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ADVOCACY FUNDING

THE PHILANTHROPY OF CHANGING MINDS

advocacy funding

the
philanthropy
of changing
minds

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IN THIS GUIDE, grant makers from private and community foundations talk about why, when, and how advocacy funding has worked for them. Know the law, they advise, and take advantage of the latitude it provides. Don't rule out a perfectly legal strategy that can help advance the mission of grant making.

This guide was written by Tony Proscio. It is part of the GrantCraft series.

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Publications and videos in this series are not meant to give instructions or prescribe solutions; rather, they are intended to spark ideas, stimulate discussion, and suggest possibilities. Comments about this guide or other GrantCraft materials may be sent to Jan Jaffe, project leader, at j.jaffe@grantcraft.org.

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Why Foundations Support Advocacy

Very few of the big problems that inspire philanthropy can be solved by philanthropy alone. Most of the time, foundation grants support activities that depend on much larger contributions from other parts of society, including volunteers, individual contributors, nonprofit organizations, businesses, and — sometimes greatest of all — government. Whether the goal is to help the poor or unemployed, promote health or education, improve transportation, create new housing, combat inequality, preserve the environment, or support fair trade and economic growth, foundation dollars are typically dwarfed by those from other sources, especially federal, state, and local budgets. Many foundations have therefore found it useful — and in some cases necessary — to support grantees who advocate for policy change. Some foundations have even felt called upon to engage in advocacy themselves.

This guide presents the views and experience of a wide variety of grant makers who have supported advocacy. They talk about the ways in which advocacy has advanced their programmatic goals or amplified their grant making, the components of their advocacy efforts, and what resources they needed to cultivate to pursue advocacy effectively.

They also describe some of the risks entailed in advocacy grant making. A concerted effort to advocate for public policy change sometimes draws controversy or even organized opposition; it may prove to be time-consuming and slow work; and it may expose organizations or grant makers to more publicity, good or bad, than they would prefer. And advocacy can be hard to evaluate. But all this is true of many kinds

of grants. As in other areas, the risks need to be weighed against the countervailing rewards.

Many people believe that private foundations are prohibited from funding advocacy — and there are, to be sure, some kinds of advocacy that are legally impermissible. But these are few and relatively easy to avoid. “I don’t think the principal constraints are legal ones,” said one grant maker, reflecting on attitudes he encounters in the field. “The issues that hold foundations back have to do with understanding how things work and with having confidence that you can make a difference.” Engaging in public debate about public issues is, said another grant maker, “part of our legal and moral responsibility” to seek out public support for

new ideas and new methods of solving problems, including when those ideas and methods might entail changes in law, regulation, and government practice.

Advocacy grant making is not the right choice for every funder. Yet every grant maker we spoke to noted that there are excellent general arguments

in favor of it, and no sound general argument against it. The question facing particular donors and foundations is not, Is advocacy right or wrong?

Rather, the real questions are, Would my foundation's particular goals benefit from advocacy? And does our organization have the knowledge and resources to make effective advocacy grants or to engage in advocacy in our own right?

WHERE THE EXAMPLES COME FROM

Of the many advocacy efforts that grant makers discussed with us, these particular cases figure prominently:

- A private foundation that supported advocacy for civil rights, not only by funding litigation and enforcement, but also by bringing advocacy organizations together
- A grant maker who helped launch a national coalition dedicated to improving transportation policy and limiting metropolitan sprawl
- The head of a family foundation who organized a campaign that challenged public officials to change state policy on homelessness
- A team of grant makers who supported grantees in a campaign to reduce smoking through a mix of policy change and expanded smoking-cessation programs
- A private foundation that drew public attention to the consequences of gun-related violence, the scarcity of health insurance among many state residents, and other public-policy problems related to health
- A community foundation that advanced statewide efforts on school improvement and wilderness conservation, working with a state government that was initially distrustful of the foundation's efforts

It's worth noting that community foundations have significantly wider latitude to carry out advocacy activities than do private foundations. Yet the array of examples, deliberately drawn from various points on the ideological and policy spectrum, illustrates how various grant makers in different types of foundations approach the choice about advocacy, what they hope to achieve, and how they weigh the pros and cons along the way. A complete list of those who contributed to this guide is on page 33.

What is advocacy?

The grant makers we talked to described “advocacy” as a category of activities – usually carried out by grantees, but sometimes undertaken directly by foundations – whose *primary purpose* is to influence people’s opinions or actions on matters of public policy or concern. In broad strokes, our contributors described three types of public policy advocacy:

- **Advancing an idea.** When a good idea is too little known and therefore not sufficiently part of the public debate, advocacy can help showcase what that idea could accomplish, build support for it, and encourage policy makers to act on it.
- **Arguing a position.** When a good idea faces opposition, grants to effective advocates can help them clarify their side of the issue, present relevant research, and respond to opposition.
- **Enriching the debate.** When discussion of a public problem seems to lack *any* clear solution, or when the discussion involves too few of the relevant constituencies, grant makers can help develop new information, bring more voices to the table, or encourage more effective deliberations – even without endorsing any particular point of view.

Here’s an example of each, drawn from the experiences of three very different foundations:

On advancing an idea. One grant maker who supports poverty reduction in the United States described a concerted effort by his foundation and a group of grantees to introduce the idea of children’s savings accounts – a mechanism by which government would establish a savings account for every child at birth, then provide special assistance and incentives to help low-income families save for their children’s future. As they formulated the research and demonstration project to pilot test the details of the system, they also designed a communications plan that would publicize the idea and highlight its broad appeal. He explained: “The notion that low-income people can save and invest in productive assets has proved to be a popular idea that transcends party lines and ideologies. People setting goals, following through on their plans to achieve their goals, and investing in themselves in productive ways resonates with many traditional values of self-reliance and empowerment. And the notion that this behavior can be facilitated or encouraged by government policies that resemble the various savings incentives provided to middle-income people strikes many people as fair.”

On arguing a position. A staff member in a national foundation supporting anti-smoking advocacy recalls: “There were enormous numbers of people who wanted [clean indoor-air] legislation, who didn’t want to have to work and eat and do business overcome by smoke. And there was research showing physical harm from secondhand smoke to employees in restaurants and bars who were, in effect, compelled to breathe in other people’s carcinogens or else lose their jobs. But with tobacco companies spending millions of dollars to claim that there was no harm in secondhand smoke, no public-health interest in indoor air quality, and no public support for controls, the desire for clean air was basically drowned out. Our grants made sure that information got out to the public and to decision makers: research grants, public information grants, support to produce public-service advertisements, and state-level campaigns to get the word out.”

On enriching the debate. A local funder who supports efforts to end homelessness – both direct services and advocacy – pointed out that, in her state, “we have a strong advocacy community, a strong workforce community, a strong low-income housing community, yet we weren’t seeing great success at the policy level, which really requires cross-collaboration among all these groups. A lot of policy debate in the state involves a narrow audience of wonks who speak the same language. And doing antipoverty work, it’s discouraging not having a bigger constituency caring about those issues. ... So the first thing we tried to do was get more voices around a common table talking about what it would take to end homelessness, and how we would move that agenda once we had it.”

