ substantially from the larger ones in this respect.

The requirements for organizational members are markedly different, with a notable proportion of groups requiring that member organizations provide either volunteers or staff on a regular basis. This is especially the case among smaller groups. Almost half of all types of groups required organizational members to send

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Table 2.1  Peace Advocacy Organizations: Estimated Population Parameters, 1987

<table>
<thead>
<tr>
<th>Estimated Number (Percentage of national total)</th>
<th>Advocacy Organizations with Tax Status</th>
<th>No Tax Status</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>National Organizations</td>
<td>Large Budget Nonnational ($&gt;30,000)</td>
</tr>
<tr>
<td>Advocacy Orgs. in Population</td>
<td>227</td>
<td>239</td>
</tr>
<tr>
<td>(3.2)</td>
<td>(3.4)</td>
<td>(53.0)</td>
</tr>
<tr>
<td>Individual Members</td>
<td>2,703,709</td>
<td>2,272,332</td>
</tr>
<tr>
<td>(37.8)</td>
<td>(31.7)</td>
<td>(21.6)</td>
</tr>
<tr>
<td>Organizational Members</td>
<td>14,079</td>
<td>6,371</td>
</tr>
<tr>
<td>(24.4)</td>
<td>(11.0)</td>
<td>(56.8)</td>
</tr>
<tr>
<td>Volunteers</td>
<td>4,429</td>
<td>9,368</td>
</tr>
<tr>
<td>(Contributing 5+ hrs/month)</td>
<td>(7.6)</td>
<td>(16.2)</td>
</tr>
<tr>
<td>Paid Staff</td>
<td>4,405</td>
<td>2,798</td>
</tr>
<tr>
<td>(46.0)</td>
<td>(29.2)</td>
<td>(14.6)</td>
</tr>
<tr>
<td>Funds Expended</td>
<td>$129,684,013</td>
<td>$64,992,354</td>
</tr>
<tr>
<td>(1987 dollars*)</td>
<td>(56.1)</td>
<td>(28.2)</td>
</tr>
</tbody>
</table>

*To adjust for an average rate of inflation of 3 percent per year and express 1987 dollars in 2001 dollars, multiply 1987 amounts by a factor of 1.47. For example, total expenditures by peace advocacy organizations in 1987 are roughly equivalent to $355,047,000 in 2001 dollars. Similarly, the cutoff used in 1987 to differentiate between “large” and “small” peace advocacy groups was $30,000 in annual expenditures, equivalent to $44,000 in 2001.
representatives to policy and planning meetings or engage in joint actions. While organizational membership may not ensure widespread face-to-face interaction among citizens, such contact seems to build substantial linkages among the organizations involved. Clearly, an organization’s membership strategy—whether to have exclusively individual members or to include organizational members as well—implies different types of relations with members as well as different member roles in the organization.

Different membership strategies also affect the degree of formalization, member participation, and the kinds of activities groups engaged in to pursue their goals.\textsuperscript{7} Not surprisingly, our survey data revealed that the larger groups display at least minimal levels of organizational formality. More important for our purposes, groups with organizational members (i.e., either individual and organizational memberships or organizational membership exclusively) are more formally organized than those with exclusively individual membership, and this holds true across organizational types.

Table 2.2 \textit{Membership Type and Requirements among Advocacy Organizations}

<table>
<thead>
<tr>
<th>Organizational Attributes (Percentage)</th>
<th>Advocacy Organizations with Tax Status</th>
<th>No Tax Status</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>National Organizations</td>
<td>Large Budget Nonnational (&gt;$30,000)</td>
</tr>
<tr>
<td>Membership Type</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Individuals only</td>
<td>51.5</td>
<td>52.0</td>
</tr>
<tr>
<td>Organizations only</td>
<td>9.7</td>
<td>5.7</td>
</tr>
<tr>
<td>Mixed</td>
<td>38.8</td>
<td>42.3</td>
</tr>
<tr>
<td>Individual Membership Requirements*</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sign up to be on our mailing list</td>
<td>55.4</td>
<td>54.6</td>
</tr>
<tr>
<td>Subscribe to our publication</td>
<td>41.6</td>
<td>38.9</td>
</tr>
<tr>
<td>Pay dues</td>
<td>57.3</td>
<td>71.4</td>
</tr>
<tr>
<td>Attend a meeting</td>
<td>17.8</td>
<td>29.3</td>
</tr>
<tr>
<td>Checkbook I:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Only be on mailing list or subscribe</td>
<td>13.7</td>
<td>7.9</td>
</tr>
<tr>
<td>Checkbook II:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Only pay dues and either be on mailing list or subscribe</td>
<td>12.0</td>
<td>18.9</td>
</tr>
<tr>
<td>Organizational Membership Requirements**</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Provide volunteers on a regular basis</td>
<td>12.5</td>
<td>11.1</td>
</tr>
<tr>
<td>Provide staff on a regular basis</td>
<td>11.9</td>
<td>11.1</td>
</tr>
<tr>
<td>Agree with our mission statement</td>
<td>77.8</td>
<td>81.1</td>
</tr>
<tr>
<td>Send reps. to policy and planning meetings</td>
<td>54.5</td>
<td>47.2</td>
</tr>
<tr>
<td>Engage in joint actions</td>
<td>63.0</td>
<td>49.1</td>
</tr>
<tr>
<td>Pay dues</td>
<td>60.5</td>
<td>73.2</td>
</tr>
<tr>
<td>Required ONLY that organizations pay dues</td>
<td>6.1</td>
<td>5.4</td>
</tr>
</tbody>
</table>

\*Percentages refer only to those advocacy organizations that had individual members.

\**Percentages refer only to those advocacy organizations that had organizational members.
Similarly, organizations with group members rank higher on centralization of authority and professionalization.

With regard to participation, groups with organizational memberships had lower levels of member participation than those with exclusively individual members. This is especially true among national-level groups, where organizational membership is probably more formalized. Still, volunteer participation is considerably higher among all groups than Knoke’s (1990) research suggested, perhaps owing to the character of these groups as advocacy organizations. With respect to member participation in agenda setting, groups with organizational membership are less participatory than those with individual members only, particularly at the national level. Nevertheless, substantial proportions of even these groups manage to involve their members in agenda setting (from 20 percent among national groups to 50 percent among the smaller organizations).

Finally, membership type sometimes makes a difference in the sorts of tactics advocacy groups choose in pursuing a peace movement agenda. On the one hand, groups of all kinds, regardless of membership type, are likely to employ “national outsider” tactics (principally monitoring policy). But the smaller, nonnational groups with organizational membership are more likely to pursue “insider” strategies, whether in the national arena or at the state or local level, than individual member-only groups. Those among the larger groups with organizational members are much less likely to employ partisan electoral strategies than groups with exclusively individual membership. Curiously, the reverse is true at the local level—that is, among smaller nonnational groups.

Organizational membership thus seems to be associated with more formal structures, centralization of authority, relatively low rates of member participation, and nonpartisan (except among smaller organizations) and “insider” strategies and tactics. We know little about the dynamics behind these characteristics, but can speculate that organizational members may be more likely to insist upon formal structures and decisionmaking processes, more committed to insider strategies, and less willing (at least among the larger organizations) to compromise their nonprofit status with partisan political activities. Finally, organizational membership appears to help forge connections between organizations, and that reality undoubtedly opens a variety of advocacy opportunities, including greater facility at insider tactics.

How might the groups profiled here differ systematically from organizations in other issue domains? We can only speculate on an answer. By the nature of the domain, peace movement groups are more likely to be focused exclusively on advocacy—more like the quintessential “public interest group”—than organizations engaged with health, education, energy, or agriculture. By the same token, they are less likely to involve representatives of trade and professional organizations directly affected by the issue. Unlike environmental organizations and those in many other issue domains, peace groups generally have no supporting government agencies to serve as a simultaneous target and cause for mobilization. At the local level, some groups identified with the peace movement could provide support for isolated educational and conflict resolution initiatives; they would experience nothing, however, of the engrossing preoccupation with a multitude of local institutions that citizens engaged in educational reform efforts face. At the same time, the fact that the peace movement
of the 1980s sustained grassroots mobilization on the level noted here, as well as a healthy array of state and national organizations, in the face of a distant threat and a largely unreceptive bureaucracy and political establishment testifies to the possibilities for large-scale engagement in any domain. In the final analysis, we just do not know the extent of mobilization in any other domain and should not be surprised to find our understandings of advocacy elsewhere seriously challenged once we have adequate data.

Conclusion

What can we say about nonprofit advocacy both “beyond the Beltway” and inside it? What has been referred to in the series of seminars for which this chapter was prepared as the “tyranny of existing data” should, in light of the results presented here, seem all the more despotic. Existing data give us rather good coverage of national-level groups advocating in a variety of issue sectors. IRS data can potentially sketch a serviceable map of the nonprofit advocacy terrain among groups with budgets large enough to require them to use the long form in their quarterly reports to the IRS. Nevertheless, if the peace movement is any guide, such groups account for no more than 10 percent of advocacy organizations. Indeed, most advocacy organizations, including a clear majority of national-level organizations, operate “outside the Beltway.”

How does membership matter? First, the role of members in organizations differs systematically among different types of groups. Our data suggest that the internal operations of many national organizations differ dramatically from those of other types of advocacy organizations. Although greater levels of bureaucratization do not necessarily mean that organizations cease to heed their memberships, as Rothenberg points out, they do seem to mean that, on average, the larger organizations give members fewer opportunities to participate directly in the organization’s life, however democratic the formal structures. At the same time, the proliferation of large, national advocacy organizations does not signal a decline in citizen activism, or even in the sorts of face-to-face “civic engagement” that some authors favor. On the contrary, the larger organizations, like their smaller, local counterparts, tend to employ tactics that engage large numbers of citizens in their causes: There are few of the purely “checkbook membership organizations” depicted in recent public debate. And, more important, an enormous number of smaller organizations, outside the Beltway, provide ample opportunities for engagement of all sorts.

Below the national level, advocacy organizations tend to involve more face-to-face interaction, greater participation by volunteers, and lower levels of financial centralization and professionalization, particularly among the low-budget organizations. The small-budget groups are more likely to be involved in electoral politics, and, not surprisingly, non–tax-exempt groups are more likely to be directly involved in party politics. The small-budget groups, regardless of tax status, represent a not insignificant proportion of all groups—more than 90 percent of all groups in the peace movement sample, including 30 percent of the individual membership and almost 65 percent of the organizational membership.

Finally, whether an organization is made up primarily of individual members or organizational members makes a difference in a variety of ways. Consistent with
other studies, organizational membership does seem to make a difference. Groups with either mixed (organizational and individual memberships) or organizational membership alone were more likely to have formal structures, centralized decision-making, and limited member participation. They were also more likely to engage in “insider” tactics and less likely, at least among the larger groups, to play at partisan politics.

Where should research in this field be headed? We have stressed the importance of going “beyond the Beltway,” indeed, beyond the national-level organizations, in any future efforts to understand advocacy organizations. Our review of the peace-movement data demonstrates the potential importance of state-level and grassroots organizations in the sorts of broad social movements frequently represented by national-level organizations. We have also shown that there may be significant differences in the role of membership across types of groups. New data on all levels of advocacy organization, but particularly those operating at the state and local levels, are clearly needed.

At the same time, it is important that we take a more nuanced view of “membership.” As anyone who has delved into the empirical diversity of advocacy organizations quickly recognizes, membership is an extremely slippery and value-laden concept. The centrality of membership in contemporary understandings of advocacy owes as much to the enduring influence of de Tocqueville’s much-vaunted analysis of a “nation of joiners” as it does to long-standing debates about the nature of representation in democratic theory. The contours of those analyses and the crucial role of membership in them were already well established before the changes since the 1970s in the advocacy landscape that have inspired so much of the recent discussion. Those changes crystallized new forms of advocacy organization—particularly the public citizen lobby—featuring new forms of membership and participation that had been on the horizon since the end of the 19th century. More recently, Rosenblum’s analysis of “the moral uses of membership” (1998) has highlighted the enormous variety, and ambiguity, in the meaning of membership.

In this light, the term “membership” may have outlived its analytical usefulness in our efforts to understand contemporary forms of advocacy. Membership covers too broad a range of relationships to be of continuing use in sorting out the complex relations between individuals, the groups that claim to represent them, and the political system. As our analysis has shown, groups differ across categories of size and scope in the mix of conscience constituents, participants, activists, and organizations that they claim as members; and in many cases, we would expect, these categories of engagement do not necessarily fit neatly within the bounds of what any given organization would claim as its “members.” Members “count” in advocacy organizations of all sorts, but to understand advocacy organizations today, we should turn our analytical focus to the multiple ways in which organizations serve to mediate relations between citizens and government for members and nonmembers alike.

NOTES

1. We know of only one large-scale survey of interest groups at the state level (see Gray and Lowery 1996).
2. This is not the place to develop such a terminology, but such an effort might well start with the lexicon worked out by McCarthy and Zald (1977) that differentiates between “conscience constituents,” “adherents,” “bystanders publics,” and “activists.” Each of
these relationships may fall under the broad heading of membership, depending on a given organization’s decisions about how to structure its relations with the broader public, yet each represents very different relationships between advocacy organizations and their collaborators.

3. The data come from a nationally representative 1988 survey of organizations working for peace which had been listed in the 1987 edition of the Grassroots Peace Directory (GPD) (Colwell 1989; Colwell and Bond 1994; Topsfield Foundation 1987). The GPD was a comprehensive listing of organizations working for peace compiled by the Topsfield Foundation and updated bimonthly until it ceased publication in 1989. The population captured in the directory included a broad spectrum of organizational types ranging from small informal groups of friends working together locally to large organizations with local affiliates and extensive memberships to highly professionalized groups with large staffs and relatively few members. The inclusive bounding of this population by the GPD enhances confidence that this sample of advocacy organizations represents the entire spectrum organizations in contemporary social movements (see Edwards 1994).

4. Estimates are based on extrapolations from the data that take into account the stratified sample and separate response rates for each sample strata. For details on the sample and extrapolation procedures, see our discussion at http://www.urban.org/advocacyresearch/data_findings.html.

5. Not all “national” organizations are headquartered in Washington, D.C. Just over 30 percent of the “national” groups represented in the GDP were.

6. The following is based on a question regarding which among a number of requirements their members had to meet. Each group could indicate as many as applied, so the percentages in table 2.2 do not total to 100 percent.

7. For the data on which this discussion is based, see tables 4–6 at http://www.urban.org/advocacyresearch/data_findings.html.

REFERENCES


The work of social movements—conceived of as (more or less) organized efforts to challenge and change prevailing social and political arrangements—appears in any number of guises and takes place in any number of venues. The term “social movement organization” (SMO) itself invokes various images, ranging from national staff-run organizations such as the National Organization for Women (NOW) and Greenpeace to decentralized direct action groups such as Operation Rescue and EARTH FIRST! and locally based battered women’s shelters and AIDS service organizations. Regardless of form or location, however, social movements are engaged in advocacy in the broadest sense, in that their sine qua non is “building the political will to leverage policy change” (Reid 2000, 4). What differentiates such groups from interest groups, voluntary associations, and nonprofit service organizations is that they are forms of ideologically structured action (Zald 2000) predicated on a willingness to challenge established social and political institutions.1 As such, movement organizations embody a political commitment whether they are involved in government-centered or society-centered advocacy (see Reid 2000).

Social movement organizations are, arguably more than conventional nonprofits, constrained by ideological commitments that define the most appropriate forms of organization, the desired degree of autonomy from the state, and the extent of accountability to the constituencies they serve or represent. They are also, by virtue of their political goals, likely to be defined as in conflict with the state and thus more heavily scrutinized by political officials, funding agencies, and the public than other organizations of comparable size and scope—especially in terms of the legitimacy of their activities and the credibility of their claims to nonprofit status. Political scientist Joyce Gelb (1995, 12) notes:

In any environment, movement organizations must balance their desire to create change against the need to accommodate the demands from funding sources and political decision-makers to moderate their tactics. They walk a political tightrope as they seek to respond to claims by their allies in government, the media, foundations, and other movement groups while also remaining faithful to their mobilizing principles and supporters.
This characterization suggests a heightened vulnerability to, and need to be flexible in the face of, changes in the political and social context. However, there are any number of external and internal organizational barriers to adaptation and an increased risk of failure when movement groups alter their core organizational identity, regardless of whether such changes move the group in more or less political directions (Minkoff 1998, 1999).