Defining Your Role as an Advocacy Funder

Advocacy grant making often demands strong leadership from funders and a commitment to persevere in the effort over many years. The decision whether to take on advocacy depends in part on the amount of time and expertise the effort will demand. One grant maker decided to proceed only after the founder of the family foundation for which she works agreed with her assessment of three key factors: that their state's policies needed to change, that philanthropy would be much less effective without such a change, and that concerted support for advocacy was therefore worth the commitment of the foundation's time and resources. Without such an informed, deliberate choice, she says, it is unlikely that the effort would have been as wide-ranging, sustained, and effective as it was.

Nearly everyone who spoke to us argued that an advocacy effort needs to arise from the mission and strongly held principles of the foundation, its donor or board, and its staff. "Advocacy is not," said one grant maker, "something you can do well if you do it half-heartedly. It's not really a 'what-the-hell' kind of effort, where you can make a few small grants and just see how it turns out. The potential for controversy or mid-course surprises, or for legal questions turning up now and then, means you really have to pay attention to it, and you have to be really committed to it. That way, if controversy arises, you'll remember why you got into this in the first place, and why it's important to stick it out. And more important, if it takes a long time to reach a point of real, recognizable change, it's your values and your mission that are going to help you persevere over that long haul."

TO FUND OR TO ACT?

Some grant makers fund advocacy, and some are advocates themselves. Many do both. The choice of whether a grant maker directly promotes an approach to public issues or funds others to do so depends on several considerations:

- Whether the grant maker or the grantee has a better knowledge of the substantive issues, the public policy process, and the means of influencing public decisions. (Most grant makers said their own expertise pales in comparison with that of their grantees.)
- Whether the legal restrictions on a funder's activity are different from those on a grantee, and whether those differences affect the kind of advocacy that could be conducted.
- Whether the funder or the grantee is better able to devote the staff, time, and stamina to take a public role on the issue. (Sometimes each party brings one or more of these essentials, so they choose to share responsibility.)
- Whether the funder or the grantee would bring a greater weight or authority — technical, political, or moral — to the opinions being expressed.
- Whether the funder or the grantee is willing and able to accept the publicity — and maybe the controversy — that can result from a publicly visible role.

Many grant makers have found that the choice isn't a simple either/or. One foundation, for example, saw that its grantees were much better at gathering information, formulating cogent argu-

“Advocacy is not something you can do well if you do it half-heartedly. ... You really have to pay attention to it.”

ments, and contacting individual policy makers than they were at reaching wide audiences with a clear, crisp message. The foundation first decided to support grantees in the activities at which they were effective and help them build expertise in areas where they were weak. But in time, it also ended up performing some parts of the advocacy work directly, such as hosting meetings, publishing reports, and soliciting support from prominent public figures.

It is significant that most grant makers who contributed to this guide did not take a lead role in setting strategy, formulating the message, or deciding how to deliver that message to audiences. With just one or two exceptions, they relied on the experience and frontline savvy of their grantees. Even a grant maker whose foundation took a public, direct role in part of an advocacy effort made a point of following the lead of grantees: "I was ready to show up at hearings, or host a meeting, or meet with analysts or speak to reporters. But I generally did those things only as part of a coordinated plan. ... I would never have had enough expertise by myself to know when to use which resource on what part of the challenge. And neither would most of the people at that table."

FINDING YOUR TOLERANCE LEVEL

Advocacy grant making typically entails risks of both frustration and controversy, which worries some funders. One grant maker recalled that the founder of the family foundation where she works "originally didn't want to do anything with system change and public policy. He basically hates the world of gov-

ernment; his eyes glaze over and he gets frustrated." But later, this same founder met some beneficiaries of the foundation's grants in person and learned how longstanding practices of state government were inadvertently undermining some of the very work the foundation was trying to support: "He was outraged. He's a problem-solver by nature, and he couldn't stand the idea of problems being created by default, with no one paying attention to them and no one doing anything about them. Suddenly, he was the biggest force for us in policy change."

On the other hand, another grant maker frankly said, "Our trustees decided that their role was in supporting good work, and they'd rather leave the public to make up its own mind. I think they feel we don't have the expertise to do a good job in advocacy, and they may want to stay clear of any potential controversy. In any case, they believe our work speaks for itself, and they prefer to leave it that way."

The head of a community foundation in a small, mostly rural state found that his donors and trustees were deeply wary of "advocacy" when the issue was presented in the abstract. And yet, on issues about which they felt strongly, they were more than comfortable about approaching policy makers, engaging in public debate, and helping to formulate and organize changes in government policy.

"The first thing I learned," he said, "is that it can be a mistake to name it 'public policy.' It can bring down a firestorm. When I first took this job, I went around the state, in a series of small meetings, and I often talked

about getting [the foundation more deeply] into public policy. And almost to a person, they said ‘Absolutely not. What are you thinking?’” Later, however, the foundation made a series of grants in the field of land conservation and education reform – two issues on which its donors were deeply committed – and some were influential. Soon, “we were playing quite an active role, in meetings with the governor and the legislative leadership, in formulating proposals, and in speaking, along with our grantees, to the media. ... The same people who were horrified at the thought of public policy cheered at this perfectly natural involvement with the public sector on issues like this. If I had

labeled any of this ‘public policy,’ I’d have run into opposition.”

Another grant maker conceded that coping with the anxiety of colleagues and others is a constant part of advocacy funding: “When I mention advocacy – even sometimes in this foundation – people tend to panic as if I’m talking about going to [the state capital] and twisting arms, or endorsing politicians, or funding political ads on TV. I’m nowhere near doing that.” Rather, he argued, “I’ve got a huge advocacy job to do that isn’t controversial, or at least shouldn’t be. It consists of defining and describing a problem so people understand it, and

The Beauty of the General Support Grant

Many of the grant makers who spoke to us about advocacy said that they did not want to play a regular, day-to-day role in selecting audiences and message, planning activities, or otherwise managing the implementation of advocacy work. As one person succinctly put it, “I wouldn’t have the time or even the expertise to be helpful, but if I started trying to dabble in it part-time, I’d probably end up being a hindrance.”

Instead, many said they preferred to choose proven, effective advocacy organizations as grantees and then offer them core support to carry out their work. This observation from a longtime grant maker in advocacy was typical of what we heard:

“My strong belief is that the grantees are the experts. Once you find grantees with the capacity, they will make better judgments than you will about how the money should be spent. They know much better than I what needs to be done at any given moment. The best way to support that work is to give them unrestricted money to spend on the things you agree on generally – however they see fit. And every effective grantee told us, without exception, that the best money you could give us is general support.”

“It was my colleagues, other program officers, who were skeptical of it, because they thought it wasn’t strategic. My response to them was: ‘Engage grantees more, but put fewer restrictions on their money.’ If the money isn’t restricted, then you don’t have to get into silly dances about how they met the letter of the contract and you met the letter of the tax laws, and you can really engage them about how to be as effective as possible. A 501(c)(3) that is really experienced in advocacy will know far better than you do what their legal spending limits are, what the permissible activities are, and so on. When you give them general support, you don’t have to immerse yourself in that. Your conversations are on a high level – big-picture questions like concepts, direction, orientation. That’s what the word ‘strategy’ really means – setting goals and objectives, not the workplans for how to reach them.”

so they really digest what's known about it and what they can do about it, if they choose. It consists of putting the research and the analysis and the scholarship out there in a way that people can grasp, and making sure it's translated into things we can actually do."

The president of a large community foundation noted regretfully that "many of us have moved so much to an emphasis on measurement that we avoid things — like advocacy — that can't necessarily be proven effective." Tolerance for advocacy's uncertainties may be greater, he explained, when the source of the money is an "active, living donor who is much readier to make change."