This chapter presents organizational case studies of three social movements—feminism, AIDS, and public interest science—to demonstrate some of the central identity dilemmas confronted by social movement organizations as they “walk a political tightrope” between responsiveness to environmental change and accountability to their mobilizing base. Feminist organizations were established in the context of the larger women’s movement of the 1970s and 1980s and manifest great diversity in terms of operating at the national and local levels, engaging in a combination of advocacy and service provision, and being informed by a range of ideological perspectives. In addition, feminist groups, particularly grassroots ones, are expressly committed to collective participation and representation, as well as some degree of autonomy from the state. AIDS organizations also tend toward grassroots advocacy and service provision, but have had to respond to a dynamic disease that has shifted the movement constituency and base over a short period. In addition, AIDS organizations represent stigmatized constituencies and have needed to negotiate a complex relationship with the gay and lesbian movement. In contrast, public interest science organizations can be thought of as public goods or public benefit groups that are not identity based in the same way as the feminist or AIDS activist movements have been conceptualized. The public interest science organizations examined below were also established during the 1960s protest cycle and therefore have long histories over which to observe organizational change.

Two orienting and complementary questions guide this discussion. First, what happens to a movement organization’s commitment to its mobilizing base (members and constituency) when it responds to changes in the external environment? And, conversely, how does accountability to a movement base promote or inhibit organizational adaptation or responsiveness, and what are the consequences for the group? Despite great diversity within and across the feminist, AIDS, and public interest science movements, I demonstrate that organizational responsiveness and internal accountability—as well as how much internal conflict is generated as a result—are both constrained and enabled by the group’s organizational identity, defined as the “rules and routines for action that are structured by the group’s shared definition of who they are” (Moore 1993, 216). The key challenge that social movement organizations face is to be responsive to environmental shifts—in the availability of funding from private and public sources, support from political elites, resistance from opposing movements, and issue salience—while remaining consistent with their original organizational identity and accountable to their internal base of support. Alternatively, movement organizations may need to redefine their mission itself in a way that enables an interpretation of organizational change as continuous with the identity of the group. This is no small task, however, as movement ideologies and collective identities establish an outer bound on what models of organization and types of activities are tenable.
Feminist Organizations

From its inception, the contemporary feminist movement has represented a number of ideological positions and has supported a diversity of organizational forms, addressing such issues as economic equality, reproductive rights, domestic violence, and rape through both national and local-level organization and activism (Taylor and Whittier 1993). Although there are certainly exceptions, the conventional view is that there are two dominant strands of organizing within the movement: bureaucratically structured organizations with hierarchical leadership, such as NOW and NARAL, that tend to favor a liberal feminist ideology that emphasizes changing policies to increase women’s political, economic, and social access and participation; and smaller, collectively structured groups committed to a more radical ideology grounded in an analysis of the structural sources of women’s oppression in a patriarchal society and focused as much on collective empowerment as on policy change. What is distinctive about these latter types of movement organizations is that they are hybrids that engage in social change and provide services to clients; Hyde (1992, 122) refers to them as “social movement agencies” that have “an ideational duality that encompasses both social movement and human service orientations.” This dual orientation, and an organization’s ideology more generally, define appropriate forms of organization and external linkages (with the state, funding agencies, and other movement actors).

Matthews’ (1994, 1995) analysis of rape crisis centers in Los Angeles illustrates some of the central tensions faced by feminist social movement agencies. In the 1980s, the increasing reliance of rape crisis centers on state funding had the dual effect of enabling organizational survival and compromising the pursuit of feminist goals, both as reflected in the choice of organizational structures and in terms of how service delivery was conceptualized. Comparing the trajectories of six centers—three of which were established in the early 1970s, coinciding with the emergence of the feminist antirape movement, and the others formed in the context of federal and state efforts to privatize social services in the 1980s—Matthews documents the “transformation from grassroots activism to professionalized social service provision” (Matthews 1994, xii) that had taken place in the movement by 1990. Convergence on the dominant social service model, however, was mediated by founding ideology and, in some cases, accomplished only with significant resistance.

The most telling example of this transformation is the case of the Los Angeles Commission on Assaults Against Women (LACAAW). LACAAW, the first rape crisis hotline in the area, was created in 1973 by feminists from two local women’s centers that were already involved in consciousness-raising activities and antirape work (providing informal counseling and engaging in marches, demonstrations, and direct confrontations with known perpetrators). The founding members of LACAAW were primarily white, politically left-wing activists who were committed to collectivist organizational ideals and autonomy from the state, both hallmarks of radical feminism. From the start, LACAAW confronted the question of whether to pursue state financial support, in this case from the Law Enforcement Assistance Administration. Although very much in need of the funding (as one activist reported, the hotline had been surviving “on a hand-to-mouth kind of basis”), LACAAW members ultimately decided that the compromise was too great, even though the decision generated
significant conflict within the membership. By 1976, however, LACAAW had accepted a two-year grant from the National Institute for Mental Health (NIMH) for community-based rape prevention education. Funding enabled the center to increase its staff, but it also came with requirements for program and product development (needs assessment, training and education manuals, etc.). The formalization entailed by such programs, however, conflicted with the center’s founding ideology. LACAAW’s resolution was to continue to operate by consensus with respect to major policies (which were taken up at membership meetings or hotline volunteer meetings), but to make decisions regarding the day-to-day operation of the hotline during weekly staff meetings. Such “apparent accommodation” (Matthews 1995) was carried out with reluctance by the founding members who remained committed to egalitarian ideals; nonetheless, they moved the center toward greater formalization.

The most dramatic change in organizational structure and operations took place in 1979, within a year after the NIMH grant ran out, when LACAAW was barely able to secure additional funding (from either foundation or individual contributions). At this juncture, when the hotline was close to folding and the center was besieged by internal conflicts and the resignation of key leaders, the decision was made to adopt a more conventional bureaucratic structure in order to attract external funding. On the initiative of a new director—a long-time volunteer who undertook the task of reviving LACAAW on an unpaid basis—the most significant restructuring involved establishing an independent working board of directors. Most of the new board members were women with traditional volunteer backgrounds and little or no experience in antirape or feminist activism, which presented challenges in addition to imposing a more hierarchical mode of decisionmaking on the volunteers. To ease the transition, the new director pursued training and consciousness-raising with board members while also constituting an informal “council of elders” that debated policies using consensus procedures before submitting them to the board for approval.

The second critical restructuring event was receipt of an emergency grant and subsequent funding from the California Office of Criminal Justice Planning (OCJP) in 1980. This was a significant departure for LACAAW, given its early rejection of support from the criminal justice/law enforcement system. An OCJP mandate to collect detailed information on the calls received (such as information on the race and ethnicity of victims) put staff in the position of supervising volunteers in order to produce the required paperwork and took valuable time away from pursuing movement-related objectives. OCJP-funded rape crisis centers were monitored for compliance through regular site visits by auditors who checked organizational bylaws, operations, and records. Reporting and accountability structures also reflected a broader trend in the rape crisis movement toward a service-oriented therapeutic perspective that treated rape as a problem of individual mental health. Such accommodation was, according to Matthews, relative: At every step of the way, activist members resisted the imposition of conventional structures and ideas and attempted to devise mechanisms to protect their original commitment to feminist ideals and practice. Ultimately, however, organizational survival hinged on conformity to institutional conventions.

The history of LACAAW illustrates the most radical form of structural and ideological change among Los Angeles rape crisis centers, in part because this group was intentionally created as an alternative to the dominant institutions it came to mirror. Two other centers established in the 1970s—the Pasadena YWCA Rape Hotline and
the East L.A. Rape Hotline—also converged on conventional bureaucratic forms of organization, but their transitions were less disruptive because they had different starting points than LACAAW. The Pasadena Hotline, for example, was initiated by a network of social work professionals who were less interested in building alternative feminist institutions than in using existing institutional resources to create and improve services for rape victims. Their professional backgrounds also made them less ideologically opposed to interacting with state agencies and thus gave them access to sufficient start-up resources to create a formal, paid staff position from the outset. As the Pasadena hotline got caught up in the state grant regime, it responded by integrating into the YWCA as a formal program with little internal division. The East L.A. Hotline was also established by social work professionals and was housed in a YWCA, but its founders were Latina feminists who were committed to grassroots community involvement. The East L.A. Hotline was able to adopt the trappings of bureaucracy more easily than LACAAW, but not without significant conflict.

Two other organizational responses to the dictates of state funding are worth noting: overt opposition and active engagement (Matthews 1994). The San Fernando Valley Rape Crisis Service, which was founded as a radical feminist collective in 1980 in response to the mainstreaming of older organizations, took the first path by deciding not to apply for OCJP money. By 1986, the San Francisco Valley rape crisis center was defunct. The feminist-run Santa Cruz Women Against Rape (SCWAR) accepted OCJP funding but actively protested the reporting requirements, filling in “unknown” on the forms they felt were inappropriate. Within months, OCJP withdrew its funding, which sent a clear warning to other area centers. Active engagement involved efforts to advocate for revised regulations that made it possible for centers to continue their activities effectively. The Southern California Rape Hotline Alliance, for example, challenged an OCJP funding formula that was based on the number of new clients served. They argued that this formula disadvantaged rape crisis centers serving women of color because they had the added tasks of familiarizing their communities with rape intervention services and providing a wider mix of services, thereby making it more difficult to reach new clients. OCJP responded with target grants to centers in higher-crime, minority areas, but it is unclear to what extent such lobbying efforts ultimately altered the funding formula.

This contradictory relationship between the logic of state funding and feminist values (e.g., autonomy) and organizational practices (e.g., collective decisionmaking) has also been documented in the battered women’s movement (Reinelt 1995) and among feminist antiviolence and community health centers (Hyde 1995). In analyzing the response of nine feminist SMOs to fiscal and political attacks by the New Right in the 1980s, Hyde (1995) identified multiple pathways to survival that depended heavily on the group’s founding identity and did not necessarily entail greater conservatism. In the least oppositional case, the Sexual Assault Crisis Center and the Domestic Violence Project responded to the primarily fiscal attacks by the New Right by pursuing a strategy of developing the service agency, becoming more professional, and emphasizing education and service delivery. This shift was not nearly as controversial as LACAAW’s, since these two SMOs were founded on liberal feminist principles and were not strongly connected to a social movement base.

In contrast, movement organizations that were committed to socialist feminism and embedded local social movement networks attempted to build their base of
support by diversifying their funding sources and strengthening their links to movement constituencies. The Multipurpose Crisis Center, for example, insisted on maintaining itself as a “woman-only space,” even though doing so jeopardized funding. To offset its financial vulnerability, the organization diversified its activities and funding base by seeking support for drug and alcohol treatment. However, such diversification had the effect of shifting the center’s mission away from a women-centered one to one that linked family violence and substance abuse. The Cooperative Health Project and the Community Health Center pursued more proactive mobilization against New Right attacks, using linkages to their grassroots bases to retain their radical identities and continue providing services. For example, the Cooperative Health Project instituted a community-based “scholarship” for low-income women, and the Community Health Center became involved in a coalition that advocated on behalf of undocumented workers and provided services to this constituency at a reduced rate. Hyde’s concluding point is that the responses of these feminist SMOs to attacks by the New Right were moderated by “pre-existing organizational properties.” As she notes, “[u]nder attack, feminist organizations did not create entirely new missions or operations, nor did they deviate substantially from their founding characteristics” (Hyde 1995, 320).

The tension between external and internal accountability and the ensuing identity dilemmas are also apparent in national feminist groups. Spalter-Roth and Schreiber’s (1995) analysis of how national women’s organizations survived the hostile Reagan-Bush years demonstrates that these groups experienced significant internal conflicts over using more professionalized “insider tactics”—legislative lobbying, litigation, and media campaigns—to represent “outsider” issues (feminist ideals of structural change). Adopting the tools and language of mainstream politics did not necessarily result in decreased commitment to feminist objectives and in some instances led to a redefinition of relevant issues. For example, when members and staff pressured the American Association of University Women (AAUW) and Women’s Equity Action League (WEAL), those organizations became active in the abortion rights lobby despite their earlier resistance. Organizations sometimes withdrew from formal coalitions because they were unwilling to accept legislative compromises. NOW, for example, quit a coalition formed by the Leadership Conference on Civil Rights when it was willing to accept a cap on damages in sex discrimination suits; AAUW initiated an independent child care coalition when the Children’s Defense Fund accepted a provision that would have enabled government funding for day care centers operated by religious groups. However, once organizations decided to use insider methods it became difficult for them to revive confrontational strategies, as illustrated by the conflict created by NOW’s desire to engage in civil disobedience during a 1992 pro-choice demonstration. Eventually NOW gave in to the objections of its coalition partners who were concerned about the legitimacy of such action.

One typical tension that resulted from efforts to combine insider methods with outsider issues echoed that experienced by community-based feminist SMOs: relying on government and corporation funding while also trying to maintain a commitment to empowerment and mobilization. This tension was most common among coalitions of direct service providers, such as the Displaced Homemaker’s Network (DHN), the National Coalition Against Domestic Violence (NCADV), and the National Association of Commissions for Women (NACW). As at the local level, these coalitions
were pressured to implement mainstream models of service provision. However, this pressure did not stop them from advancing feminist analyses or advocating on behalf of feminist causes. NOW’s Female Single Parent Literacy Project, funded by the MacArthur Foundation, for example, defined the issue in terms of women’s economic self-sufficiency. In another example, in 1985 NCADV received a grant from the U.S. Department of Justice. When the agency refused to allow the words “lesbian” and “woman abuse” in the organization’s publications, NCADV rejected the renewal of the federal contract.

A second tension resulted from the effort to represent all women while facing difficulties in recruiting diverse members and putting the concerns of women of color, lesbians, and working-class women on the policy agenda. This difficulty faced mass membership organizations, national coalitions, and staff-run and expert-based groups alike. Responding to dual pressures—criticism from feminists that they were elitist (white and middle-class) in their composition and issue preferences and the need to be perceived as linked to a broad-based constituency in order to have power and legitimacy in the policy process—Washington women’s organizations attempted a number of programmatic and outreach efforts, but their success in broadening their memberships and agendas was limited and tended to be accompanied by internal disruption. As Spalter-Roth and Schreiber note (1995, 121), “issues of race, sexual preference, and class were marginalized because these issues divided organizations and were perceived as a threat to their legitimacy with white, middle-class policymakers.” As is discussed below, the tension between inclusion and marginalization is a specific form of internal identity dilemma faced by social movement organizations as they negotiate pressures for public accountability and credibility.

Community-Based AIDS Organizations

With some exceptions, organizational developments within the AIDS activist movement have followed an expected trajectory of organizational growth, bureaucratization, and depoliticization (Cain 1993, 1995; Rosenthal 1996). Community-based AIDS service organizations (ASOs) in North America first developed from the gay and lesbian community’s outrage at the lack of government response to the epidemic. The first initiatives were mainly small volunteer efforts to develop support services, such as hotlines, buddy programs, prevention brochures, and education campaigns, combined with political advocacy aimed at improving medical research, treatment, and services for people infected with HIV. Gay Men’s Health Crisis (GMHC), founded in New York City in 1981, was the first such organization and served as a model for community-based AIDS response (Chambre 1997; Kayal 1991). More generally, early ASOs were characterized by informal, nonhierarchical structures that were thought to be more responsive to, and representative of, the concerns of people living with HIV/AIDS. These organizations also operated with a broader social change agenda that sought to situate HIV infection in the context of homophobia and heterosexism, sexism, and racism and to empower people living with HIV/AIDS through volunteer participation and involvement in ASO program development (Cain 1995).

Given the immediacy of the AIDS crisis, supportive service provision took precedence over grassroots advocacy and ASOs were quick to professionalize, hiring paid
staff and successfully seeking external funding. For example, although only a few of the 16 New York City–based ASOs studied by Chambre (1997) followed a “classic pattern” of volunteer to paid labor and private to public funding, formalization was still the dominant pattern. Rosenthal (1996) also documents that the bulk of community service projects sponsored by New York State’s AIDS Institute shifted from more participatory structures to a more hierarchical client services model, a transition also evident in the Ontario-based AIDS Network analyzed by Cain (1993). As Cain (1993, 1995) argues, this move toward formalization effectively depoliticized these movement organizations—a charge leveled early on at GMHC, leading to the formation of the direct action group AIDS Coalition to Unleash Power (ACT UP) in 1987 (Wolfe 1994).

Although the development of community-based AIDS organizations appears to mirror the trajectory of feminist groups toward formalization and professionalization, most studies offer little evidence of the same level of internal organizational resistance or serious risk to organizational survival. In fact, it appears that the impetus for professionalization was self-conscious “impression management” and the desire for external legitimacy (Cain 1994; Elsbach and Sutton 1992). ASOs explicitly sought to distance themselves from their origins in the gay and lesbian community by presenting themselves as professional service agencies serving the general public. In the AIDS Network, for example, efforts to appear “respectable” took the form of establishing a board of directors composed of nongay professional and community leaders, favoring staff hires based on technical and administrative experience rather than political commitment, and appropriating the language of professional agencies (Cain 1993, 675). In a sense, such actions represent a pattern of preemptive rather than reactive formalization.

This situation highlights a distinctive feature of AIDS organizations: The type of identity dilemma they confront is located less in their orienting ideologies and more in the stigmatized nature of the disease and the constituencies they serve. The early definition of AIDS as gay disease and the origins of AIDS activism in the gay and lesbian community were later compounded by the visible spread of the epidemic to injecting-drug users and poor women who were disproportionately black or Hispanic. As Cain (1993) notes, “concerns about the public image of the organization and the potential for stigma have played central roles in shaping organizational change,” a dynamic also evident among feminist organizations attempting to diversify with respect to race, class, and sexuality. In many cases, the original “organizational stakeholders”—gay clients, noninfected gay men and lesbians, AIDS issue activists and volunteers—were marginalized because of a reluctance to overidentify the organization with gay and lesbian issues (Rosenthal 1996). Instead, ASOs shifted their concern to attracting support from nonactivist gay men and lesbians and social service and health professionals, emphasizing the idea that everyone was at risk of contracting HIV, and orienting service provision to the “general,” predominately white and presumably heterosexual population (Rosenthal 1996). Such efforts at “de-gaying AIDS” (Cain 1993), however, have been only moderately successful, and the marginalization of those most affected by the epidemic has both organizational and practical consequences for people living with AIDS (see also Cohen 1999 on how stigma and marginalization constrained AIDS mobilization in the black community).
Public Interest Science Organizations

Although the experiences of feminist and AIDS organizations may seem distinctive because of their attempts to meld political action and grassroots service provision, Moore’s (1993) examination of public interest science organizations formed between 1960 and 1970 demonstrates that founding identities also constrain responsiveness among national-level movement organizations. Moore’s analysis of Science for the People (SftP), the Union of Concerned Scientists (UCS), and Scientists’ Institute for Public Information (SIPI) suggests that in addition to compatibility between collective identity and organizational form, a key feature of organizational identity is its inward or outward focus, which influences the group’s ability to scan the environment and respond to social and political change.

Of these three public interest science groups, Science for the People was the most constrained by its founding principles. Established in 1969 at the annual meeting of the American Physical Society to oppose the Vietnam War, SftP defined itself in radical opposition to other science groups and mainstream professional science practices. Its antiwar stance was embedded in a systemic critique of capitalism and the tie between science and the military-industrial complex. SftP, like other New Left groups with which it was affiliated, was based on egalitarian principles, and local groups were linked through informal cooperation. The activities of the local groups (represented in 40 cities by 1972) included providing technical assistance to the Black Panthers, defusing bombs at bomb factories in Philadelphia, conducting direct action at Lawrence Livermore Laboratories in California, and holding public education campaigns. Financial needs were minimal, and the group never received substantial external funding. The most labor- and resource-intensive activity was publishing the magazine Science for the People, which was largely self-sustaining through the efforts of the Boston chapter.

In 1972, after a period of fairly rapid growth, SftP confronted an identity crisis that took the form of conflict over the question of what role scientists should play in a radical movement. The egalitarian emphasis of SftP placed a premium on critical self-reflection, and the group’s energies became absorbed with the (apparently never-ending) process of deciding “how to go about deciding who they were, rather than focusing their discussions on who they were” (Moore 1993, 193) (emphasis in original). This inward-looking project came at the expense of developing strategies for responding to a changed political environment, particularly the end of the Vietnam War and the emergence of feminist and third world movements that offered members alternative avenues for activism. In addition, SftP was never able to provide a means for activists to reconcile the demands of their identities as scientists and radical activists. According to Moore, SftP’s narrow self-concept as a radical organization left few ways of organizing open to it and also undermined its ability to respond quickly or effectively to internal or external circumstances. Although the organization tried a variety of strategies to revitalize itself during the 1970s and 1980s (including creating a national office), it was ultimately unable to incorporate new issues or innovative practices that might have enhanced its survival prospects, and SftP finally collapsed for financial reasons in 1989.
UCS and SIPI were much better positioned to survive over the long haul, although
the two organizations varied in terms of how much internal change this required.
Formed in 1969 by Massachusetts Institute of Technology faculty and graduate stu-
dents, UCS remained relatively close to its original form and mission as a politically
neutral lobbying group funded by individual donations that sought to promote the
use of scientific information to solve social problems. From the outset, UCS defined
itself as a moderate group, and within its first few years it began a process of for-
malization by hiring a paid staff person. In the early 1980s, as the nuclear energy
agenda that motivated the group in the 1970s waned in importance, UCS shifted its
attention to the arms race, and by the middle of the 1980s it had established itself as
a respected watchdog group and political insider. It was also operating on a solid fi-
nancial base, largely from individual contributions but also with some outside grants.
UCS was never confronted with internal conflicts of the sort that beset SFtP, and it
has continued to run smoothly even as it has grown to include a full-time financial
manager, researchers, legal staff, and a Washington-based lobbying office. Over time,
the operation of UCS has remained substantially the same, with separate research
groups producing reports on specific issues of concern. UCS’s original structure as a
public interest lobbying group with no political agenda enabled it to orient itself ex-
ternally and take advantage of new opportunities for activism. It was able to change
its substantive focus without undermining its core identity. Just as important, the ac-
tivities of UCS were consistent with the routines of scientific practice, thereby rein-
forcing, rather than challenging, its members’ identities as scientists. In effect, there
was little in the group’s collective identity and structure that compelled it to turn
inward.

SIPI, created in 1963 by Barry Commoner, took a somewhat rockier path, with
more dramatic change from its original structure as a coalition of 23 local science
information groups, run by two charismatic leaders (Commoner and Margaret
Mead), to a $2.5 million organization with no local affiliates, run by a staff of 15
and governed by a board of directors. SIPI continues, however, to follow its origi-
nal mission: to provide the public with unbiased scientific information. In its first
few years of operation SIPI remained “committed to the principle of avoiding cen-
tralization and professionalization as threats to local initiative and volunteer par-
ticipation” (Moore 1993, 209) and employed only two paid staff in its national
office. The first significant organizational change took place in early 1964, when SIPI
changed its emphasis from the genetic and environmental effects of radiation to en-
vironmental issues more generally. The transition occurred smoothly, largely be-
cause it was framed as consistent with the group’s founding mission and was broad
enough to accommodate the interests of its board and volunteer members. Arguably,
the fact that this shift did not require any alteration in the organization’s structure
and operation is also relevant.

In 1971, after an “identity crisis” that revolved around the relationship between
the national office and local chapters and the role of scientists and nonscientists in
the organization, SIPI undertook significant structural change: The group reconsti-
tuted the board to include nonscientist community members, created a new field or-
ganizer staff position, hired a new director who had a science background but was
by trade a professional administrator, appointed a committee to outline the group’s
new goals, and voted to open SIPI to nonscientists as dues-paying members. The
organization also considered adopting a federated structure but opted to continue with less formal ties between local chapters and the national office. Again, these changes were explicitly framed as consistent with the “original intention” of the group; that is, they were conceptualized as the best means of enhancing the organization’s ability to find the most innovative and relevant means of providing scientific information on issues of public concern.

After this point, the national office became more strongly involved in its own projects, departing from its early role of facilitating the activities and information dissemination of local groups. Another critical moment came in the late 1970s, when Mead died and the executive director orchestrated the departure of Commoner, who was beginning to be considered a political and financial liability because of his political outspokenness. The shift of power from these two charismatic leaders to a professional administrator guaranteed that organizational survival would be a central concern. Finally, the elimination of local groups and nonscientist members, which could have undermined organizational stability since it did, in fact, contradict SIPI’s founding identity, was accomplished through “benign neglect”—absent strong national leadership, locals simply disappeared or transformed themselves into independent groups. Moore attributes SIPI’s ability to be both innovative and organizationally stable to its early formalization efforts, which included incorporating as a nonprofit and hiring a full-time director who was a professional administrator. These features contributed to SIPI’s ongoing ability to capitalize on the public’s interest in environmental issues, as well as to make structural changes without undermining the group’s central identity.

Organizational Identity As Charter and Constraint

Across a wide range of social movement organizations, it is clear that organizational identity operates as both a charter, in the sense of directing the group toward particular combinations of ideology, structure, and member or sponsor relationships, and a constraint, especially with respect to the organization’s ability to respond to changing circumstances. It is equally clear that a variety of attempted solutions to the “identity dilemmas” arise when movement organizations become increasingly involved with the very state agencies and officials they mean to challenge or otherwise need to establish themselves as credible advocates and service providers.

As expected by social movement and organizational scholars, one dominant trajectory is toward greater formalization and professionalization at the expense of initial ideological commitments (Piven and Cloward 1977; Zald and Ash 1966). However, it is important to situate the content of organizational formalization on a continuum of reactive to preemptive responses. At one extreme, movement organizations such as the Los Angeles Commission on Assaults Against Women formalized reactively as early activists struggled to remain faithful to feminist ideology and practice. Despite their best (and often creative) efforts to resist the imposition of a conventional social service model, they ultimately ceded to pressures for institutional conformity (DiMaggio and Powell 1983; Powell and Friedkin 1987). Other social movement agencies—for example, the Pasadena and East L.A. rape hotlines, the Domestic Violence Project, and the Sexual Assault Crisis Center—also converged on a
service agency strategy, but with apparently less internal disruption as this shift was relatively consonant with the politically liberal commitments and professional backgrounds of early activists, who had less ideologically based skepticism about the consequences of state involvement. At the other end of the continuum, AIDS service organizations have apparently attempted to consciously leverage the service agency model in order to preempt the expected reluctance of state and private sponsors to support activism on behalf of stigmatized social groups.

Without a doubt, formalization and professionalization often take place at the expense of political principle and key organizational stakeholders—especially for movement organizations originally committed to decentralized structures and participatory modes of decisionmaking. Given the presumption that informal and community-based groups are more responsive and representative, the trade-off is particularly acute for movement organizations that are committed to a more comprehensive, or radical, vision of social change. Such groups are characterized by a relatively tight coupling of organizational structure and ideology. They therefore tend to be more focused on internal processes and correspondingly less effective at monitoring and responding to external events. In addition, ideologically grounded organizations are faced with the tension that results from attempting to integrate volunteers, staff, and board members who do not share the same activist commitments or political identities that motivated the founding of the organization. These tendencies are mitigated in more ideologically neutral organizations with relatively broad self-concepts that enable them to be focused externally (the Union of Concerned Scientists is an example). An external orientation facilitates responsiveness to shifts in the political and resource environment and presents fewer internal obstacles to implementing change.

Juxtaposing Moore’s (1993) analysis of activist science organizations with the discussion of feminist SMOs responding to the hostile political climate of the 1980s, however, suggests that ideologically structured organizations are not necessarily constrained by an internal focus or an inability to transform themselves in ways that depart from their core organizational identity. Rather, it appears that diversification of the grassroots base of support is one strategy that enables SMOs to hold on to their original political identities. More generally, an organization’s active and continued connection to its movement base, or original organizational stakeholders, seems to be a key determinant of its ability to resist pressures for formalization and deradicalization. This strategy contrasts with an alternative response to increased financial and political resistance—diversification of the organization’s funding base—that runs the risk of diluting the group’s original commitments.

An open question is what the implications of such processes are for the representation of more activist voices and practices in the realm of public ideas. Groups such as Science for the People, advocating a more critical analysis of the relationship between science and politics, appear more likely to face internal conflict and eventually become defunct. The San Fernando Valley Rape Crisis Service, which rejected state funding in order to maintain its identity as a radical feminist collective, met a similar fate within a much shorter time. More generally, national women’s and civil rights organizations that espouse radical social change goals have a higher likelihood of failure than reform-oriented associations (Minkoff 1999). In addition, getting caught up in the dominant service model appears to decrease the direct advocacy component of
community-based movement organizations, although this dynamic did not appear to be as determinant for the national coalitions of feminist service providers studied by Spalter-Roth and Schreiber (1995).

The combined processes of organizational failure and moderation tend to favor the resilience and survival of more conventional organizations that use “insider” methods of advocacy and service provision. By extension, the assumption is that the social movements of which they are a part are also deradicalized. However, the tendencies toward convergence on traditional service-based and interest group models do not necessarily imply that all movement constituencies are devoiced. As was the case in both the AIDS activist and feminist antirape movements, new groups such as ACT-UP continue to be created in the space left open by their less challenging counterparts (a pattern that has also been documented in the civil rights, gay/lesbian, pro-choice, and environmental movements, among others). The fact that movements for social change are composed of a diversity of organizations provides a baseline guarantee that at least some of these more activist positions will find their way into the public sphere. And, as I have argued elsewhere, an established organizational infrastructure is necessary for supporting activism more broadly (Minkoff 1997; see also Staggenborg 1988). However, even though new group formation is a dynamic and innovative element of social movements, it is no substitute for broadening inclusiveness within established organizations. Nor is it sufficient simply to bring new constituencies into the established agenda of the organization without serious consideration of how doing so might challenge and require change in the group’s core identity and corresponding structures and practices.

The key issue facing social movement organizations—and other nonprofit agencies and advocacy organizations—in their effort to be responsive to shifting external conditions while remaining accountable to their constituencies is the consistency of organizational change with founding identity. On balance, it appears easier to alter the organization’s substantive emphasis or issue objectives than to establish new administrative structures or operating procedures. To the extent that continued viability requires structural modification, organizational actors need to convince their members and supporters that such changes are, at a minimum, congruent with the group’s original mission. This may itself require a significant reconceptualization of what are considered to be the best means available for realizing the organization’s objectives. One practical strategy for innovating without compromising viability is to work with new organizational constituencies to familiarize them with the organization’s original collective identity, at the same time giving established constituencies a role as new practices are being put into place. Consolidating the internal base of support in this manner is likely to be more feasible than convincing political authorities and external sponsors to moderate their demands for ideological and structural accommodation. And perhaps, as a result, the “political tightrope” may be less treacherous to walk.

NOTES 1. Zald (2000, 3) defines “ideologically structured action” as “behavior which is guided and shaped by ideological concerns—belief systems defending and attacking current social relations and the social system.” Earlier definitions of social movements have stressed the outsider status of the group, in terms of either the noninstitutional tactics they are willing to use or their lack of representation in the polity. Given the highly institutionalized nature
of protest politics in the United States and the tendency of contemporary social movements to deploy both conventional and confrontational tactics and organizational models, Zald’s conceptualization is useful.

2. More specifically, organizational identity is the particular combination of ideology, mission, operating structure, and member and sponsor relationships that critically shape an organization’s ability to mobilize support from members, sponsors, and authorities—what Hannan and Freeman (1984) refer to as the core feature of an organization. As Moore notes, organizational identity makes “some kinds of action possible—like hiring full-time staff or working collectively—while rendering others unacceptable” (see also Clemens 1996 for a similar conceptualization of organizational form).

3. Formalization refers to the creation of “established procedures or structures that enable them [social movement organizations] to perform certain tasks routinely and to continue to function with changes in leadership. Formalized SMOs have bureaucratic procedures for decision making, a developed division of labor with positions for various functions, explicit criteria for membership, and rules governing subunits (chapters or committees)” (Staggenborg 1988, 587). Professionalization denotes increasing reliance on paid staff, who make a career out of the leadership and management of SMOs (McCarthy and Zald 1977). In a number of the cases discussed here, the term “professionalization” has the additional meaning of becoming dominated by established human service professionals (e.g., social workers, health care providers) who are committed to rational case work as a model for action (Matthews 1994).

4. In an analysis of the survival tactics of four national poverty advocacy groups during the first term of the Reagan administration, Imig (1992) describes a similar domain shift by Bread for the World, which avoided conflict by moving from domestic to international hunger issues and thereby increased its base of private support.

5. Spalter-Roth and Schreiber (1995) examined the activities of 19 women’s organizations with headquarters in Washington, D.C., including mass membership organizations such as NOW, AAUW, Coalition of Labor Union Women, and the National Council of Jewish Women; coalitions of direct service providers, including the Displaced Homemakers Network and the National Coalition Against Domestic Violence; and staff-run and expert-based groups such as the Women’s Legal Defense Fund, the National Institute for Women of Color, the Fund for the Feminist Majority, and the Center for Women Policy Studies.

REFERENCES


The Advocacy Institute is a capacity-strengthening organization whose mission is to work with political, economic, and social justice groups in the United States and outside our country. Our objective is to strengthen social movements that set public agendas and change public policies. Capacity strengthening in our frame of reference includes skill building but is not limited to it. As important, if not more important, is the chance for issue advocates to reflect about the nature of their work, to celebrate it, to sustain themselves as advocates, to create a community of social justice practitioners, and to network among those working on the same or similar issues and across issue lines. The reflective practitioner should be valued and is one who can stand back from her or his work and look at it with an eye toward nuance and critique and take joy in actions that improve people’s lives and strengthen people’s voices so that the powerful hear them.

Many activists are not accustomed to writing. It is not their natural bent, although talking is. It is also known that the canons of research do not always digest well with practitioners. Yet each benefits from the other, provided that respectful relationships can be established.