Most grant makers determine if an advocacy effort is warranted by considering, as one person put it, "trustees' and staff members' passion for an issue, plus our collective judgment about how much real good an advocacy effort can do, or how long it will take to have an effect. I can imagine a lot of institutions making those decisions differently than we would. Some of it is highly subjective — which it needs to be, because public policy work can take a long time, and you have to have enough commitment and stamina to stick with it." The choice about when and how much advocacy to pursue, she said, "has to do as much with your feeling of rightness and urgency as with any kind of scientific test."

Resources Cited in This Guide

■ Alliance for Justice — www.allianceforjustice.org

- Investing in Change: A Funder's Guide to Supporting Advocacy. 2004.
- Worry-Free Lobbying for Nonprofits: How to Use the 501(h) Election to Maximize Effectiveness. 1999.
- E-Advocacy for Nonprofits: The Law of Lobbying and Election-Related Activity on the Net. 2000.

■ Center on Philanthropy and Public Policy — www.usc.edu/schools/sppd/philanthropy

- Private Foundations and Policymaking: Latitude under Federal Tax Law. May 2002.

■ Charity Lobbying in the Public Interest — www.clpi.org

- Internal Revenue Service letter. December 2004.

■ Communications Consortium Media Center's Media Evaluation Project — www.mediaevaluationproject.org

- Public Communication Campaign Evaluation: An Environmental Scan of Challenges, Criticism, Practice, and Opportunities. May 2002.

■ Grantmakers In Health — www.gih.org

- Funding Health Advocacy. Based on a Grantmakers In Health Issue Dialogue. February 2005.

What's Permissible: Foundations, Advocacy, and the Law

First, a crucial caveat: The most important thing to know about legal issues discussed in this guide is that **there is not enough information in these pages** to give you definitive legal guidance on any grant or approach to grant making, or on how specific rules may apply to you. The purpose of this brief section is simply to raise a few of the main issues for grant makers who are unfamiliar with the law or are just starting to think about what they can and can't do in the broad field of advocacy.

This section may give you ideas and a general sense of possibilities that is wider than many people realize, but it is no substitute for firsthand advice from legal and tax advisers who are thoroughly versed in the rules of advocacy and who have your specific interests in mind. (Expertise in advocacy is a must, one grant maker advises: "Many attorneys and accountants are unfamiliar with these laws and regulations, and so, in order to protect their client, they recommend the safest possible route: i.e., stay away from it. Foundations ... may even want to pay for their attorney or accountant to attend some workshops on this specific area of IRS law and regulation.")

FOUNDATIONS AND LOBBYING: THE RULES AND THE EXCEPTIONS

A foundation's freedom to participate in public policy debates, and particularly in the legislative process, is determined in large part by its tax status. The U.S. Internal Revenue Code, more commonly called the Tax Code, sets out specific dos and don'ts that apply to each type of tax-exempt organization. The don'ts are more famous, but it isn't all "Thou shalt not."

The basic rules for foundations.

Organizations designated as **private foundations** are free to express opinions on public issues, inform people (including lawmakers) about public problems and possible solutions, and mobilize constituencies around principles they believe in. But the Tax Code does not permit them to **lobby** — that is, under most circumstances they may not spend their money and other resources to advocate for or against any specific piece of pending legislation. (There are some important exceptions to this rule, which we'll get to in a moment.)

Public charities have more freedom to lobby, and to fund lobbying, within limits spelled out in the Tax Code. Most **community foundations**, for example, are organized as public charities under Section 501(c)(3) and therefore can engage in a certain amount of lobbying in their own right, or expressly support such lobbying to some extent by their grantees. Organizations designated as **social welfare organizations** have the widest latitude to intervene directly in political and legislative activity.

Though the Code's definition of "lobbying" is elaborate and, to some expert eyes, open to interpretation, it essentially means communication with public officials or their staffs that "refers to" or "reflects a view" about specific legislation. "Legislation," in this context, includes action on budgets and spending as well as executive or judicial appointments and treaties, but not administrative rulemaking. It includes bills that are being drafted but have not yet been introduced. It also extends to "model legislation," which advocacy groups sometimes prepare to exemplify the legislation they seek to promote.

"Foundations ... may even want to pay for their attorney or accountant to attend some workshops on this specific area of IRS law and regulation."

THE RISKS OF NOT KNOWING THE LAW (PART 1)

An excess of caution...

A grant maker working on metropolitan planning explained that lack of knowledge of the law meant less-than-candid relationships between the foundation and its grantees:

“Any time I brought up anything that involved a grantee being involved in legislation — no matter how neutral our grant was, no matter how incidental a part of the project it was — our legal office gave us an instant No. It wasn’t that they researched the proposed activity and decided that it wasn’t permissible; they didn’t want to explore unfamiliar territory. It was just a blanket, absolute ban. ‘We’re not doing this.’ Well, you can imagine, with so many [local] governments involved in every metropolitan area where we were working, there were a lot of cases where our grantees had to interact with city councils, county commissions, state legislators. By forbidding all discussion about it, our lawyers were basically saying grantees would have to act behind our backs, and we couldn’t discuss what they were doing, or learn from it. I know there were perfectly legal ways we could have gone about this. We missed an opportunity by not studying our options.”

In other words, in most instances private foundations may not press public officials to support or oppose a proposed law or expenditure, and they may not expressly fund other people to do so. Nor may they engage in “grassroots lobbying” — that is, they may not encourage members of the public to contact legislators and express a particular view on legislation, budgets, or executive appointments. The penalty can be steep fines or even, in extreme cases, loss of the foundation’s tax exemption.

These dangers arise primarily when there is a specific piece of drafted legislation. A rough general rule is: If there’s no legislation, then you’re not lobbying. In the eyes of the law, there is a big distinction between “Preserve the Rainforest” and “Support the Rainforest Preservation Bill.” The latter is lobbying, and severely restricted. The former is fair game.

(For a persuasive, thorough, and legally sophisticated discussion of advocacy grant making, see *Investing in Change: A Funder’s Guide to Supporting Advocacy* and other materials available from the Alliance for Justice at www.allianceforjustice.org. Also useful is a paper by attorneys Thomas Troyer and Douglas Varley, “*Private Foundations and Policymaking: Latitude under Federal Tax Law*,” commissioned by the Center on Philanthropy and Public Policy and available at www.usc.edu/schools/sppd/philanthropy.)

Supporting grantees that lobby.

Private foundations are not permitted to lobby, nor are they permitted to make grants that support lobbying activities by others. Nonetheless, private foundations are permitted to support *grantees* that lobby. In fact, foundations need

not forbid their grantees from using grant funds for lobbying, given a few safeguards:

- the grant does not expressly support lobbying
- the support is not (and does not appear to be) “earmarked” by the terms of the grant for lobbying activities
- the amount of the grant is *not greater than the whole non-lobbying portion* of the project budget

Most foundation grantees are classified as *public charities* under the Tax Code’s Section 501(c)(3). These organizations are permitted to engage in some lobbying, so long as lobbying isn’t a “substantial” part of the organization’s activities. (The Internal Revenue Service uses various tests to determine what’s “substantial.”) These same organizations may, under a special provision of the Tax Code, register as “electing public charities,” which allows them to spend money on lobbying up to a specific dollar amount, based on a percentage of their budget.