The Advocacy Institute places a high value on the work of research. Let us salute efforts by academicians to capture advocacy campaigns. These case studies inform the practitioner’s world and the academician’s world. Hard issues have been studied, including the relationships between southern and northern nongovernmental organizations (NGOs). Increasingly, new literature on advocacy campaigns has been written by practitioners. This is healthy and will lead to continued and engaged dialogues.

This chapter starts by addressing issues of social justice advocacy that affect people worldwide. These issues are primarily drawn from national and local experience. Out of these issues, the chapter will explore what practitioners and researchers can do together when respectful relationships exist. It will tell about the power of stories, the importance of creating one’s own information, and why it is critical to use one’s own media. It will reveal commonalities that cut across many countries and show that underneath it all is the importance of bringing the lessons from these issues home to the United States.
Issues That Affect Social Justice Advocates Worldwide

Now we are in the 21st century, reflecting on the great changes that have occurred in the last quarter of the 20th century. Countries undergo rapid societal changes. Since the 1970s, 54 countries have shed authoritarian governments or dictatorships. In many nations, multiparty elections occurred for the first time. These steps in political liberalization and democratization have changed the power dynamics between governments and their citizens.

At the same time, economic globalization and the rapid-fire movement of capital across borders dominate the national policies of developing countries (countries that are poverty-stricken). Economic globalization has weakened fragile and emerging democracies. It has made it harder to meet people’s needs. Weakened governments cannot govern effectively, because actors outside the state direct key national policy decisions. This is not a conspiracy theory but one based on the reality of who has power, who is the creditor, and who is the debtor.

The contrast between the political and economic gets sharper. In some countries, mass movements and mobilizations force dictators out of office. Even when that does not occur, organized opposition builds and creates a civil society, as in Zimbabwe now and eastern and central Europe in the 1980s. The groupings within civil society make their presence felt. In some countries, such as Ghana, significant political change has occurred without mass mobilization.

The sights are riveting. People wait patiently in long lines to cast their votes. First-time voters wear new or special outfits to mark the occasion. The atmosphere is appropriately celebratory. Why not? The process is egalitarian. Each vote is counted individually. People accept the vote results when they are announced. The winners take office. Do not discount the importance of this event. These countries have much to teach the United States—on voting technology, on confidence in the count, and on how civil society will not allow orderly transfers of power to be breached. The head of the independent Indian Election Commission suggested, more seriously than facetiously, that he receive a grant to recommend ways to improve the U.S. election process on Election Day. We have much to learn from Benin, Brazil, Ghana, India, Mali, and Senegal, to name a few examples.

Serious fallout occurs when the results from elections that are free and fair are respected. People’s expectations rise. Governments and legislative bodies respond by cleaning up the excesses of the authoritarian government. However, hopes generated by the changes may be short-lived. Disillusionment sets in quickly. External economic forces do not allow government to meet its people’s needs. People expect their lives to improve. Yet, as Padraig O’Malley writes in *Southern Africa: The People’s Voices*, “rather than standards of living increasing, people find they often decrease. The poor remain poor; the homeless, homeless; the unemployed, unemployed” (1999, 8).

How can people not be paralyzed by the harmful forces that undermine the positive actions that have occurred? Issue campaigns have modified government policies across national borders. In effect, cross-border publics have been created. Think of the following campaigns:
As opposition to the multilateral investment treaty grew, political space was created and felt. The power to approve was blocked.

The land mine treaty moved ahead and U.S. opposition did not block its adoption.

The Jubilee 2000 Campaign has changed policies of international institutions and the governments of developed countries. Implementation of debt reduction has created vigorous politics in countries such as Bolivia and Uganda.

In each of these efforts, the unexpected happened: More progress was made than was initially expected. At the beginning, the odds were against any real progress being made. The outcome turned out differently from the conventional predictions.

In this context, a research agenda can examine two important directions that advocates working to strengthen civil society are moving in: (1) forging accountability by public officials and thereby advancing human rights, and (2) creating the necessary space to enable advocates outside government—civil society organizations that initiate issue-based campaigns—to strengthen participation in the society and change policies as well.

Advocates must be free to engage in robust issue politics without being harassed. Pressuring government by engaging in vigorous public argument and organizing should bring no harm or threats to advocates from public officials, and it is not acceptable to call advocates disloyal or traitors.

Frontline advocates often focus on the following five areas:

1. Advancing and strengthening human rights

- Embrace a broad human rights agenda by using popular education issues so that people are aware of their existing legal rights. Implementation of these rights is emphasized. Such action assists others in the exercise of their rights.
- Pressure governments to ratify international human rights treaties and laws.
- Change domestic laws to conform to international laws when those standards set a higher human rights threshold.
- Enforce existing domestic human rights protections.

2. Countering corruption and creating a culture of transparency

- Change the culture of accepting corruption and its deeply embedded practices by exposing them and shaming the perpetrators. Corruption and preventing corruption cut across borders, as the work of Transparency International demonstrates. The unexpected also occurs. The Bulgarian experience of fighting corruption gave ideas and stimulated those in Nepal who were fighting corruption.
- Educate the media to elevate investigative journalism professionally.
- Procure and perform government contracts with established standards of ethics and integrity.
By law, practice, and use, create expectations that government officials are expected to make information readily available. The right to know is to be respected by those in authority.

Enact and enforce laws on financial disclosure and conflicts of interest, and identify the source of election campaign funds and ways to regulate their use. Enforce this use by developing an accountable system for government officials to make the information easily verifiable and obtainable.

3. Linking the personal and the political with regard to violence against women

Build individual and community responsibility to change social attitudes.

Local campaigns across borders have learned from each other. This learning leads to an overlap in the zone of family matters and societal and government responsibility. Men must create a culture for accepting their responsibility to prevent violence and not accept it in any form.

Emphasize that government has a responsibility to protect all its citizens against violence, including that perpetrated by “musclemen,” religious fundamentalists, and roving gangs of political thugs.

4. Analyzing public budgets to demystify the ultimate policy document

A thriving cottage industry exists in many countries that takes its lead from the U.S.-based Center on Budget and Policy Priorities. The learning process has been rapid, with the following effects:

Amplifies the voices of people not heard.

Expands issue discussion by the media and other parts of civil society that otherwise would be ignored.

Exposes distorted distribution of public resources.

Provides new political space for people’s participation, as exemplified by the imaginative creation of women’s and poor people’s budgets.

How this process can make a significant difference is demonstrated by what happened as a result of the South African Women’s Budget Initiative, which had the kind of results that researchers should be examining elsewhere.

It provided budget analysis skills to more than 20 new researchers.

Many researchers initiated budget work for their organizations.

It provided in-depth research on 30 government departments.

It provided baseline data for sector policy research.

The South African government now has a declarative policy of monitoring the quality of women’s life. Now the government’s monitoring will have to be monitored.

One possible area for research in our country is the skill level of social justice advocates in analyzing budgets in our 50 states so that the analysis is influenced by the agendas of grassroots and community-based organizations.
5. Making the election process relevant

At times, the process does not come close to being free and fair. At other times, those elected, and sometimes the U.S. government as well (particularly during the Cold War), thought of elections as the sole criterion of democracy building.

Outside the United States, a shift is occurring. Elections are seen as one arena of advocacy action. Issues run for election. Although issues run for election, the effort takes place within the limits of boundaries. Advocates have to advance the issue and respect the boundaries. To do so, advocates must do the following:

- Learn to be political without being partisan by raising the organization’s or coalition’s priority issues.
- Avoid endorsements of or opposition to a political party or candidate. Advocates do not say, “vote yes” or “vote no” on particular political parties or candidates. They let issues generate their own political consequences.
- Take three actions: (1) ask the same issue-based questions of all political parties and their candidates; (2) get answers from them and make what is received public; (3) provide the political parties and their candidates with the organization’s answers to those questions.
- Follow the flow of campaign money from givers to receivers. Identify any patterns of giving or receiving.
- Engage the media by having them listen to what voters indicate are their priority issues, and press the political parties regarding how they will keep their promises and pay for them.

The Lessons: A Practitioner’s Perspective

Advocacy goes beyond pursuing outcomes. Social justice advocacy consists of organized efforts and actions based on the reality of “what is.” These organized actions seek to highlight critical issues that have been ignored and submerged, to influence public attitudes, and to enact and implement laws and public policies so that “what should be” in a just and decent society is the reality. Human rights—political, economic, and social—provide an overarching framework. Advocacy organizations draw their strength from people and are accountable to them through their members, constituencies, and the affected groups. This is not an abstraction. Its objective is to enable social justice advocates to have access to and a voice in the decisionmaking of relevant institutions, and to change the power relationships between these institutions and the people affected by their decisions. The institutions have to change themselves to create the change that improves people’s lives.

From our experience, five basic lessons can be drawn from social movement advocacy. These cut across national boundaries, cultures, and histories. Social movements influence actions that embrace political, economic, and social institutions. In their actions, ideas matter, organizing matters, and an ability to influence an institution’s direction and behavior matters.
Advocates have no illusions that, in conventional terms, they are the dominant power holders. (References to “advocates” here mean social justice or social movement advocates. If there is another meaning, that meaning will be specified.) Unequal power relationships affect transformational, systemic, or incremental change between advocates and decisionmakers or those who hold power over the decisionmakers. Such relationships affect efforts to change public policies or public attitudes.

History tells us that those with seemingly fewer power-related resources can overcome those with greater power. Martin Luther King Jr., Rosa Parks, and Gandhiji each knew that understanding the “give” in power dynamics mattered. Their sense of vision enabled them to have a sense of possibility. They drew strength from their

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1. Power and Risk

Overcoming Racial Inequalities in the U.S. South

Screven County, Georgia is a very small rural county in the U.S. South. The population is about 13,000, almost half of which are black. What we in the progressive movement would recognize immediately as blatant injustices—things that are clearly wrong and very often illegal—are so often seen as normal procedure here. Doing justice-based work is difficult because both sides of the community—the power structure and the minority community—appear to have some comfort level around the injustices.

Since the Positive Action Committee (PAC) started organizing, we now have lots of allies, particularly in the African American community both inside and outside Screven County. As far as the power structure goes, we are at a point where we can actually have a conversation that is filled with a little less tension than it used to be.

For example, at a recent Board of Education meeting, the issue came up of whether to allow students to participate in the graduation ceremony if they had not passed the high school graduation test mandated by the State of Georgia. Most of the children who don’t pass the test are African American. This is because of racially-biased practices that have kept these children from getting the education that they need to pass the test.

The board passed the policy, saying that if the children hadn’t passed the high school graduation test, they couldn’t march in the ceremony. We don’t necessarily disagree with the policy. But there was a time when that would have been the end of the discussion. The board would have passed the policy and we would have had to really fight to get the issue on the table. We would have met some very stony faces of silence, sometimes open hostility, and we probably wouldn’t have accomplished much.

At this meeting, we sat quietly to see how far down this road they were going. All the things that we were concerned about, they brought up themselves. We didn’t have to say a word. The superintendent admitted that they have to take responsibility for the fact that these children can’t pass the test and do something about it. A white man brought up the issues that PAC had been pushing all along: How do we let these children know that they’re in trouble? How do we let their parents know? What is a better way for us to do this? How many chances were they given to pass the test?

Another board member asked if we could prove that the things on the test had actually been taught to these children. There was a real discussion around how we close the gap, a conversation that was initiated by the board. Even though we participated in it, we did not have to initiate it.

We do understand that there will be other battles with this board. We’ve learned not to assume that because we have accomplished something in one arena, that when another issue hits the table, it will not be business as usual. But the fact that there has been that little bit of progress gives us great joy.
vision. In turn, their deeply held commitments and the commitment of those who actively supported them created additional intensity.

It is essential to capture experiences and hear stories. What kept people going? What did they have to overcome? What barriers initially blocked them? Did they get around those barriers and, if so, how?

In social justice advocacy, work, and actions, risk is prevalent in many settings. People are falsely indicted for conspiracy to commit murder in water and land disputes. There are stories of human rights organizers who cope by engaging government officials in a face-to-face relationship on the theory that it will be harder to order their death if someone knows them.

In undertaking a campaign or an action, groups owe it to their members to deal with risks directly and without ambiguity. In the paragraphs that follow, we have distilled the experience discussed by advocates in rural United States, Bangladesh, India, Namibia, South Africa, and Zimbabwe.

Hard questions must be asked. As advocates attempt to change who receives what benefits, who owns what land, and who has access to water rights, forestland, and fishing rights, they are engaged in basic livelihood struggles.

What are the sources of power of those who wield power? Do they have the apparatus of the state behind them? What actions will the power wielders take to intimidate those seeking changes?

What are the physical, emotional, psychological, economic, political, and organizational risks? How do advocates support each other?

Risks come with taking effective action. Seasoned activists, and above all accountable ones, expect risks. What steps does an organization take to ensure that its leadership is accountable and has the presence of mind to be hopeful and resilient while in no way reducing its anger against injustice? Anger cannot cross the line to lead a charge filled with unnecessary risk. Such wisdom comes only from discussing

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**Risk**

*Contributed by Vivek Pandit, 1990 India Advocacy Fellow, cofounder of Vidhayak Sansad and Shramajeevi Sanghatana, and director of Samarthan.*

We have organized around the philosophy of non-violence and avoided unnecessary risks. Yet we have seen violence as a group and as individuals. These physical attacks strengthened our organization. We not only survived, we grew.

In one such instance, a criminal Member of the Legislative Assembly (MLA) was nominated to serve on the Committee for Tribal Welfare. The MLA had instilled terror in the tribals’ hearts; he had murdered them and grabbed their land. We appealed his nomination to the Chief Minister. When our appeals fell on deaf ears, we decided to demonstrate in the cordoned-off area in front of the Mantralaya, the seat of state governance. No more than five people are allowed to assemble there, so we knew we would have a confrontation with the police.

We planned a peaceful demonstration in front of the building. To try to understand what might happen, we selected strong, committed activists and role played the entire demonstration twice. One group acted as police, and the other group as demonstrators. It soon became clear that the demonstration would result in the police beating back the crowd with their police sticks. Such beatings can cause injury or death. Knowing the risk, we decided to go ahead anyway.
matters with the group and from earning the respect of the participants by voicing their concerns and articulating where they stand.

How does an organization deal with risk? Is it open and accountable, or is it celebratory of those who take the risk even if the short-term objective has not been reached?

By examining actions in this country and around the world, we see what organizations mean by information. It is something far more than facts. Information puts different sets of facts together to create a story. The story may be based on numbers. It is multisourced because it may use experience, observation, interviews, and various methods of inquiry to gather information. Once the information is gathered, the participants analyze the issue to show relationships, patterns, trends, and contradictions.

Take two leading organizations in this country—the Children’s Defense Fund (CDF) and the Center on Budget and Policy Priorities (CBPP). Both focus on low-income families and their children. Both organizations are deservedly held in high regard by supportive policymakers, journalists, and members of the academy.

CDF uses its gripping facts, all drawn from official data, to shock and shame Americans about official neglect of America’s children. Children are powerless, and children from poor families even more so. Neglect reflects a callousness of official inattention and action to take corrective steps.

CDF frames the issue in themes that all Americans share by calling for children to have a healthy start, a head start, and a fair start. Who can argue against a “healthy start” or giving children special attention through a “head start,” a term associated with America’s most popular children’s program? With a “fair start,” CDF appeals to a core American value that all should start on a level playing field.

CDF looks for partners in its use of information. An illustrative example is its partnership with Northeastern University’s Center for Labor Market Studies. CDF uses the authority of an impartial academic center to strengthen the credibility of CDF’s case about the economic plight of young families in America and the harm that plight causes children.

The CBPP analyzed income disparities by state and found that economic growth was not shared evenly among the rich, the middle class, and the poor. CBPP uses official data to tell a story and finds 50 stories to tell by localizing the data among the states. The data show the widening gaps between the rich and the middle class. CBPP tells a story that the government chooses not to. That shows, again, the power of groups who are autonomous from government to frame public debate. CBPP uses separate slices of official data to tell a more complete story that, at the same time, is particularized for different locales. The larger story is that the CBPP has documented an income disparity gap that reaches beyond the poor.

Lessons learned from South Asia tell us much about the use of information that stresses a people-centered advocacy. People start by gathering information about poverty and by collecting data from the village. The collective knowledge of the people who have gathered and collated the information is important. They may count chickens, eggs, or crops. Collective knowledge provides the clues that people need to work together to attack the conditions in their area.
The gathering of information is not an empty exercise. The action leads to education, planning, training, and communication with government officials. The people come equipped not only with skills, but also with information not known by government officials. Gathering and collating that information is a relevant source of power. The villagers gather it, organize it, interpret it, and understand its meaning. They give meaning to the reality of knowledge as power.

Mass mobilization and other forms of outside pressure, such as litigation or boycotts, are necessary tools to change policies and institutions. Alone, they are insufficient to sustain the effort. Mobilization is often a short-term action in which the tendency is to treat people as objects. In issue-framing terms, casting people as “all good” or “all evil” does not work. The emphasis must be on organizing. Organizing is about creating sustained actions.