There are *grantees other than public charities* whose tax designations expressly permit much more latitude in lobbying. But when a private foundation supports those organizations, it usually incurs expenditure responsibility — that is, a higher responsibility to see that its grant funds are used in accordance with applicable law and regulation. Normally, when a private foundation has “expenditure responsibility,” it must exert all reasonable efforts and establish adequate procedures to see that the grant is spent solely for the purpose for which it was made, and explicitly prohibit the

grantee from using the grant for lobbying purposes.

Grantees don't necessarily know the law. Although grantees often have more legal latitude for advocacy than their funders do, it can be a mistake simply to assume that all grantees know the law and how to apply it. "One of the most important things a foundation can do if it intends to engage in advocacy work primarily through its grantees," one grant maker wrote, "is to be sure that they are well trained in the legal requirements around both their own activities and those of the partnering foundation." Providing sound legal counsel to grantees, supporting their costs of counsel, and, more generally, helping them learn the rules of permissible and effective advocacy are good ways of ensuring effectiveness on a given undertaking. They also help build more effective advocates for a given set of goals, even after the funder's grants have ended.

(For a letter from the Internal Revenue Service to Charity Lobbying in the Public Interest on the rights of private foundations to support public charities that lobby, see www.clpi.org.)

What if you know your grantee plans to engage in lobbying as part of a project for which you're making a grant? The short answer is: As long as you take some simple precautions to be sure the lobbying and the grant are permissible, *that's fine*. Foundations that support 501(c)(3) organizations don't need to pretend that lobbying doesn't take place, and they don't need to wall themselves off from any knowledge or discussion of it. They certainly don't have to prohibit it in their grant letters.

In fact, grant makers and grantees generally agree that it's far better to know and discuss grantees' lobbying plans frankly and clearly. As one put it, "The last thing I want is for a grantee to feel that they can't discuss with me something that they intend to do, that they know is perfectly legal and in fact is consistent with the purpose of our grant, but that they think we somehow want to be deceived about. All that does is undermine trust and limit our ability to think through the public dimensions of a problem. It makes us look like some kind of crank(s) that you can't talk to honestly without them getting upset."

The precautions that you need to take are, first, be sure that your grant is not specifically earmarked for the lobbying portion of the project and that the amount of the grant isn't more than the total cost of the non-lobbying activities. In other words, it must be possible to spend the entire grant on non-lobbying activities, even if that is not how the grantee actually allocates the money in the end. Second, look carefully at a budget that's detailed enough to separate the lobbying from the non-lobbying expenditures in a reliable way. It's important that you get enough information so that you can make these calculations, with confidence, for yourself. For grants that don't explicitly require "expenditure responsibility," you are not expected to police the grantee's ultimate use of funds on lobbying. You just have to make reasonably certain ahead of time that your money could have been spent entirely on non-lobbying activity if the grantee so chose.

Important note: You do not have to confirm that other funders' money

THE RISKS OF NOT KNOWING THE LAW (PART 2) ...Or being caught by surprise

A grant maker interested in affordable housing cited a case in which a project had to be altered at the last minute because of a failure of foresight:

"A grantee was working on revenue and cost projections for an affordable housing project. A standard part of that involved getting a local tax abatement to keep the rents down. It was routine; this grantee did it all the time. But it required a legislative vote, so it was considered an attempt to influence legislation. This caught me totally by surprise. It wasn't that there was a bill pending on taxes. It was a matter of getting a tax treatment for this specific project. The truth is, it might have been permissible for us to work on it and use our grant for it. But I hadn't alerted our lawyers, and by the time they found out about it, there was no time for research on dos and don'ts. They just shut down that part of the grant I was proposing, and the grantee had to scramble for another way to pay for that part of the activity. Next time, I'll be smarter about spotting this kind of thing in advance."

AFTER THE LAW IS PASSED: AN OPPORTUNITY FOR INFLUENCE

One area of wide freedom for foundations and nonprofits is in the public policy process surrounding the writing of regulations. After a piece of legislation is passed, many important decisions about the effect and reach of that legislation are left to executive agencies and regulatory bodies to iron out. “Foundations don’t fund this much,” says a grant maker who works extensively in health care advocacy. “But if you want to fund advocacy, there are no restrictions on funding it in the regulatory process. Once you get a policy passed in the legislature, the most critical question is: Will this be implemented in the spirit for which it was designed? Private interests who feel they suffered a setback in the legislative process are well versed in recouping their losses once things get into the rulemaking stage. It is a weakness of advocacy organizations that they don’t spend enough time and resources in the regulatory realm. Foundations don’t really fund this activity — partly because advocates don’t pursue it, but also because foundations may not realize what a critical role implementation plays in the public policy process.”

meets this test. The calculation, for this purpose, involves only your own foundation’s money. It’s entirely up to the grantee and other funders to perform this test for themselves. If it turns out that the total amount of grant support raised from foundations far exceeds the non-lobbying portion of the grantee’s budget — in other words, even if it is virtually inevitable that grant dollars will be spent on lobbying — that is permissible under the Tax Code, so long as no one foundation’s support exceeds the total amount of the non-lobbying budget.

BEYOND LOBBYING: A WIDE LANDSCAPE FOR PHILANTHROPIC ADVOCACY

Prohibitions on lobbying by private foundations are strict, but the activities to which those prohibitions apply are actually quite narrow. It is not lobbying — and it is therefore completely permissible — for foundations of all kinds to take positions on public issues, to research and discuss those positions openly, and even, in many cases, to communicate the foundation’s views and findings directly to lawmakers and other government officials. As long as the expressed views don’t relate to a particular piece of legislation, the opinions can be expressed openly.

In fact, the Tax Code explicitly allows private foundations to pursue the following kinds of policy advocacy:

■ **Nonpartisan analysis, study, or research.** When a foundation or its grantee produces a study that independently and objectively analyzes a pending policy matter, it is not considered lobbying to share that study with lawmakers or legislative

bodies. The material has to pass two tests: It must present a sufficiently full and fair exposition of the facts so that a reader can form an independent opinion or conclusion, and the findings have to be distributed widely, not mainly to people on one side of the issue. Such studies may contain the foundation’s or the grantee’s opinion or conclusion about the issue — but be careful: The information must still be presented in a way that would allow a reader to assess the evidence and draw a different conclusion.

■ **Examination of broad social, economic, and similar problems.** A private foundation may discuss broad social issues, and may freely fund grantees to do so, if the discussions don’t touch on the merits of any specific pending legislation. Publications and conversations might urge the government to extend wildlife protection, raise or lower taxes, adopt particular approaches to social problems, or promote or prohibit oil drilling. In fact, foundations have supported strong advocacy in all these areas.

■ **Technical assistance upon request.** Grant makers, in their official capacity, are welcome to give technical advice or assistance to government bodies like congressional or legislative committees — even explicit opinions on pending legislation — if they are invited to do so by the body in question. They may also fund grantees to give such advice, provided it is properly requested. The request must be made in writing, by the chair of the committee, and the information must be provided to the

full body that the official represents. The communication may even give clear opinions on pending legislation, if such opinions are explicitly requested. (Note that requests from individual members of the committee or of a legislative body don't have the same status, and can't confer permission to lobby.)

- **Self-defense.** A private foundation is free to communicate with lawmakers and legislative bodies about proposed actions – even including specific legislation – that might affect “the existence of the private foundation, its powers and duties,

its tax-exempt status, or the deductibility of contributions to it.” Foundations are even permitted to try to initiate legislation on these topics.

- **Litigation.** Another powerful advocacy tool on which the Tax Code places no restrictions (in fact, on which it is all but silent) is litigation. For issues that are open to judicial, rather than legislative, solutions, foundations are free to support lawsuits that can have, as several grant makers pointed out, more immediate effects on law and policy than years of public education and civic argument.

The Tools of Advocacy

For most of the grant makers who contributed to this guide, advocacy consisted essentially of seven instruments or methods, which could be used by grantees, funders, or both:

- **Research** aimed at clarifying public issues, weighing the merits of various options, and firming up the case for the solutions that work best.
- **Constituency organizing and mobilization** – that is, rallying people with a stake in the issue, helping them formulate and express their views, and supporting organizations and projects that help constituents advance those views in the public arena.
- **Making current advocates more effective** through general support, specialized training, networking with other advocates, and organizational development in areas relevant to advocacy, such as communications and information management.
- **Forming and sustaining coalitions** among constituency groups, researchers, experts in communications and public policy, and other groups that can help advance public debate.
- **Using media** to reach the right audiences, including two major branches of media strategy: reaching out to news organizations to generate coverage of the topic, and producing one's own publications, ads, videos, events, and other broad outreach material.
- **Litigation** on issues of fundamental law or justice, especially in cases where existing policy is not being properly applied or the situation is urgent, as with constitutional issues.
- **Direct approach to policy makers** – a crucially important activity that may sound like “lobbying,” but actually runs into that legal limitation only in certain narrowly defined circumstances that are easy to avoid.

Building Knowledge and Will: Tools and Techniques

“The most critical thing the group accomplished was to recognize the policy moment, the receptivity of people who mattered, and to focus on that and seize it.”

Grant makers who spoke to us for this guide overwhelmingly agreed that the greatest part of advocacy by far is education — in the sense of educating the public and policy makers about important issues, problems, and solutions. Education, in that broad sense, is one of the fundamental purposes that nonprofits and foundations serve in the United States, a purpose expressly set forth in the Tax Code. And educating lawmakers and other public officials is part of that mission.

A grant maker who supported national public policy advocacy for many years observed that “most of what we did consisted of people paying visits to [Capitol] Hill, calling on members and congressional staff, to explain vision and principles, to explain the importance of thinking about our issues and problems. ... That information works its way into people’s consciousness and their understanding of issues. There’s a huge amount of work that people think of as lobbying, but isn’t.”

With that in mind, the grant makers we talked to identified a few essential techniques for building and communicating a strong, compelling message.

IDENTIFYING YOUR AUDIENCE AND WHAT THEY NEED TO KNOW

Effective communication starts with knowing the audience and determining what reaction you intend to spark.

The audience may be a few people at the right moment. A grant maker who funded years of advocacy for transportation reform recalls that the whole effort began when a few leaders of policy research groups recognized “a unique policy moment, an opportunity

for change that hadn’t existed before.” What created the moment, more than anything else, was a particular configuration of congressional leadership and staff, a growing body of research in which those officials seemed to be interested, and a growing political weakness among defenders of the status quo. So what eventually became a national movement for transportation reform, including at least two significant pieces of federal legislation, started with an observation about a potentially receptive audience — a small number of people in influential positions who really cared about the issue.

As the same grant maker put it: “The most critical thing the group accomplished was to recognize the policy moment, the receptivity of people who mattered, and to focus on that and seize it. No one else could have done that. You had to know the Washington environment, and particularly this little obscure subset of it, intimately well to have spotted that opportunity and made something of it.”

As the reform coalition took shape, the members drafted a kind of manifesto, or “vision statement,” initially to help clarify the concepts and principles they held in common. The statement became a basic outline for reform. It was then circulated — not through a broad media campaign, but primarily within Congress, where initial discussions about highway reauthorization were just getting started. The narrow, targeted circulation resulted in an entrée into the policy process that probably would not have happened through a more public, broad-based appeal. “Just as they expected,” the grant maker recalls, a key committee chair “really latched on

to this approach and eventually invited them to work on drafting legislative language. The executive director [of the coalition] was a former insider in this process; she knew the people she was targeting and how they worked. And once the group was invited to work on the bill, a lot of the lobbying restrictions legally went away, and they could become deeply involved.”

Even very large audiences aren't necessarily "general." In other cases, the strategy may call for outreach to the general public, or to large segments of it. But even then, it's important to know which parts of the "general public" are most crucial, and how to appeal to each of those parts. Several grant makers in different fields offered stories similar to this one: "We made a grant to [an advocacy coalition] to hire a consultant who would help them think about communications and reaching a wider constituency. ... It wasn't just a matter of coming up with a catchy slogan or some general platitudes that would supposedly appeal to everyone. He had them reaching a lot of people with tailored messages, people in key areas who'd have an opinion — people in leadership groups and influential organizations who might in turn rally their constituencies and weigh in with policy makers in a way that would influence them."

Grantees may need help in communicating with unfamiliar audiences.

Another funder helped an advocacy coalition hire two different kinds of consultants, working in tandem. One helped choose audiences and shape the message appropriately for each. "Up to then," the grant maker explained, the coalition "had been playing mainly an 'inside game,' talking to policy makers

in the jargon of the field about complicated concepts and technical issues, strictly stuff for the experts. With these consultants, they just became more sophisticated; they realized it had to be much more than an inside game. It had to be public education in the broadest sense, recognizing that people on the inside needed to be hearing from their constituents, and the constituents had to be informed and enlivened. And that required a whole new kind of language and approach."

The second consultant, at the same time, was focusing on gathering and packaging available data in a way that would have the greatest effect with each intended audience. "They analyzed publicly available data and figured out how to present the implications of different policy decisions on people in different places. It was an approach to data that told us how a given policy would affect real people, what the stakes were for members of different constituency groups, and what they stood to gain or lose from the status quo or the alternatives." The two kinds of advice — one on style, the other on evidence — "made it possible to present information that really mattered to people, in a way that got people involved."

RESEARCH AND KNOWLEDGE DEVELOPMENT: BUILDING YOUR CASE

Many foundations support research for its own sake — that is, for the sake of expanding human knowledge, or of treating or curing a disease, or in the hope of achieving some technological breakthrough. Advocacy research may be as disciplined and scientific as these

“pure” or “basic” research exercises, but its purpose is different: not to explore unknown frontiers, but to explain and prove a point. (It is important to note, however, that research for advocacy can’t be completely one-sided. The Tax Code requires that foundation-sponsored research present a balanced survey of the evidence and allow a reader to form an independent opinion.) As several grant makers described, proving a point may also depend on working carefully with research grantees to make certain that policy implications don’t get lost in a drone of technical-sounding analysis.

The goal is recommendations, not research. Even when advocacy efforts depend on new, original research, grants need to make clear that the purpose of that research is to illuminate and advance a *solution to the problem*. “We found ourselves buried in academic research,” one grant maker

recalls, “largely because the people at [the grantee university] believed they were being funded to continue their scholarly inquiries, which were very broad, part of a long-range scholarly agenda that wasn’t meant to draw any short-term conclusions. That was the opposite of what we needed: something we could use fairly quickly, on topics of immediate interest, that made a clear, convincing point. This wasn’t a case of bad faith, either on our part or the researchers’. We simply didn’t make our purposes clear enough. We were too respectful of their agenda, and not deliberate enough about our own.”