Mobilization techniques, accompanied by low-cost interactive technologies, can work effectively where a community of interest has been organized to express its agenda. Realism requires creating tough organizing measures that sharply frame issues. This measure is necessary to sustain ideas on the public agenda. For example, studying local and state tobacco control advocates shows what it takes to challenge organized power that has unlimited financial resources.

The contrast between mobilization and organization leads to an additional element. Because navigating complexity is a prime concern, advocacy groups need to

3. Engaging Public Policy Systems

Disseminating Critical Information to Decisionmakers

The institutions of government play a vital role in creating, administering, and changing development policies. The government does not have the capacity to research and monitor implementation of its legislation. Non-governmental organizations (NGOs) and community-based organizations (CBOs), though, are grassroots-based and have first-hand information on issues affecting the public. By conveying the difficulties and frustrations they and their constituents face, advocates can inform the government about the results of their decisions.

For example, my former organization, the National Institute for Public Interest Law and Research (NIPILAR), was involved in monitoring Section 29 of the Amended Correctional Service Act 1996. We sought the government’s permission to visit prisons where children in conflict with the law were kept. Visiting the prisons was an eye opener. It was an opportunity for the team to see the conditions under which the children were kept and to talk to the children. Armed with the information the team gathered from the visits, a submission was made to Parliament which led to review of the legislation.

Interacting and working closely with the government departments provides opportunities for lobbying, getting information, and understanding how the government operates. In South Africa, this has enabled NGOs, CBOs, and individuals to formulate policies (white papers) which have led to the tabling (consideration) of bills before Parliament.

As a result, people feel that they are actually part of the process and have a say on issues that affect them. This is a success story for the community, and they are now more willing to work with advocates to improve their way of life.
be involved in policy analysis and influence. Certainly, corporate expertise and government officials will be so involved. Think tanks, universities, and research institutions will add their perspective, and it is not always known who is paying for their work.

To navigate complex policy systems and not withdraw from engaging them means that those who have knowledge, and those who draw on people with knowledge, must sit at the decision-making table. The advocates have to be able to conduct policy analysis, or draw on those who do, without abandoning their ability to make decisions about what course to follow and about how and under what circumstances they should compromise.

The harsh lesson is that, without the direct participation of NGOs and other civil society organizations and without a social justice perspective, the solutions chosen invariably ignore people’s needs. This holds true in local, national, regional, and international settings. To use one example, think of the structural adjustment programs imposed on developing countries by the International Monetary Fund (IMF) and the World Bank, with the support of the United States and other industrialized countries. These policies have thwarted local social and economic development over the past 20 years in southern hemispheric nations worldwide.

To engage decision-making systems, advocates must have answers to the questions they pose. The answers must embrace practical politics and be compelling on their merits and with political punch to support their demands. The questions center on the following:

- Will the solution address people’s needs?
- Whose voices will be heard that otherwise would not be heard?
- How inclusive is the effort? Who is left out, and does it matter?

Whatever the question, advocates need to develop benchmarks that indicate success. Advocates who organize to create and manage the flow of information empower themselves. Advocates will find practical uses for information by disseminating it to public officials or educating their members and constituents in its uses to apply pressure on decisionmakers. Such actions may include micropolicies, or matters that deal with implementation, to get at immediate issues that affect people’s lives.

Advocates can engage policy systems at the macro level as well. For example, the Gross Domestic Product (GDP) measures the total flow of goods and services that a national economy produces. Its limitations are increasingly noted by many different sources. GDP ignores measures of natural resource and human capital. It masks the social cost of economic growth and the widening income gaps. To focus public argument on critical social justice issues, other measures must be used.

Advocates know that an existing practice, even a harmful one as this arguably is, will not change without an alternative. For alternatives to be credible, credentialed professionals have to support it. These professionals are formally separated from the immediate world of the advocates, which adds to their authority.

The following measures are alternatives to the GDP:
The United Nations has developed the Human Development Index (HDI). It measures life expectancy, adult literacy, mean years of schooling, and per capita income.

The Gender Development Index (GDI) adjusts the HDI to account for gender inequality and imbalances in basic education, health, and income.

The Gender Empowerment Measure (GEM) measures whether women and men are able to participate actively in economic and political life and decisionmaking.

The Genuine Progress Indicator (GPI) measures the economy’s performance. It examines social and environmental costs such as crime, natural resource depletion, and leisure time. It adds essential aspects of the economy that are now excluded, such as housework and volunteering.

Southern NGOs and their northern allies use such indicators to ask critical questions that frame a public argument. They use a results-and-effects test that places the World Bank, IMF, and other institutions under a searchlight. They intensify their focus by asking such questions as the following:

Creative Ways of Measuring Progress

How GoUF Addresses the Problem

The poor are not incapable of helping themselves, they are just out of practice. GoUF* believes that changing this mindset is the basis of a new beginning. GoUF advocates a knowledge-intensive development approach that starts at the bottom, with the poor themselves:

- **Gathering information.** GoUF involves people in collecting and collating data about poverty. This new collective knowledge will provide clues to how they might work together to overcome poverty. This type of participatory research naturally evolves to the planning stage.

- **Education program.** GoUF runs an education program for semi-specialization in areas that target the needs of the village and the poor. After graduation, Village Experts teach other group members what they have learned in weekly group meetings and formal trainings.

- **Planning.** Village participatory planning is done collectively by the villagers. They approach different local-level government officers or employees, and ask for help in implementing their ideas through training, technical assistance, and advice.

- **Training.** GoUF provides small loans and micro-credit to aid some group members, mostly women, in starting new ventures. GoUF then invites local-level government officers to provide training to the loanees. Trainee group members come with their own information from their respective villages and present their needs. This strategy inspires many government officials to offer ideas and builds rapport between them and the group.

- **Communication.** Most government officials begin with negative ideas. Through conversation, however, they tend to move toward the positive. We must have more than one conversation. We can return with follow-up questions and concrete action plans. The most important thing is to keep talking. The more we talk, the more clearly we will be able to understand each other.

*GoUF stands for Gono Gobeshona O Unnayan Foundation, an organization of Bangladeshi villagers. Reprinted by permission of the Advocacy Institute.
What are the effects of debt payments, privatization, deregulation, and structural adjustment on ordinary people?

Do they affect women and men differently?

What is the impact on food supply and the social safety net?

Over time are poor countries improving, staying the same, or getting worse?

In addition to these large societal questions, advocates need to ask questions about people in the community. The questions are a way for people to collaborate with each other, and the answers should influence the research agenda. This process opens the researchers to listening to get at important issues.

Does the solution work?

Do the changes improve people’s lives?

Do people have enough to eat?

Do they have adequate shelter, safe drinking water, and basic sanitation?

Do they earn enough money for clothes?

Do children attend school, stay in it, and learn? Do these children include girls?

Are people protected from harm?

A research agenda, applied and practical, is an essential component of an organizing agenda. It is part of an effort to bring people together so that their agenda is a common one, focuses on their priorities, and uses facts that they experience firsthand. The agenda, argument, and symbols belong to the advocates.

5. The Necessity of Public Space

Public space is the place in the community, and elsewhere, where public work occurs. Public space is used interchangeably with “free spaces.” In these spaces, people act and do their public work in the following ways:

Organizing, sharing experiences, and raising issues that otherwise would be ignored.

Engaging with people who are different—by constituency, generation, role in society—but who share interests, even if they are “unlikely allies.”

Learning to collaborate, listen attentively, use give-and-take to compromise, negotiate problem solving, and act in solidarity. Learning to collaborate is an alternative to controversy for its own sake. Public space creates an alternative to permanent war zones.

Creating openings for innovative ideas, strategies, action plans, policies, and programs, and sorting them out to establish priorities. This advances a vision of “what should be.”

Generating demands on the political and policy systems that challenge existing power relationships.
Free spaces serve as a safe space for decisionmakers and those affected by impending decisions to candidly discuss policy priorities, differences, and areas of agreement. In the United States, many think tanks provide such space but, in the process, leave out important parts of the community, particularly those who are historically underrepresented. Those of us from the United States have much to learn from other countries. The Institute for Development Policy and Analysis at Proshika in Bangladesh provides a striking example. It has successfully brought together different parts of the NGO community and government officials to discuss the national budget and poverty alleviation.

The use of public space reinforces key aspects of a vibrant democracy.

- It elevates a culture of listening to others and of being listened to.
- It buttresses a sense of community responsibility.
- It legitimizes participation in public argument and problem solving.

Public spaces are not limited to buildings, formal settings, or places where organizations gather. For example, ideas, experiences, and issues have been discussed in the following locations:

- Discussions are held on the banks of rivers and streams in rural Africa, Asia, and Latin America. These locales have long been a site for organizing and creating demands. Why? Women gather there to wash clothes, and they do public work as they wash.
- Beauty shops, barbershops, and pool halls served as Freedom Schools in the southern United States before the civil rights revolution. There, people studied their history and the U.S. Constitution. They knew it far better than the officials who denied their birthright on racial grounds did.
- Public libraries, performance halls, bookstores, religious institutions, and basements are used for community meetings. In these different settings, meetings convened by civil society organizations—women’s, immigrant, religious, ethnic, worker, and neighborhood groups and organizations—get the public work done.

Free space can also be virtual by using mass media and low-cost interactive communications technology to span vast geographic distances. Ideas reach a broader audience and spread public argument.

- Villagers gather around the one television set in the village. They watch documentaries on flooding, resource management, AIDS, and countless other topics. When the program ends, they discuss its meaning and how it applies to their lives.
- Radio is much more widely distributed than television. More people listen to it because it is cheaper. Radio is a source of news, warnings of harmful public actions, or suggestions for steps to take. In Indonesia, where urban radio shows cannot reach remote areas, e-mail is used to feed news to rural radio stations.
- In nearly all parts of the world people are on e-mail listserves. They share information, network, and sometimes even solve problems, strategize, and initiate actions.
Two large concerns face advocates. Technology has to equalize access to information so that people can use it in timely ways. The danger is that inequality of access, even with low-cost interactive technologies, will create new classes of “haves” and “have-nots.”

The other concern is that both the traditional and newer forms of free speech and freedom of communication are inextricably intertwined with the freedom of assembly. Older or newer forms of speech must be protected and respected by civil society and the state’s apparatus—the police, armed forces, and government officials. The state’s apparatus, accountable to government and law, has a duty to protect people from harassment from the state and its government, as well as from bands of non-state vigilantes.

The Distinctive Qualities of Advocacy Leadership

Advocates have to help build social movements by serving as organizers, conveners, and facilitators who reach out to diverse audiences and bring people together by bridging and negotiating differences. They have to check their egos at the door. To do so they must do the following:

- Remain people- and community-centered as they relate to different audiences and to communities of interest.
- Build public and formal relationships with officials and different parts of civil society.
- Know the difference between organizing and mobilizing, and know why organizing is essential and strategic and mobilizing is mostly tactical.
- Turn protest into policy demands for specific institutional changes.

This is the process that Maureen Burke identifies as “moving from what is to what ought to be.” It is the necessary part of what Kathleen Sheekey calls the task of “make the powerful squirm.” More than 25 years ago, Jack Conway, an architect and designer of social movement building, said social change leaders have to be movement builders, not careerists. That is the essence of the challenge.

Critical to the understanding of movement leadership is that it is shared. Leaders need to create room at the top in an enlarged setting. Leadership cannot be exercised in isolation at the top of a pyramid. Advocates must purposefully create room for leaders to renew themselves and for new faces to appear. As John Gardner wisely wrote nearly 40 years ago, failing to do so breeds “organizational dry rot.”

Leadership must draw on many different talents. Gardner reminds us that leaders help others release their energy to solve public problems. Advocacy leadership draws on the wisdom of Jethro, telling his son-in-law Moses not to try to solve all the problems himself. Spread out the responsibility. Recognize that there are many other talents in people. They will flourish and contribute to the commonwealth.
Michael Pertschuk developed a taxonomy of advocacy leadership that shows how people can serve in many ways. Sometimes they can serve in more than one way. Never can they serve in all ways.

Leadership is exercised as follows:
- Role models and mentors
- Visionaries who think in the long term.
- Strategists who choose the part of the vision that is attainable.
- Historians who keep a movement’s memory and collect stories.
- Resource mobilizers who cut through institutional inertia.
- Statespersons who embody credibility and authority.
- Communicators who use symbols and metaphors to educate the public.
- Outside “sparkplugs” who raise the stakes and make the powerful squirm.
- Inside negotiators who know the system and use that knowledge to apply pressure on the powerful.
- Generalists who bring multilayered years of experience to any effort.

Leadership is critical for advocates to move an issue forward from discussion to action to some form of completion. Advocates need to think about the different stages that an issue goes through and how those stages match an organization’s or coalition’s capacity to carry the matter forward. What kind of advocacy leadership is necessary at different stages of the issue life cycle is matched against an organization’s capacities.

In simplified form, an issue life cycle can be understood as follows:
- **Birth:** A new issue, idea, or demand takes form. Others do not yet recognize it.
- **Childhood:** The issue gains support, practical remedies are developed, and the issue becomes a priority for an organization or group.
- **Adolescence:** The issue advances by gaining support from influential institutions and key decisionmakers.
- **Adulthood:** A clear-cut decision is made.
- **Maturity:** The solution is implemented, monitored, and evaluated for effectiveness.
- **Renewal:** What should be changed in the solution or program? Should it continue? Is it adaptable to other settings?

In simplified form, organizational life cycles tap into different advocacy skills that are needed, require different actions, and create different roles and responsibilities for the members and constituents.

- **Birth:** The issue and its impact on the affected population are defined. Protest is often used as a way to raise the issue.
Childhood: The group begins to move past protest to suggest solutions and to build support through alliances.

Adolescence: Groups begin to navigate the corridors of power, negotiate changes to advance the idea, and exert pressure to keep the idea alive.

Adulthood: A solution offered that will work and that includes the necessary financial and people resources and skills.

Maturity: Groups monitor to see how well the solution is working, generate experience through data and study, and provide useful feedback to decision-makers.

Renewal: Groups reflect and determine the next action steps.

Advocacy leaders have to thread their way through this complex pathway. The life cycles of an issue and an organization require the kind of leadership that will advance the particular issue. Throughout an advocacy effort, different roles and talents will be needed at different stages. The distance traveled in issue and organizational life cycles is rarely, if ever, a straight line.

Conclusion

Many advocacy lessons cut across ideology. Learning about the dynamics of change, public problem-solving processes, and the ways individuals, organizations, and movements sustain themselves requires reflection and research. The larger question is how do those with less power challenge those with greater power? How do people make a difference so that their lives and that of their community (not limited to geography) improve? Researchers can probe what practitioners think in their reflective moments and learn the stuff of advocacy. They should examine the details of each of these propositions by examining the organizational life of a group, aspects of an issue campaign, or some part of a movement.

Little research has been done in advocacy work to recognize the bridge-building and boundary-crossing nature of social change leadership. Are people exercising leadership by working on tough public problems? By attacking these problems systematically? By being strategic? By acting with persistence and stamina for the long-distance race? By being sufficiently visionary and striving to stretch the art of the possible? By inspiring others? So far, research has not dealt with these critical aspects of advocacy leadership or with three specific leadership roles: the translator, the gluer, and the connector.

The translator deciphers the workings of the political and policy processes. By deciphering the symbols, metaphors, and subtexts used by opponents, translators explain what has happened and help clarify choices in complex situations.

The gluer attaches different parts of the movement and persuades them to adhere to each other. This creates the needed internal cohesion that withstands opposition efforts to tear organizations and movements apart.

The connector solidifies relationships with those outside the movement by creating what John Gardner called “networks of responsibility.”
Likewise, researchers must recognize that advocacy practitioners are suppliers of facts and material, data, and knowledge. The research and academic canon has to create room for hearing the voice of the practitioner in an uncluttered way. Researchers can use three approaches to draw the best from the advocates.

- Appreciative inquiry—asking them to explain why an action, a plan, or an event worked well.
- Narrative inquiry—hearing stories and trying to derive meaning from the stories for the narrator and those who are listening.
- Cooperative inquiry—encouraging participants to ask questions and elicit understanding from their own actions. This participatory process draws on a reflection and action cycle that is continuously repeated.

Using the methods of dialogue—appreciative inquiry, narrative inquiry, and cooperative inquiry—will enable practitioners who are open-minded and reflective to share valuable insights into how social change is created and thwarted, how systems bend, and what the interactions are between constituencies and appointed and elected decisionmakers.

NOTE These reflections draw on my decades of experience as a frontline advocate, in many different capacities, on many of the major public issues in the United States over the past 40 years. They are informed by my colleagues at the Advocacy Institute, particularly Mike Pertschuk, Kathleen Sheekey, Maureen Burke, and Rosa de la Vega, who also have been lifelong active and energetic participants in efforts to improve our democracy. They are immeasurably influenced by those I have worked with inside the United States—both in and outside Washington, D.C.—and those I have worked with in Southern Africa, South Asia, Southeast Asia, and other parts of the world, particularly eastern and central Europe. Many people outside the United States and in our country but outside of Washington, D.C., have done this work at considerable risk to their livelihoods and lives. They must always be remembered through their stories as exemplars of courage and for their passion for democracy.

Global Advocacy
The Building of Civil Society through NGOs

MILTON CERNY

Nonprofit organizations are among the central institutions that serve as catalysts for social, economic, cultural, and political activities. Many are direct providers of charity; others advocate for change. The nonprofit sector reaches across the spectrum of human and social activity. The importance of the nonprofit sector is evidenced by the activities of its organizations, although they do not always fit a standard organizational model. The structure and practices of organizations, as well as the rules governing them, depend on the economic and political climates of the countries in which they operate.¹ The tax system, which varies from country to country, plays a vital role. Whether the tax policy is favorable or not depends on whether there is an entrenched social, economic, cultural, and political perception about the worth of the voluntary organizations to civil society.

This chapter examines the growth of the nonprofit sector in Eastern Europe, particularly those nonprofit organizations (NPOs) that originate in the culture and economy of the national state and draw from regulatory practices established in the United States, Western Europe, and around the world to model the development of their voluntary sector. Other nongovernmental organizations (NGOs) have emerged as players in these countries, largely through the stimulus of international philanthropy and international financial institutions. Voluntary organizations in general are often referred to as NGOs, and little distinction is made between the types of organizations that constitute the institutional infrastructure of any nation’s civil society. Further, NGOs and NPOs may span country borders and lead to new forms of international cooperation and conflict. This chapter uses the term NPO because it reflects the formal organization of the emerging nonprofit sector groups in Eastern Europe and their national regulatory regimes.

Understanding what factors affect the growth, support, and operation of the NGO community requires close examination. There is a direct interrelationship between NPOs worldwide and the business and governmental sectors. This issue has been extensively studied in classic economic and historical theory as it applies to the world’s tax systems (Rose-Ackerman 1986; Salamon 1997; Weisbrod 1988; Young 1983). If we look at the economic factor, we see that where business fails to produce public goods and services, government has stepped in to fulfill that need. When government can no longer provide goods and services to the public, because of lack of will or budgetary constraints, the nonprofit community is asked—often through
appropriate tax incentives—to fill the vacuum left by government by directly providing the services. In a political sense, government will provide only certain public goods and services that the majority prefers. Thus, it is important that government regulations include sufficient financial or tax incentives to support these organizations and not discourage political expression and participation by their members.

Owing to various economic, historic, and legal variables, the development of the nonprofit sector and its relationship with civil society, government, and the market vary from country to country. Today in the United States, social welfare agencies operated by religious groups are being asked to play an ever-increasing role in the NGO sector and in partnership with government. In the Japanese NGO community, by contrast, religion itself is an important factor. It has also been the key factor in the development of the sector in Great Britain, Indonesia, and the Islamic countries of Africa. In maturing democracies, we are seeing the privatization of distribution of government public welfare services and goods into the hands of the NGO community for purely political as well as economic reasons, such as the redistribution of income to needy sectors of the state. Finally, the women’s movement, in the areas of rights and health issues, has had a substantial impact on the creation of NGOs.

Generally, two models of NGOs are emerging. The first is a public-purpose model, which can be either a public benefit organization (i.e., a charity) or a mutual benefit organization (e.g., a labor or trade association). The benefits of this model flow to society rather than toward the private enrichment of the individual. The second model arises from state prohibitions on the “distribution of profit.” Simply put, several countries have drafted laws to preclude the disposition of earnings in excess of income less expenses incurred in implementing their activities. With regard to the prohibition on profit distribution, some countries cap the salary and administrative expenditure of NGOs; other countries require NGOs to pay out a significant portion of income for public goods and services. The first model is preferable because it requires a public or community benefit and generally encourages the creation of new ideas and methods without inhibiting free expression and citizen participation in a changing civil society.

“Civic Virtue vs. ‘McWorld,’” a headline in the Chronicle of Philanthropy (Greene 1997a), highlights the struggle between concern for the common good and the ever-expanding global market. Nonprofit NGOs are forming at an unprecedented rate. The nonprofit voluntary sector is expanding not only in the developed countries of Western Europe and North America but also in the developing new democracies in Africa, Latin America, Asia, and Central and Eastern Europe.

The rise of this sector springs from a variety of pressures generated by individual citizens, outside institutions, and even governments themselves. These pressures reflect a distinct set of social and technological changes, as well as a long-simmering crisis of confidence in the state’s ability to deal with the complex and seemingly intractable economic, social, and spiritual problems of the late twentieth century.

What does the future hold for the establishment of voluntary organizations to meet social needs and voice social and political concerns? We will likely see more uniformity of charitable law, patterned after the U.S. tax model but molded by the particular needs and legal traditions of each country. These legal changes will occur as governments begin to realize the value of promoting this sector as a means of reliev-
ing their obligation to perform social welfare and humanitarian activities. These changes will also occur as governments begin to perceive the need to share scarce revenues with nonprofits and to provide tax incentives for donors to contribute to them.

The growth of the nonprofit voluntary sector will have other consequences. Growing demands on nonprofits will lead them to move more aggressively into the commercial marketplace to provide goods and services that the government cannot or will not fund. This growth will also mean an enrichment in values, ideas, and culture as the nonprofit sectors in different countries begin to merge, thereby strengthening ties between nations. For the next decade and well into the twenty-first century, the nonprofit voluntary sector will be in the vanguard of worldwide change and development.

The Rise of the Nonprofit Sector in Eastern Europe

Unlike the uniform development of the laws governing NPOs in the United States, Canada, and Great Britain, the development of the nonprofit sector in Europe has had as varied a history as the countries that make up this part of the world. For example, in France a tradition of hostility toward voluntary organizations has its roots in the period of the French Revolution, when such organizations were perceived as interposing themselves between the citizen and the democratically controlled nation. This hostility has resulted in a somewhat smaller nonprofit sector than in a number of other developed countries, such as Germany, the United Kingdom, and the United States. In the less developed nonprofit sectors, there remains a heavy reliance on government as opposed to private funding. With ongoing reductions in government spending, nonprofits in France and other European countries where nonprofits rely heavily on government support are facing the need to increase their private sector support, both through increased donations and through a “marketization” of the nonprofit sector not unlike that evident in the United States. In Italy, the civil law provides strong constitutional guarantees for the right of association, but Italy has no separate body of NPO law. Similarly, the Netherlands has a civil law tradition and well-established framework of organizational law for nonprofits. The tax law provides limited exemptions from net profits but does exempt income for donations and investment.

While most of the nations of Western Europe in the post–World War II period prospered under principles of free enterprise and trade, Central and Eastern Europe—tied to state-controlled economies—could not compete and had to depend on regional trade and a barter system with their major trading partners to survive. As Western Europe recovered from the devastating war, Central and Eastern Europe languished and became a closed society. Was it only due to the closed markets, a woefully inadequate monetary structure, and a judiciary and legal system dependent on the whim of individuals rather than the rule of law? Or was it something deeper in the culture of these nations that was lacking—a robust civil society?

The voluntary sector of Central and Eastern Europe is not a product of the revolution that occurred in 1989, even though there is no question that the sector’s growth and impetus come from the new freedoms granted to individuals and their right to free association guaranteed by new constitutional rights. Foundations and associa-
tions have had a long and lasting history in this region. In the Czech Republic, Hungary, and Poland as well as the Baltic states, the history of these organizations dates back to the thirteenth century. Prior to the Second World War, voluntary organizations played an important role in the establishment of these countries. In Poland, for example, pre–World War I voluntary organizations helped government to deliver social assistance, education, health, and other humanitarian services. In Hungary, they were important in the cultural and political life of the country. The First Republic of Czechoslovakia in 1918 codified the rights of free association and speech, which closely paralleled the U.S. Constitution.

During the Second World War and the subsequent years of communist government domination, these organizations’ activities were strictly controlled and limited to one purpose—to serve the state. Voluntary organizations were in reality quasi-nongovernmental agencies that lacked political and legal opportunity for independent civic initiatives. Thus, in the 1950s, their activities became heavily polarized; their primary role was political, and any provision of services was merely secondary. This situation permitted the state to proclaim citizen involvement in addressing public issues, but in reality, the state controlled the organizations’ activities and the citizens’ involvement.

The extent to which organizations were allowed to operate depended on how secure the government was in exercising its own power over the people. In Romania, for example, even quasi-governmental professional associations were banned by the government. On the other hand, in Poland and Hungary, self-help networks and other voluntary groupings were allowed to exist. The renaissance of voluntary organizations after 1989 is in large measure due to the deterioration of the Soviet welfare state and the collapse of economies from poorly functioning monetary policies that made it impossible for this system to compete with free market forces.

Thus, any review of the development of nonprofit law must take into consideration not only the past but also the political and economic realities that exist today before it can examine the emerging role played by the nonprofit sector. The increasing role that nonprofit organizations are assuming creates a tension and challenge to governments that still view them with suspicion, unsure whether the tax benefits that they grant actually are used to promote public benefit and democratic principles rather than private enrichment. However, there is a growing awareness of the vital role these organizations must play to stabilize the society in which they function. High-profile support for NGOs was exhibited when the heads of state of Austria, the Czech Republic, Germany, Poland, Hungary, Slovakia, Slovenia, Italy, Bulgaria, Romania, and Ukraine gathered at Levoce, Slovakia, in January 2001 to voice support for “Civil Society—the Hope for a United Europe.”

The most dramatic changes in the past decade are in Central and Eastern Europe, in the former communist countries that are seeking to resurrect their voluntary organization traditions. For example, in the Czech Republic, nonprofit organizations flourished under the First Republic (1918–1939). However, in 1948, the communist government first revised the laws so that nonprofit organizations were no longer recognized and then systematically replaced these organizations with state-operated and -financed institutions. With the fall of communism, the Czech Republic is passing laws that once again recognize nonprofit organizations, and it is seeking to transfer
many of the state’s former responsibilities to such organizations. This transition period provides the opportunity to establish a solid legal foundation for nonprofits based on decades of nonprofit experience in the United States and elsewhere, but the lack of established standards and rules for nonprofits also creates opportunities for individuals and corporations to abuse the nonprofit form for their own gain.12

The breakup of the Soviet Union in 1989 raised great expectations for a new Russia based on the rule of law and democratic principles. However, Russia is a complex country enjoying vast natural resources but intractable problems stemming from pollution of heavy industry, agriculture runoff, deforestation, and radioactive contamination. While foreign capital has flowed into Moscow in an attempt to tap into the extraction of oil and gas resources, creating a wealthy upper class, the villages largely provide a life of abject poverty and little hope for renewal. Similarly, the legal framework for NPOs is often difficult to traverse and comprehend.13 While there are few limitations on political activity, associations may not work for the overthrow of fundamental constitutional order or the destruction of unity, pose a threat to state security, or incite social, racial, national, or religious discord. A charitable organization may not use its resources to benefit a political party. Although new laws have been adopted, there is no guarantee that government will implement them on a consistent basis on either a local or national level. The State Tax Service, similar to the IRS, does not understand the privileges granted to NGOs and their donors.14

The drive to re-create nonprofit organizations in Central and Eastern Europe comes not only from a desire to restore these institutions but also from the pressing needs in these countries, where many support systems, including health care, are in the midst of a sudden and often traumatic transition from state to private control. While these needs have created great risks, they have also provided remarkable opportunities for international nonprofit partnerships. For example, in Warsaw, Poland, the Litewska Children’s Hospital has worked with U.S. nonprofits and U.S. attorneys and accountants to raise needed funds while at the same time designing and implementing various safeguards to prevent private abuse and mismanagement. The result has been both a model of international nonprofit partnership and the preservation and modernization of a leading Central European children’s hospital.

The European Foundation, an example of such initiatives, supports capacity building of community philanthropy organizations and the national support centers that serve them. Another example is CIVICUS, the World Alliance for Citizen Participation, which helps advance NGOs in emerging democracies. A third example is the Bertels-Marin Shiffling Foundation, designed to stimulate the growing interest in the community foundations concept in Europe through interaction with community foundation professionals from both sides of the Atlantic. An example of cross-border grantmaking is the Eurasia Foundation, which helps establish NGO resource centers throughout Russia that provide consultation training and information services and legal and Internet access. This foundation also helps NGOs create and promote financial sustainability and human management services.

Other examples point to the important contributions groups are making to political engagement and free expression. Charter 77, created in the Czech Republic to provide a vehicle for the promotion of free elections, laid the groundwork for the election of a citizen-supported government. The Soros Foundation funded the
establishment of newspapers and other media separate and apart from other govern-
ment-operated media to give citizens in the Czech Republic, Poland, Hungary, and
Slovakia a voice in changing society.

Designing Nonprofit Regulations in Emerging Democracies

The change from centrally planned to market-oriented economies in many countries
is requiring fundamental modifications of all stages of tax policy development, imple-
mentation, and administration. These modifications are no less important than the
development of the emerging nonprofit sectors of these economies. Under state-
controlled economies, the state was the owner of the enterprises and treated them
more like government departments than true independent enterprises. Because these
enterprises were effectively a part of the government, tax administrators had a close
working relationship with their management. They were regarded as producers of
income and thus a part of the government budgetary process. Thus, there was no
incentive to avoid taxes because the state had, in theory, access to the entire amount
of pretax profits and could extract the tax from wages and salaries by increasing after-
tax profits from corporate and turnover taxes rather than taxes on personal income.
Today, many countries have moved to an independent enterprise system in a freer
market where there is a large number of taxpayers and where the determination of
what belongs to the state and what belongs to the enterprise and its private investors
has created an incentive to minimize taxes. Tax rules are more explicit because tax-
pliers are expected to be able to plan their affairs in accordance with the law.

Clearly, transition has created significant strains and tensions for tax adminis-
trators because of shortfalls in revenue below projections, the increased number of
taxpayers, and aggressive tax planning that has resulted in noncompliance and tax
evasion. The challenge facing tax authorities worldwide is to respond to these changes
in a manner that does not impede economic development and growth but will create
a stable revenue stream for government operations. In this changing environment,
there has been tremendous growth in the number of nonprofit organizations, some
of which were created to respond to this new reality. But the nonprofit sector was
created to respond to a more significant reality—that government could no longer economically fund or respond to the demands of its people for an enhanced quality
of life resulting from the development of a rapidly changing civil society. In the cru-
cible of these realities, a new role for the nonprofit organizations has been created.

The design choice faced by these nations in reforming their NPO laws is whether
to exempt qualifying “taxpayers” or qualifying types of income. Based on the work
initiated at the International Tax Program at Harvard University, Donald C. Lubick
and Ward M. Hussey created the Basic World Tax Code and Commentary (BWTC). The
BWTC came from the demonstrated need of developing and transition countries
for a legislative framework as they work to formulate modern tax policies and taxa-
tion laws. Much of the legal foundation for tax systems in developing countries is
found in the laws of former colonial countries that have long since abandoned those
structures in favor of taxation systems more appropriate for modern business and
fiscal requirements. The task facing the transition countries of the former USSR and
Eastern Europe is considerably more difficult. Over the past 12 years, there has been
a virtual revolution in applied taxation policies in developed, developing, and transition economies. The BWTC was initiated to provide an example of the laws that are needed for an efficient and effective tax system. The objective was to provide the tax policy and legal experts in the reforming countries with a framework, or a checklist, of what is needed (or not needed) to have the foundation for such a system. The code has become a standard reference for those embarking on tax reform in these countries.

The BWTC and reform statutes generally follow the design of exempting qualifying income, which potentially results in the taxation of NPO income through a profits tax. The basic strategy is to exempt the related income of the NPO and to tax the commercial unrelated business income—similar to the U.S. approach. The BWTC recognizes exemption of “public benefit” organizations, that is, organizations that are organized and operated for specific charitable community benefit, no part of whose assets or earnings are used to benefit private individuals. These organizations receive some sort of direct government subsidy in the form of distributions from state budgets or through charitable deductions and exemption from value added tax. Mutual organizations operating for the collective benefit of individuals generally operate without any subsidy. The third category of NPOs is quasi-government organizations or instrumentalities that perform essential governmental functions.

The BWTC requires (1) that each entity be treated as a separate juridical person, (2) a registration with the appropriate government authority, (3) an established process of appeal to the courts in the event of denial of tax exemption, (4) a system of administrative tax penalties for failure to comply with the law on tax exemption, (5) annual reports to tax officials, (6) a system for taxation of unrelated business activity, and (7) recognition of the deductibility of contributions for individuals and businesses.

In treating the income of activities that produce income, some countries allow commercial activities by their nonprofit sector but apply a “destination of income” approach that does not tax profits if used for exempt purposes. Others tax all commercial activities of charities, whether or not the profits are used for charitable purposes. Another approach is to tax commercial activities but permit them to be conducted in taxable subsidiaries, which then can receive a tax deduction for donations to the charity. Value-added taxes have their own set of rules that raise a whole series of other issues.