When one foundation began investing in prevention of smoking and tobacco-related disease, it found that researchers in the field tended to focus on epidemiological questions — such as patterns of use and cancer rates. The lead grant maker decided instead to concentrate her research dollars on

RESEARCH: A TOOL THAT DOESN’T EXACTLY ADVOCATE

Some funders have found that they can improve public policy making by enriching the amount and quality of information available to policy makers — even without forming an explicit opinion on any given issue. One approach is supporting independent research programs dedicated to producing practical, authoritative information on policy, but not to promoting particular solutions.

One community foundation led the creation of a center for public policy research in its state. The institution has endured for roughly a decade and in that time has become the source of the state’s most widely respected — and widely used — analysis of public issues.

“[The Center] has rarely been an advocate in the strict sense,” says the foundation’s CEO. “It has been a critic of bad analysis, but it has rarely taken the position of pushing a single policy. If the Center says we have a half-million-dollar deficit, other people may well use that to advance a solution. If it prepares an analysis of the prison population and says there’s a substance-abuse problem, and here’s the mix of substance-abuse treatment programs, they don’t advocate for a way to solve it — but someone else now has credible information with which to come up with a solution.”

“The Center is least effective on the issues where the debate is super-heated and everyone has made up their minds. Then, people just take its data and bend it to their own use, and they distrust everything that doesn’t fit their own view. But on issues that are over the horizon, where the major players haven’t yet taken a position, they can bring real information and analysis to bear, in a way we never had — meaning both the state officials and the advocates never had — in the past.”

assessments of public- and private-sector policies that can affect tobacco use. Supporting research with direct policy implications — for example, the effect of the price of cigarettes on consumption, or whether tobacco met the legal definition of a drug — produced two fairly quick benefits. First, the initial research got extensive exposure in the academic press, leading other researchers to pay more attention to policy-related questions and the whole field to expand. And second, the research findings became almost instant centerpieces of the subsequent advocacy efforts, leading to campaigns to raise cigarette taxes and to promote regulation of nicotine as an addictive substance.

Both efforts — as well as many other elements of this grant maker’s work — ended up being the subject of pitched legislative battles at both the federal and state levels. These are not battles in which, for the most part, the foundation would have been legally permitted to take a direct role, nor did it attempt to do so. (One important exception: At one point, one of the foundation’s principal grantees was invited by a congressional committee chair to help in drafting legislation. The Tax Code explicitly permits that kind of lobbying-by-invitation, and the foundation’s grants were legally used to support it.) But in any case, the advocates who did take a direct, legal role in promoting this legislation, using funding that did not come from the foundation, were richly armed with top-quality scientific research. And that was at least partly due to the foundation’s early, steady stream of research grants.

Write it so they’ll read it. In supporting research that is both objective and

effective, part of the challenge is making sure that the results are written in a clear, engaging way. Even very scientific, politically unbiased research can have a powerful effect on public policy if it’s written so that non-academics can read it, form opinions, and want to become involved. “When we first started work,” a grant maker in health care recalls, “we started a series of reports” through a prominent health research program at a major university. “It became an annual publication on the state of the uninsured in this state, at a time when there really was no consistent analysis and set of facts about the uninsured. But it was initially very academic and dense, and while it got some attention, it wasn’t much. So we hired a communications consultant to sit down with the folks who were crunching the numbers and producing the report to make it a more effective tool. After that process, the message was still the same — still balanced and thorough — but the presentation was very different. It has become the ‘lingua franca’ around the uninsured, because policy makers and reporters actually read it, and they expect it year after year.”

Scholarly publications can sometimes be valuable. “Pure” scientific research — the kind that passes academic muster and is published in scholarly journals — can sometimes be an advocacy tool as well. As one grant maker explained, “If you’re advancing a brand new idea, it’s useful to have the imprimatur that it’s been published someplace really distinguished. Then, when you start to talk about policy, it’s useful to have that to cite.”

ADVOCACY STARTS WITH THE FIRST FEW WORDS

Communications experts and grant makers both point out that sometimes the most important issue in advocacy can be how an issue is described. “People make quick assumptions about issues,” said one grant maker, “after hearing just a few phrases that click in their heads. We learn from focus groups that when people hear ‘welfare reform’ or ‘entitlements,’ they think of lazy individuals who don’t try hard enough. But when the conversation starts with ‘people are working and they need support to make it,’ or ‘no one who works should be poor,’ the conversation starts from a different place ... We must analyze the language we use and make sure we don’t adopt or repeat language that immediately resonates against us. Focus groups — even though they are expensive — are a critical way to learn how people hear our stories.”

Identifying and Cultivating a Constituency: Tools and Techniques

“The key to changing policy was to make people realize that this is an issue that affects everybody’s life. So if you’re going to be effective in changing it, you can’t just bring in one voice.”

The point may seem obvious, yet it is often overlooked: In a democracy, decisions aren’t made on information alone, no matter how convincing the information might be. Advocacy usually consists not merely of having a solid point to make, but of organizing and equipping people who believe in that point to drive it home with the wider public, with opinion makers, and ultimately with elected and appointed officials. One crucial difference between grant making for “pure” research and grants for advocacy is that the latter include efforts to support a delivery mechanism — that is, movements, organizations, and coalitions of people who share a common interest and a determination to make change.

GETTING ORGANIZED

Some fields are already well organized and supplied with strong advocacy forces. Others are new or simply not fully gelled. Either way, grants to form a constituency movement generally take months or years to bear fruit, and therefore call for patience and persistence. They require strong, sustained leadership, from one or more prominent grantees or from funders themselves. They often demand constant diplomacy, in order to manage tensions and disagreements that naturally arise in coalitions of different organizations and constituency groups. And they usually need skilled staff — people who are not only adept at managing alliances but skilled at guiding their members toward effective targets, such as reporters and media commentators, influential civic and research groups, and key government

players, including congressional staffers, civil servants, and elected officials.

To nurture a new constituency into being, grant makers may need to fund the creation of a new organization or coalition — a process that can include fairly substantial start-up and hiring costs. (For more on supporting a new organization, see GrantCraft’s “Working with Start-Ups,” available at www.grantcraft.org.) Advocacy grants for constituency building may also include support for the administrative expenses of regular meetings and conferences, production of publications and other media, and costs associated with special events, advertising, or other activities designed to make the case.

A grant maker who supported policy efforts to reduce smoking worked with many kinds of public health groups, some of which were fiercely independent and occasionally had trouble working together. “But they all had real public support — not only financial support, but a real constituency that cared about their issues. Bringing them together was one step toward bringing their constituencies together. That wasn’t easy; among other things, we needed to help [each coalition] hire expert staff that was adept at navigating all the turf battles among the members. We helped pay for their meetings, for policy analysis, for public information campaigns, including TV ads. What we wouldn’t pay for was their direct work with state legislators on proposed legislation, which would have amounted to lobbying. That was something they had other money for — which is just one more reason why it

was so valuable for these organizations to come together, with their independent resources, around one table.”

Even if a foundation’s interests are regional or national, another funder suggests, it is essential to support organizing of local constituencies as sources of legitimacy and ideas for larger advocacy efforts. “We should be funding tiers of advocacy at different levels,” argues a grant maker who works on immigration issues, “so that the advocacy that happens is really connected to base-building — empowering people at the grass roots to be their own advocates and to take part in the higher levels of advocacy, which by rights belong to them.” Grant makers who have taken this route acknowledge that it is detailed, place-by-place work, best suited to foundations and intermediaries that can devote time and attention to individual communities.

REACHING THE GENERAL PUBLIC

If one of your chosen audiences is the public at large — rather than, say, policy makers, opinion leaders, or discrete constituency groups — then you’ll probably need some help from mass-market publications, broadcast outlets, billboards, or some combination of these. (In fact, these “big megaphone” media can also be helpful in reaching more narrowly defined groups. We’ll come back to that possibility in a moment.)

It is hardly ever easy, and seldom inexpensive, to conduct a truly effective mass-media campaign. There are also a few special legal rules that apply specifically to the use of media to inform public opinion about possible legislation

or policy. (For instance, urging people to contact their representatives about a specific piece of legislation constitutes lobbying.) But when done properly, with sufficient investment and care about remaining within legal limits, media can be a crucial factor in the success of some kinds of public education efforts.

“Earned” vs. “paid” media: both cost money. Public relations professionals tend to describe media as either “earned” or “paid.” The former consists mainly of attention from news organizations, which is “earned” in the sense that reporters and editors respond to events and ideas based on their merits (or at least that’s how they aspire to make their decisions). Keep in mind, though, that “earned” is not the same as “free.” It can sometimes cost real money to “earn” media coverage. News events, press releases, and outreach to reporters and editors all require time and professional skill, without which it can be hard to “earn” attention even for the most compelling ideas or hold that attention long enough to make a difference.

“Paid” media, as the name implies, is mostly purchased outright, usually in the form of advertising. Even when the air time or ad space is free, as when media companies offer slots for PSAs, or “public service advertisements,” the ads still need to be produced. That usually means hiring writers, designers, technicians, directors, actors or models, studio time, and equipment. (And free air time comes at a strategic cost — you have no control over when the ad will air, and thus no assurance that key

DIALOGUE AMONG HEALTH FUNDERS

“Over the past few years,” says Rea Pañares of Grantmakers In Health, “funders have become increasingly concerned about cuts in state and federal health funding. They’re interested in knowing what they can do to have an impact on public policy.” In November 2004, GIH convened a day-long dialogue for about 70 grant makers on advocacy as a strategy for advancing their missions to improve health. An issue brief incorporating highlights from the conversation and background information is available at www.gih.org/usr_doc/IssueBrief21_Funding_Advocacy.pdf.

SMALL TARGETS VS. LARGER ONES

Grant makers often struggle with the question of whether their advocacy would be more likely to succeed if they aimed at small, narrowly defined issues — things that could be adopted or enacted fairly quickly by an easily targeted group of people. Examples mentioned to us included changing one state’s policies for shelter eligibility and altering a single provision in state law to allow more people to be covered by public health insurance.

A few foundations have intentionally aimed at much larger targets, such as cutting rates of smoking or teen pregnancy, or increasing public receptivity to school vouchers nationwide. They say that big targets, if wisely pursued, can yield historic rewards. A grant maker whose foundation successfully supported a campaign to change U.S. transportation policy argued, “Some funders told us to pick something small, technical, short-term. If we’d done that, we wouldn’t have accomplished the sea change that we have seen. It was important to tackle this big target, even though we know it couldn’t be finished in ten years, because we knew that others wouldn’t tackle it, and a winnable cause might be lost while everyone dealt with it only on the margins.”

audiences will be watching.) In short, advertising can be a pricey and technically demanding undertaking, for which experienced grantees or consultants are usually essential.

But consider the benefits. As one grantee involved in the anti-smoking initiative described it, “without the media buys, I really doubt that anyone would have taken us seriously. Even the earned media went up sharply when our ads started to run. It’s not that we really needed to change people’s minds [about clean indoor air laws]. Polls consistently showed a majority in favor of the idea. The problem was, no one thought anything could ever be done about it. We had to show that there was a real movement, that people were *doing* something, and that there was a reason to get involved and make your views known. That’s where the TV spots were so effective; they showed we were serious. ... Their real message was: We can really do something. This isn’t a dead-end issue.”

Two things are important to note about the preceding comments. First, the funder and grantees had two audiences in mind when deciding to use paid media: the general public, but also elected officials. Second — and the grant maker was quick to point this out in a follow-up conversation — the ads did not mention a particular piece of legislation or urge voters to contact their elected representatives to ask for such legislation. The advertisements described the public health risks from secondhand smoke in the workplace and public places and said that other states had banned smoking in such places. Once the legislature began drafting an actual clean-indoor-air bill,

the ads could easily have been construed as supporting that bill. But by that time, the campaign had been running a long time, thereby demonstrating that the ads were not meant primarily as “grassroots lobbying” in favor of a given legislative bill.

Funders have more than money to offer. Many foundations have communication officers or consultants who can provide valuable support to grantees in advancing a media strategy. The technicalities of writing and issuing press releases, holding press briefings, contacting reporters, and disseminating reports and research findings may lie beyond the expertise of many grantees.

When grant makers support smaller grantees working on advocacy causes, some have found it helpful to look within their own organizations for technical resources. This is not only a service to grantees; it can also be a way of making sure your grants are as effective as possible. One grant maker warned that a media strategy that is pursued inexpertly or haphazardly “can be worse than no media effort at all. Do it wrong, and you can create a lot more problems than you solve.”

PERSEVERANCE AND REACH: FORMING LEADERSHIP COALITIONS

Almost no form of advocacy is likely to work quickly or in a single burst of energy. Even a big PR success — a well-covered news conference, a few minutes on the evening news broadcast, a prominently placed op-ed column, or a rally of several thousand people — is rarely enough by itself to bring about meaningful change in public attitudes or policy. These things need to happen

in succession, building on one another over time, involving larger and larger circles of participation and support.

A big table can be a real asset. Successful advocacy often demands a working leadership coalition that can incorporate many constituencies into a common cause, keep them together through a long series of ups and downs, and rein in the inevitable disagreements. The grant maker who funded transportation advocacy believes that the construction and maintenance of a broad coalition was one of the key factors in keeping the project moving and bringing about some eventual successes.

“The [transportation] bill is an enormous piece of legislation. It’s huge and complicated. For decades, it was the exclusive preserve of a very small circle of technicians and highway construction interests. The key to changing policy was to make people realize that this is an issue that affects everybody’s life. So if you’re going to be effective in changing it, you can’t just bring in one voice. From an initial core of environmentalists and transportation planners, it’s become a national movement

that includes bikers and hikers, health professionals concerned about physical activity, people concerned about sprawl and segregation, architects and urban planners who want more livable, attractive communities, and on and on.”

Funders need persistence, too.

“Political and economic cycles seem to trump everything,” one advocacy funder observed. “Suddenly a new development can make a top priority seem less important, and everybody’s attention starts to shift toward the new new thing.” This grant maker’s advice is to “figure out methods [of funding and leadership] that can survive some of those changes. And these aren’t the only cycles that affect the life expectancy of an advocacy program. There are funders’ program life-cycles, too, and foundation leadership changes, which invariably affect the foundation’s programs and goals. Foundation boards develop new interests, and suddenly something that was supremely important is old hat. These are all things people need to be thinking of when they think about advocacy: If you set out on this, you’ve got to think about how you’ll carry through with it, because it can take a long time.”

Preparing for Opposition: When Advocacy Meets Resistance

“You have to stand for the stuff you’re going to stand for, but you can’t be rigid and polemical about it.”