Additionally, there are special tax treaties between the United States and other countries that provide for reciprocal tax treatment for contributions and estate and gift tax deductions for charitable organizations residing in the signatory countries. These treaties assist in the development and support of new and emerging nonprofit sectors. While no reciprocal treaties yet exist with the Eastern European countries, there is no reason for Congress not to look at this device for expanding the nonprofit sectors in these nations.

Mexico is an instructive example of a treaty model. The United States–Mexico Tax Treaty provides that U.S. individuals and corporations can deduct against their Mexico-source income contributions to Mexican public charities (but not to Mexican private foundations). The treaty further provides for mutual recognition of the income tax exemptions of qualifying charities, for grantmaking by U.S. foundations.
to Mexican charities without a need to exercise expenditure responsibility, and for chapter 42 excise tax exemption for Mexican private foundations if they receive substantially all of their support from non-U.S. sources (United States–Mexico Tax Treaty 1992, Article 22). Various regulatory and interpretative matters that affect the implementation of the treaty are still being resolved by the Mexican government, although the procedures for formally registering as a Mexican charity are apparently in place.

The deductions under U.S. law for contributions to Mexican charities are limited by the normal U.S. percentage limitations on charitable deductions, with the limitations being applied to Mexico-source income. The deductions under Mexican law for contributions to U.S. charities are also subject to the normal Mexican limitations applied to U.S.-source income.

For an organization to take advantage of the treaty’s provisions, more than 50 percent of its beneficiaries, members, or participants must be themselves entitled to receive benefits under the treaty, for example by being individual residents of the United States or Mexico (United States–Mexico Tax Treaty 1992, Article 17(e)). This limitation on benefits applies to both the exemption provision and the deductibility of contribution provision (U.S. Treasury Department 1992).

Other European models also offer regional approaches for treaty development with Eastern European countries. The United States–Germany Tax Treaty (Article 27) provides that a charitable organization recognized as tax exempt in one country will be recognized as tax exempt in the other country as long as it meets the tax exemption requirements of the other country. There are no provisions for allowing a resident or citizen of one country to deduct from income a contribution made to a tax-exempt organization of the other country. The applicable estate tax treaty provides, however, that contributions to charitable organizations are excluded from estate and gift taxes (Convention between the United States of America and the Federal Republic of Germany 1980, Article 10(2)). There is no applicable limitations-on-benefits provision, such as that in the treaties with Mexico, Israel, and Canada, with regard to either the income tax exemption or the estate and gift tax exclusion provisions.16

The United States–Netherlands Tax Treaty has exempt organization provisions similar to those in the United States–Germany Tax Treaty, although it does not have a comparable estate tax treaty provision.17 Unlike the United States–Germany Tax Treaty, however, the United States–Netherlands Tax Treaty contains a limitations-on-benefits provision similar to the one in the treaties with Mexico, Israel, and Canada (Article 26(1)(e)).

It is true that the special treatment granted Mexico, Canada, and Israel could be justified by the close geographic and economic ties with the former two nations and the close foreign relations and philanthropic ties with the latter. But providing reciprocal deductibility of contribution benefits to only this small group of countries (as well as providing reciprocal tax exemption treatment to Mexico, Canada, Germany, and the Netherlands) may create a perception that the United States is discriminating among the world’s charities strictly for political reasons. It is also detrimental to the orderly development of an emerging world nonprofit sector, and it does not promote our national foreign policy objectives of furthering democratic principles and ideals.
throughout the world. A better foreign policy stance would be to extend the recipro-
cal income tax exemption and deductibility of charitable contributions to all willing
nations in order to encourage the development of voluntary organizations around the
world that foster democratic ideals and humanitarian values, if for no other reason
than our own survival.

Effective Planning Tools

Other tools exist for engaging in international philanthropy, but they are often over-
looked.

Program-Related Investments

A program-related investment (PRI) is a special type of social investment that, unlike
many other investments, meets the criteria for qualifying distributions for private
foundations, as long as (1) the primary purpose in making the investment is chari-
table, (2) there is a charitable effect that would not have occurred without the invest-
ment, and (3) such charitable effect is commensurate with the investment (Treas.
Reg. § 53.4944-3(a)). Examples of PRIs include investment in minority-owned
businesses in deteriorated neighborhoods, investment in businesses that employ
low-income persons from such neighborhoods, and low-interest loans to media orga-
nizations in former communist countries.

PRIs may be made in foreign charities. If a private foundation makes a PRI that,
if it were a grant, would be subject to the expenditure responsibility requirements, the
PRI is also subject to the expenditure responsibility requirements. The required writ-
ten agreement must also include several additional terms: an agreement to use the
funds provided only for the agreed-upon investment, an agreement to repay any funds
not so used, and a specification that the annual report and records maintained by the
recipient must be equivalent to those that would ordinarily be required by commer-
cial investors under similar circumstances (Treas. Reg. § 53.4945-5(b)(4)).

Microcredits and Venture Capital Funds

One popular vehicle to promote advocacy and advance human rights (thanks in no
small part to the vigorous support of Senator Hillary Rodham Clinton) is microcred-
its. Microcredits are small loans to budding entrepreneurs in impoverished areas.
The first microcredit apparently originated in Bangladesh, where in the 1970s a
banker named Muhammad Yunus pioneered the practice of giving poor people—
mostly women—small loans to help them start businesses (Yonk 1997). Microcred-
its have since seen an incredible boom. They have become important programs to
relieve poverty and provide opportunities for women in South Africa and Central
America. For example, Acción International of Somerville, Massachusetts, saw its
loans and those of its affiliates in Latin America and the United States grow to
$331 million as of 1995 (Greene 1997b). Microcredits are often linked with the con-
cept of community banks, such as the South Shore Bank in Chicago (also known as
Shorebank), which concentrate their lending in poor and run-down neighborhoods.

Microcredit programs tend to rely heavily on foundation grants, government
programs, and private donations for their capital. To avoid this reliance, some U.S.
Charities are now seeking to develop venture capital funds to invest in projects that are too costly for microcredit programs to handle but that serve poor communities, such as a food-processing plant that can serve scores of small farmers. The capital for these funds would come primarily from private investors (Greene 1997b).

Advocacy of social welfare and environmental programs can also be promoted by purchasing sovereign debt of the foreign country in which they operate, so that payments from that country’s government will remain in the country to be reinvested in social, humanitarian, educational, or ecological needs. Recent examples include the purchase of debt instruments in exchange for rain forest preservation in Panama and in exchange for low-cost housing in the Czech Republic. Such arrangements can be more attractive to many countries than direct subsidies, as retirement of debt improves the financial standing of the country internationally, while the government retains complete control over the resulting charitable programs.

Government Resistance

NGOs that advocate change in foreign country laws on human rights, the environment, and the rule of law must deal with entrenched bureaucracies that protect the status quo.

In numerous countries, U.S. charities and foundations are involved in addressing and combating human rights violations, sometimes in ways that are viewed less than favorably by the local authorities. The following examples illustrate the federal tax ramifications of these conflicts.

The experience of the Soros Foundation in Belarus provides a reminder, however, that U.S. charities and foundations should be concerned not only about the U.S. tax consequences of their actions. The Soros Foundation closed its doors in Belarus after it was fined nearly $3 million by the Belarus government; the government based the fine in part on its conclusion that the promotion of human rights and independent news media were not “charitable” activities.

Religious organizations face special challenges when engaged in international philanthropy; while they are unlikely to have significant problems with U.S. authorities, the same cannot be said of the authorities in many foreign countries. For example, Russia recently passed a law relegating “nontraditional” religious denominations to a kind of second-class citizenship. In China, where Christian churches in particular have been the subject of extensive persecution, Christian organizations have generally been forced to use nontraditional vehicles, such as English and business teacher programs, to gain entry to the country. Since it is difficult to imagine that the Chinese government is unaware of the religious purpose of these organizations despite their educational veneer, the use of such vehicles is successful probably because it both provides a concrete nonreligious benefit to the nation and allows the Chinese government (and bureaucrats therein) to say with a straight face that Western religious organizations are generally not welcome in China.
Conclusion

We have reviewed the growth of nonprofit organizations, the tax structures that regulate them, and examples of current issues facing the establishment of voluntary, nonprofit organizations in Eastern Europe. Examples of philanthropic and social action are a testament to the rising role of the nonprofit sector in shaping national economies and government policies. Relief efforts being made today in Afghanistan while we are at war against terrorism illustrate the innovation and courage of nonprofit organizations in responding to need under any circumstances. The recent wars in Rwanda and Kosovo and the devastating earthquake in Turkey—destroying individuals and communities—laid bare the fact that government is ill-equipped to deal with human and natural disaster without the support and quick action of NGOs such as Doctors Without Borders or People Helping People (the Czech charity relief association that helped the refugees in Kosovo and Chechnya with immediate aid and relief).

There is no better expression of what the creation of the nonprofit sector means than the words recently spoken by President Vaclav Havel of the Czech Republic:20

The most important aspect of civil society is yet another thing—it is the fact that it enables people to realize themselves truly and entirely as the beings that they potentially are, that is, as the species called zoon politicon, or social animal. Human beings are not only manufacturers, profit-makers or consumers. They are also—and this may be their innermost quality—creatures who want to be with others, who yearn for various forms of coexistence and cooperation, who want to participate in the life of a group or of a community and who want to influence that which happens around them.

Civil society, at least as I see it, is simply one of the great opportunities for human responsibility for the world.

NOTES

1. National, political, and economic changes play a role in the development of the nonprofit sector. In Mexico, we have seen a resurgence of nongovernmental organizations since the 1994 economic crisis and the enactment of favorable tax treatment supporting their creation. In Denmark, the role of NGOs is diminished by the fact that the government itself extensively funds welfare activity. In Hong Kong, by contrast, state welfare activity is less extensive and the government is less willing to subsidize nonprofit activity. In the Netherlands and India, there is a changing social trend: a decline in volunteering. Over the past decade, Eastern Europe has seen a burgeoning NGO sector that has been fueled primarily by cross-border grantmaking. In the countries of Central and Eastern Europe, there are clear signs that volunteering has taken hold. In Germany, 25 percent of residents are members of NGOs. In Luxembourg, there is one NGO for every 100 residents.

2. The United States has a history of volunteerism in giving and service that government views as an instrument for delivery of social services, relieving the government of a burden it would otherwise have to assume. In other countries, such as South Africa, NGOs have been used to promote the current democratic regime. In Mexico, we are seeing the trend of taxpayers determining the use to be made of their taxes.

3. This is exemplified by recent faith-based government initiatives. President George W. Bush proposed that more than $258 million in federal aid be provided to religious groups. A recent poll conducted by the Pew Research Center for the People and the Press showed that 77 percent of the respondents supported government financing of religious
groups, but 58 percent expressed concern about government regulation and intrusion and issues of proselytizing to certain nontraditional religious groups. See Hruby (2001).

4. A number of countries—for example, the United States, Australia, Finland, Italy, Brazil, and South Africa—have combined the two models in their tax systems. Some countries—among them the United States, Great Britain, India, and Israel—also have excluded political electoral activity from specific tax benefits. Many countries are now adopting this approach.

5. For example, Switzerland forbids NGO payout to assist members; France precludes the production of profit; Argentina caps an NGO manager’s salary at 50 percent above the annual average of the highest incomes in the NGO. Singapore, Spain, Australia, and India require that 70 percent to 80 percent of the NGO’s annual income be expended for NGO purposes. Similarly, Canada, Argentina, Mexico, South Africa, Luxembourg, the Netherlands, and Italy have developed formulas for the required current distribution of income for NGO purposes.

6. The right to associate in organizations was outlawed at the time of the French Revolution, and French law did not return it to French citizens until 1901. It retained the ambivalence by limiting the funds of large organizations to ward off the risk of secret religious societies. See Salamon (1997), page 100. NGOs number only 800,000, plus 500 state-controlled foundations.

7. NGOs play an important role in Germany in the areas of culture, leisure, education, and science as well as in health and welfare. They aggressively compete with the public sector and with profit-oriented institutions. The tax law promotes far-reaching activities as being in the public interest.

8. The protections of freedom of association to form charitable, educational, religious, and other types of organizations are inherent in the common law countries. In civil law countries, such rights did not exist unless they were explicitly provided for in the law. Thus, such rights must first be recognized in the constitutional framework before they will have any right in the tax laws. The proliferation of NGOs in Italy is a relatively recent event caused by an increasing social demand for goods and services and a growing scarcity of public resources. A new category of NGO called ONLUS (NGOs of Social Utility) provides social or public health care, charity education training, and environmental and civil rights advocacy. These charities may engage in business activities but not political activities.

9. The struggle for a society built on the rule of law has been greatly aided by the American Bar Association Project on Central and Eastern Europe Law Initiative (CEELI), under which more than 5,000 judges and attorneys work on a pro bono basis to help governments in 27 countries develop sound judiciaries and transparency of government action. CEELI has created an institute in Prague to educate judges, attorneys, and parliamentarians in the region. Another organization, the Constitutional and Legal Policy Institute (COLPI), which contributes to the development of open societies in the region, educates judges and advocates on issues related to human rights, police training, rule of law, democracy, and protection of national minorities. These efforts, led by NGOs, have become the cornerstone of rights that must be protected if the 10 northern tier nations are to gain admission to the European Union.

10. For example, the Czechoslovakian Civil Code of 1936, Article 46 provided for the establishment of nonprofit organizations such as trade associations, labor organizations, and others created for charitable, religious, social, athletic, burial, and civil purposes. This list parallels Section 501(c) of the United States Internal Revenue Code, which recognizes the tax-exempt status of similar organizations.

11. The transition from communism in Romania has been slowed by public apathy and low voter turnout. Building civic capacity in Romania is being advanced by the German Marshall Fund, which is encouraging nonpartisan issues, including grassroots groups.
focusing on voter education and get-out-the-vote campaigns, linking government policymakers and public policy NGOs through media. This initiative uses issue-based rather than party-based politics to hold members of parliament accountable. Similar actions are being taken by Freedom House in Croatia under the Croatia Free and Fair Election Grant Fund.

12. Nowhere are these problems more evident than in the southeastern part of Central Europe, where the repressive acts of the Milosevich government in Serbia led to conflicts with its neighbors and the persecution of minorities, ethnic cleansing, and destruction of the countries’ society and rule of law. Bosnia and Herzegovina and Kosovo were recipients of aid by major country foundations associated with the Soros Network of Foundations that brought relief measures, shelter, and a semblance of law to these war-torn nations. During the early part of the 1990s, Soros representatives’ lives were put at risk by totalitarian governments that did not wish to see an open society. Since 1999, under the Stability Pact for South Eastern Europe assisted by U.S. government funding, a new infrastructure allows for the support of NGOs, independent media education, and law; these reforms are beginning to promote integration with tolerant, peaceful, lawful, and democratic European states. Serbia recently enacted tax reforms that recognize exemptions from corporate income tax for health, scientific, educational, sporting, religious, and ecological purposes up to 3.5 percent of gross receipts. However, issues of discrimination, inadequate education, and health will plague this area for the foreseeable future.

13. The Russian Federation is a civil law country with a constitution guaranteeing the freedom of association and religion. There is a civil code for NGOs (1996); on Labor Unions (1996); on Public Associations (1995); on Charitable Organizations (1995); on Consumer Cooperatives (1992); and on Religious Freedom (1997).

14. Since the Communist Party regained power in the Russian Duma, there has been a narrowing of the rights of advocacy and free expression. A recent example was the seizure of the last remaining large independent television channel, NTV, on April 10, 2001. NTV was an outspoken critic of the government and was able to put a mirror to the face of the Kremlin to force public transparency of the decision-making process. NTV is now owned by Gazprom, which has changed its programming. Gazprom’s major stockholder is the government. The same scenario was repeated in the radio and print media, which are now controlled by the government.

15. Donald C. Lubick, a senior fellow of the International Tax Program at Harvard University, is the former secretary for tax policy at the U.S. Treasury Department. Ward M. Hussey, a senior fellow at the same program, is the former tax legislative counsel, U.S. House Ways and Means Committee.

16. Article 28 (section (1)(f)) of the United States–Germany Tax Treaty does contain a limitations-on-benefits provision applicable to exempt organizations, but Article 27 of the same treaty makes that provision inapplicable to the treaty’s reciprocal exemption provision.

17. See United States–Netherlands Tax Treaty (1992), Article 36. Article 36 denies exemption to income derived from the conduct of a trade or business, however.

18. A program-related investment (PRI) also cannot have as a purpose the furtherance of political activities or substantial legislative activities (Treas. Reg. § 53.4944-3(a)(iii)).

19. See Treas. Reg. § 53.4944-3 (giving examples of PRIs); IRS Revenue Ruling 74-587, 1974-2 C.B. 162 (holding that an organization that provided loans to and purchased equity interests in various business enterprises in economically depressed areas was charitable); Private Letter Ruling 9551005 (Sept. 15, 1995) (loans to media outlets); General Counsel Memorandum 39883 (Oct. 16, 1992) (discussing charitable community development organizations).

REFERENCES


Seminar 6 considered how nonprofit advocacy influences and is influenced by such concepts as representation, participation, and accountability. Evelyn Brody, of the Chicago-Kent College of Law, framed both the morning and afternoon sessions with her thoughts on accountability, membership legal requirements, and individual versus entity members.

Two papers were presented during the morning session, which was moderated by Miriam Galston, a professor at the George Washington University Law School. Judith Saidel’s “Nonprofit Organizations, Political Engagement, and Public Policy” looked at governance and accountability in the political process. Carmen Delgado Votaw, of the Alliance for Children and Families, provided comments on Saidel’s paper. Next, Debra Minkoff, of the University of Washington, looked at representational challenges for organizations in “Walking a Political Tightrope: Responsiveness and Internal Accountability in Social Movement Organizations.” Harvard University’s Frances Kunruether served as a discussant for Minkoff’s paper.

During lunch, several proposals for campaign finance reform were discussed. In addition, the Internal Revenue Service’s Judith Kindell updated seminar attendees on the responses the IRS had received on its call for comments regarding potential new regulations for nonprofit use of the Internet.

The afternoon session focused on the role members play in organizations, with an emphasis on how organizations impact and/or are served by advocacy activities. Michael Foley, of the Catholic University of America, and East Carolina University’s Bob Edwards presented their paper, “How Do Members Count? Membership, Governance, and Advocacy in the Nonprofit World.” Fred Grandy, former member of Congress and currently a professor at the University of Maryland, and Dean Wilkerson, executive director of Mothers Against Drunk Driving, then provided their perspectives on the member-advocacy relationship.

Several roundtable discussions were held throughout the day. A few participants wondered how government funding of an organization affects the decision to advocate, as well as the strategies used to advocate. A few preliminary research studies on this topic were mentioned, but overall there was consensus that more research needs to be done on the government funding—advocacy relationship at all levels of government.

The role that “elites” play in influencing an organization’s decision to advocate was discussed at length. Much of this discussion focused on how having wealthy individuals on an organization’s board of directors impacts the advocacy decision. It was suggested that organizations may be forced silent on issues that would impact their board members’ personal financial well-being. For example, nonprofit organizations could lose revenue if the federal estate tax is repealed, but wealthy individu-
als on boards could stand to benefit from the repeal. Which side, if any, an organization takes could cause controversy.

It was noted that elites have multiple agendas and are not bashful about asserting them, a situation that requires organizations to have a safe space to reflect on elite involvement and actions that may conflict with their interests. One participant suggested that elites should “be on tap, not on top.” It was also suggested that too much dependence on elites means that groups are not dealing with citizen voice as part of their mission. There was a general call for more research into the role elites play in influencing advocacy actions and strategies.

Some discussion centered on the relationship between local and national organizations, and the declining role of national organizations as mediators in the policy process. One participant noted that locals often do not share in the policy successes at the national level. Another noted that national “checkbook” organizations may be important in the process for getting issues onto the policy agenda.

Another internal-external tension relates to the beneficiaries of an organization. One participant stated that as long as the direct beneficiaries cannot remove a board of directors or terminate an executive director, then there will be less than 100 percent representation of the beneficiaries in the organization. To counter this argument, someone else suggested that the direct stakeholders of an organization cannot control everything, otherwise a true public interest charity would evolve into a special interest group.

A few other questions for future research were suggested throughout the day:

- Is there any evidence that elite control is any greater today than in the past?
- How do conservative social movement organizations deal with the representation challenge?
- How do diverse membership organizations—such as Independent Sector—decide on an advocacy agenda?
- Could Foley’s and Edwards’ work be generalized to non–peace-related organizations? If not, then research is needed on topics such as welfare rights, legal services, and hunger relief.
SEMINAR 7
Nonprofit Advocacy in the States
April 6, 2001

This seminar tackled the broad topic of nonprofit advocacy and political participation in the states. The morning sessions focused on the politics and practices of religious organizations delivering social services. The morning presentations included an overview of the historical relationship between government and religion; perspectives on Georgia’s experiences with faith-based social service delivery; and a discussion of the experience some African-American churches have had with government funding of their social services.

A working lunch took place midday, as representatives from Campaign for America and the Center for Public Integrity discussed their work with data on the “new” 527 political organizations. These discussions suggested that many 527s are finding loopholes in the new regulations and are thereby skirting many of the law’s intended disclosure outcomes.

The afternoon sessions looked at trends in political regulation and reform in several states, including public financing of campaigns in Maine. Some emphasis was placed on how new and proposed regulations impact the ability of nonprofit organizations to advocate for their causes and constituencies.

A large part of the seminar discussions focused on George W. Bush’s faith-based plan, and whether it would be passed into law in any form. The “strange-bedfellow” alliance of opponents to the plan—including the ACLU and groups on the Christian right—was also discussed.

Questions of capacity were raised several times. Many participants questioned the ability of churches and other small religious groups to manage government contracts and administer services on a broad basis. One participant noted that the clergy and other religious leaders are not trained to be managers of social service delivery systems.

Others mentioned that many groups lack the capacity to advocate and need to be trained to testify, mobilize, lobby, educate, and conduct research. Using state-level umbrella groups and other broad advocacy associations is an important and usually effective way for small, under-staffed groups to have their political interests represented in the new arena of devolved social service financing and provisioning.

Several participants appreciated Margaret Hall’s comments about building consensus around proposals and not fighting them. It was stated that within this consensus-building process it is important to reach out to groups that may be too small or poorly funded to have their voices heard, but would nonetheless feel the effects of the proposals. There was also mention of building a state-level research agenda, which would be built upon the views of both researchers and practitioners, to evaluate the impact of the Georgia plan.
Others questioned the motivations for “bringing religion” to the poor who seek social services and wondered if the Bush plan—and others like it—operate from the assumption that poverty is a moral and not a material problem.

The Maine Clean Election Act and other state-level campaign finance reforms also generated discussion. One participant suggested that wealthy candidates might be able to circumvent the reforms by running without public money, relying instead on their own wealth.
SEMINAR 8
Nonprofit Advocacy in Global Perspective
May 18, 2001

The seminar began with a welcome from Elizabeth T. Boris. Elizabeth J. Reid provided context for this seminar and explained how it related to others in the series. Following their comments, Maria D. Montilla presented her findings from an analysis of data from the National Center for Charitable Statistics on U.S.-based charities with an international focus.

Following Montilla’s presentation, Milton Cerny presented his paper, “Global Advocacy: The Building of Civil Society through NGOs.” Karla Simon, of the Catholic University of America, then provided her insights on the legal and tax regulation of nonprofit advocacy from an international perspective. Later in the morning, David Cohen presented findings from his paper, “What Practitioners Can Tell Us: Critical Lessons from the Advocacy Institute.” Following Cohen, Marguerite Berger, of the Interamerican Development Bank, provided comments on the “Intersection of Social Change and Development Banking.”

The afternoon featured a panel on “Strategies for Change in Transnational Networks,” which included representatives from the Carnegie Endowment for International Peace, the Federation of American Scientists, and the Forest Stewardship Council.

Seminar attendees could discuss and debate the ideas and papers presented through several roundtable discussions. Several participants noted that researchers need to be careful when analyzing “international” advocacy, broadly defined. This label may mean different things to different people: It could mean advocacy within particular foreign countries by indigenous organizations; it could be U.S.-based groups that advocate for change in foreign countries; or it could mean transnational organizations that cross borders and work on broad global issues that are not limited to one particular country or region.

Issues related to accountability were raised throughout the day. One participant noted that the Czech Republic implemented policies that gave tax advantages to nonprofit groups, but the perks were rescinded due to their corrupt use. The American model of nonprofit tax treatment is often used in other countries, but the U.S. system of accountability (requiring the regular reporting of nonprofit financial information and then making it available to the public, for example) is rarely implemented. The “good” nonprofit groups need to be more willing to self-disclose their information in order to differentiate themselves from the “bad” groups.

Because it is used as a model internationally, problems with and limitations to the U.S. system of nonprofit regulation need to be recognized and dealt with. For example, the difference between a public and private benefit or organization is still not clear in the United States; this is an important distinction that groups and the IRS need to make. Similarly, the line between partisan and nonpartisan activity is blurry, at best, but is an important component of regulating nonprofit political activities.
Participants debated what the prerequisites are for a civil society to take root and flourish in particular countries. Looking at former communist bloc countries, the nonprofit sector in countries that had a strong civil society before communism seems to be faring better than in those that did not. In countries that lacked this foundation, a bottom-up approach to building civil society is needed, which could include democracy-building programs being taught in schools.

Foreign funding of civil society groups and programs is sometimes a mixed blessing. The money helps civil society groups get established, but they often grow beyond the government’s control. Economic power for groups often translates into citizen power that threatens governments, especially relatively new systems. Groups may then find it difficult to work with the government when either conducting advocacy or coordinating delivery of services to citizens. Furthermore, representatives from the banking community may be more concerned about the specific outcomes of a program and not in building long-term civic participation and/or engagement (including venues for public debate and collective action). Young civil societies may not be able to benefit from, or sustain, detailed intricate programs.
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Elizabeth J. Reid, of the Urban Institute’s Center on Nonprofits and Philanthropy, conducts research on nonprofit advocacy and is the project director of the Nonprofit Advocacy Seminar Series. Ms. Reid has 20 years’ experience in working with labor and community organizations, grassroots political education, leadership training, and involvement in civic and political affairs. She contributed a chapter on nonprofit advocacy and political participation to *Nonprofits and Government: Collaboration and Conflict* (Urban Institute Press, 1999). She served as national political director for the American Federation of Government Employees throughout the 1980s and taught courses in society and politics at the Corcoran School of Art in Washington, D.C., during the 1990s.

Maria D. Montilla is a research associate at the Center on Nonprofits and Philanthropy, where she conducts research on nonprofit advocacy and its role, regulation, practice, and impact in the United States. In addition, she is studying the efficacy of state advocacy groups influencing the policy agenda to increase worker compensation in the child care industry. Ms. Montilla has also studied the role that nongovernmental organizations play in advocating for poor children in Latin America, as well as the role and impact of grassroots associations in encouraging citizen participation and fostering democracy in Latin American countries. Prior to joining CNP, Ms. Montilla was a graduate student at the Center on Philanthropy at Indiana University.
Milton Cerny is a senior member in Caplin & Drysdale’s exempt organizations practice group and a nationally respected expert in the nonprofit field. He has particular expertise in international philanthropy and cross-border grantmaking, and has served as an advisor and faculty member assisting central and eastern European governments through the Treasury Department’s Tax Advisory Program. Mr. Cerny serves on the advisory boards of the American Bar Association’s Central and Eastern European Law Initiative, the CEELI Institute Board of Directors, the American University Washington College of Law, and the Wesley Theological Seminary Foundation. In addition, he currently serves as the chair of the International Philanthropy Subcommittee. He is the past chair of the Subcommittee on Private Foundations and the Subcommittee on Political and Legislative Activities for the ABA Tax Section’s Exempt Organizations Committee. During his 28-year career at the Internal Revenue Service, Mr. Cerny held positions of authority affecting every aspect of the Service’s exempt organizations function. He has authored the “Letter Ruling Alert” and “International Dateline” columns for the *Exempt Organization Tax Review*, and is currently an adjunct professor of law at the American University’s Washington College of Law.

David Cohen is codirector and a founder of the Advocacy Institute. He has worked as an advocate and strategist on many major social justice and political reform issues in the United States, and played a leading role in the fight to end Congressional support for the Vietnam War. In the 1980s, he formed a coalition of professionals—doctors, scientists, lawyers and social workers—to stop the United States nuclear arms build-up by supporting arms control agreements and a reduced military budget. From 1975 to 1981, he was president of Common Cause, the largest voluntary membership organization in the United States working on accountability issues. At the Advocacy Institute, Mr. Cohen’s expertise is used to counsel social justice movement groups in their efforts to gain support for their public agenda, particularly in understanding the place of civil society and the elements of advocacy. He has pioneered the Institute’s work in its international capacity-building programs and participates fully as a principal facilitator.

Bob Edwards is director of graduate studies in the Department of Sociology at East Carolina University (ECU) in Greenville, North Carolina. His research focuses on social movements and advocacy organizations and their relationship to political participation and social change. His work has appeared in the *American Sociological Review*, the *Nonprofit and Voluntary Sector Quarterly*, and the *Journal of Democracy*, among others. He is coeditor (with Michael W. Foley and Mario Diani) of *Beyond Tocqueville: Civil Society and the Social Capital Debate in Comparative Perspective* (University Press of New England, 2001). Prior to joining the faculty at ECU in 1995, Mr. Edwards worked as a housing inspector and community development specialist for the Arlington (Virginia) Community Action Program and as a policy and evaluation research analyst for Maryland’s Montgomery County Public Schools Division of Educational Accountability. He has also served on the boards of several community-based nonprofits in the District of Columbia.

Michael W. Foley is an associate professor of politics and a research associate at the Life Cycle Institute of the Catholic University of America. He is a specialist in democratic development, grassroots organizations, and the nonprofit sector, and has performed field research in Mexico, El Salvador, and the United States. His most recent publication is *Beyond Tocqueville: Civil Society and the Social Capital Debate in Comparative Perspective* (coedited with Bob Edwards and Mario Diani, University
Press of New England, 2001). Mr. Foley is currently director, along with Dean Hoge, of the Life Cycle Institute’s three-year investigation of the role of congregations in the civic and social incorporation of immigrants in the Washington, D.C., area. Funded by The Pew Charitable Trusts, the project examines the impact of Muslim, Christian, Hindu, and Sikh congregations on immigrants’ adaptation to American life.

Debra C. Minkoff is an associate professor of sociology at the University of Washington, where she studies social movements and macro-organizational analysis. She is author of Organizing for Equality: The Evolution of Women’s and Racial-Ethnic Organizations in America, 1955-1985 (Rutgers University Press, 1995), and a number of published papers on the organizational dynamics of the civil rights and feminist movements, including “Bending with the Wind: Organizational Change in American Women’s and Minority Organizations” (American Journal of Sociology 104 [6]) and “Producing Social Capital: National Social Movements and Civil Society” (American Behavioral Scientist 40). Ms. Minkoff’s current research on the U.S. national social movement sector, funded by the Aspen Institute’s Nonprofit Sector Research Fund, provides further insight into the multidimensional nature of organizational activity by social movements and how they interact with institutional, political, and resource environments.

Judith R. Saidel is the executive director of the Center for Women in Government and Civil Society, a research, policy education, leadership development, and training center founded in 1978 as part of the Graduate School of Public Affairs at the State University of New York at Albany. Her research interests include interdependence issues between public agencies and nonprofit organizations, the implications of contracting for nonprofit governance, the demographic characteristics of top-ranking gubernatorial appointees, and questions related to representative bureaucracy. Ms. Saidel is co-principal investigator with Norma M. Riccucci of “Appointed Policy Makers in State Government,” a multiyear project funded by the Ford Foundation. She recently completed a study of advisory groups and nonprofit governance, supported by a grant from the Aspen Institute Nonprofit Sector Research Fund, and is co-principal investigator of the Nonprofit Education Initiative, a four-year project with major support from the W. K. Kellogg Foundation.
Evelyn Brody is a professor of law at the Chicago-Kent College of Law, Illinois Institute of Technology, and a visiting professor of law at Duke University. She is also an associate scholar of the Urban Institute, working on projects with its Center on Nonprofits and Philanthropy. Professor Brody teaches courses on tax and nonprofit law, and writes and lectures on a variety of legal, economic, and social issues affecting individuals, businesses, and nonprofit organizations. In 1994, Professor Brody taught a course on the tax treatment of financial products for the Taiwan Ministry of Finance, and in 1992 she served on the Clinton/Gore transition team (Treasury/tax policy). Between 1988 and 1992, she was an attorney/advisor in the U.S. Treasury’s Office of Tax Policy. Previously, Professor Brody practiced with Arnold & Porter in Washington, D.C., and with Michael, Best & Friedrich in Madison, Wisconsin.

Frances Hill is a professor at the University of Miami School of Law, where she teaches courses in taxation, bankruptcy, and commercial law. In June 2000, she testified before the Oversight Subcommittee of the U.S. House of Representatives Ways and Means Committee on legislation to require disclosure by certain Section 527 organizations that were not then subject to Federal Election Commission reporting and disclosure requirements. She is active in the American Bar Association Section of Taxation’s Committee on Exempt Organizations and is a member of the American Law Institute. Professor Hill speaks frequently on issues relating to tax-exempt organizations and has written extensively on the role of nonprofit organizations in electoral campaigns.