Most philanthropic advocacy is positive in spirit — it’s motivated by support for good ideas, not mainly by opposition to bad ones. Still, there are times when even the most positive outlook has no choice but to face the equivalent of an opposing army: a barrage of strong, well-funded, well-organized opposition to the very positions on which a concerted grant-making effort has been focused. In those cases, any form of advocacy may amount, intentionally or not, to a rebuttal against a contrary point of view.

BALANCING NEGOTIATION AND CONFRONTATION

The opposition may be partisan or ideological, but often it isn’t. Distinctions like “conservative” and “liberal” don’t apply to every issue. The grant maker who supported transportation reform, for example, never believed that this issue pitted liberal organizations against conservative ones. In fact, at least one politically conservative foundation was part of the funding coalition behind the reform agenda. Instead, the opposition came from groups with mainly economic interests in the status quo: companies and civic groups associated with traditional highway construction projects. Their opposition wasn’t primarily ideological, but it was intense, smart, and well-funded. “If we hadn’t recognized that,” he explained, “and figured out how to go up against that kind of effort from the other side, we wouldn’t have accomplished anything. And in the areas where we ran into disappointments, it was sometimes because we underestimated the other side, and we didn’t do everything we could to marshal our natural constituencies.”

Confrontation may be the best route to negotiation. This grant maker, like several who spoke to us, was quick to point out that deciding to confront opposition head-on is not the same as declaring war on the other side, and certainly does not necessarily amount to a judgment about other people’s motives. In fact, eventual success often depends on striking compromises and splitting differences with people and organizations in the vanguard of the opposition. One grant maker in civil rights described her view of opposition and negotiation this way: “My portfolio was a constant combination of battle and negotiation, but the most successful work, I would say, amounted to negotiation with a very high tolerance for confrontation. That’s where I landed at the end: You have to stand for the stuff you’re going to stand for, but you can’t be rigid and polemical about it. You have to help people partner with you even as you struggle with them as opponents.”

There are times, several people said, when negotiation becomes possible only by first demonstrating a willingness to advocate forcefully and pointedly against an opposing view. In those circumstances, as one such grant maker put it, “you basically have two choices: take on the opposition consciously and realistically or pick another issue. If you’re working on an issue where one side has been accustomed to dominating the discussion for a long time, they’re not going to just quietly enter into negotiations with people they don’t take seriously or don’t know, or who make them uncomfortable, or who just strike them as wrong-headed. It’s human nature not to seek negotiation

and compromise unless you think the alternative is going to be worse. Sometimes, advocacy consists of creating a credible threat – in effect, demonstrating that the alternative may be worse. Sometimes the only choice is advance or retreat, and nobody negotiates with you when you’re retreating.”

Another observer summed up the balance this way: “A steady line of confrontation, with back-channels of negotiation, makes the overall negotiation more effective.”

ACKNOWLEDGING THE POSSIBILITY OF CONTROVERSY

Several grant makers pointed out that foundations may be naturally reluctant to enter into overt disputes over public policy, not from any lack of conviction about their goals, but because they believe controversy could harm them in a general way.

Most grant makers who spoke to us about advocacy believe that the only effective way to deal with such concerns is to discuss them openly and with ample information, decide candidly on an acceptable level of risk and controversy, and then make grants accordingly. Said one: “You’ve got to be willing to fully present your work to your colleagues and, ultimately, to your board. If they see you’ve really assessed the risk, identified the downside as well as the upside, they are usually much more receptive to the risk you ask them to absorb. What they don’t want are surprises, or the feeling of being misled. You can maybe get a few controversial grants approved if you sugarcoat them, but advocacy is a long-term business, and your support is

going to be very short-term if it’s based on incomplete information.”

Brace yourself, and your foundation, in advance. The point of such candor, this grant maker emphasized, is that if controversy begins to affect the foundation, colleagues and trustees will have roles to play – such as explaining grants and defending the foundation’s position – for which they need to be prepared and willing to help. Besides demonstrating that you’ve carefully assessed the risk and are prepared for opposition, it helps to remind colleagues and trustees that the risk is worth supporting because the advocacy grants are linked to the foundation’s fundamental goals. If the advocacy effort is expected to last for many years, as often happens, some grant makers believe it’s helpful to describe some milestones that observers can expect to see along the way. That way, trustees and managers can periodically gauge the effectiveness and importance of the work and be reminded of why they are supporting it.

Gather allies who know the turf and will stand by you. Another form of preparation that some commentators mentioned is finding a circle of advisers among other foundations supporting similar advocacy. A circle of reliable allies reduces the feeling of isolation in case of conflict and helps bring a wide variety of views and analyses into grant-making decisions. “The fear of controversy,” said one grant maker, “is a huge obstacle to foundations taking up advocacy. How do funders help other funders address their fear of controversy? Who stands up and encourages others to stand up and take more risks? One way to support advocacy is

to support the other grant makers who fund advocacy. Part of the challenge is supporting one another.”

WHEN THE TOUGHEST OPPOSITION IS APATHY

Some observers pointed out that the biggest obstacle to successful policy change may not be outright opposition, but something quieter and harder to dislodge: simple indifference or (what’s often worse) fatalism. The grant maker supporting reform of homelessness policy believed that this was the greatest problem for the field — one that was doubly hard to combat because even policy makers tended to be unaware of it.

“Advocates in this field had been effective in limited ways,” she says. “They could get money for a piece of something, for one kind of emergency response or another. Agencies were willing to dribble out a little for this or for that, because they felt that the best they could do was emergency response,

and they were sometimes willing to try out a new approach to that. But there was a belief in state government that this problem was intractable. You couldn’t talk about solving it, and there wasn’t even anyone with responsibility for solving it. ... It had been considered an inescapable problem for so long that even raising the question [about ending homelessness] just drew blank stares. That was the first thing we had to change.”

In this case and others, overcoming fatalism was as difficult as overcoming committed opposition. It called for research showing the roots of the problem and the likely effectiveness of possible solutions. It required building a broad coalition of those affected by the problem, including homeless families themselves and those who try to help them. And most of all, it demanded persistence in presenting the research, educating the public, and relentless engagement of people in dozens of state agencies, legislative committees, think tanks, and leadership groups.

Defining and Measuring Success: Approaches to Evaluating Advocacy

Evaluating the effectiveness of advocacy grant making depends, first of all, on articulating what you intend to accomplish, how each activity relates to a desired outcome, and how long each of those outcomes is expected to take — a few months, a few years, or longer. For some advocacy efforts, that process is simply a step in clarifying a grant making strategy, while for others it marks the beginning of a more formal evaluation. Often, the real point is to reach a working consensus — a difficult thing to achieve when the changes you seek are hard to quantify, the work involves a wide range of organizations and individuals, and the terms of success are not universally shared.

One grant maker described how a team of evaluators began to track an effort to strengthen environmental coalitions in several states around the country. The evaluators started, she explained, by “working with us on being pretty clear about what we thought we were doing, our theory of change, and at the same time what our expectations were for our grantees.” The evaluators then worked with groups of grantee organizations to “develop indicators, which the grantees set out, that we would also work with, so that there was a shared understanding of what the expectations were.” On that basis, the foundation and grantees were able to decide on a set of measurable goals, in areas ranging from policy victories to field staff capacity to the financial health of their organizations.

In this particular case, the evaluators were asked to assess a foundation’s advocacy grant making along many dimensions. Yet several grant makers pointed to three general approaches,

which can be used separately or in combination (as in the situation described above). Most can be conducted either at the end of a stream of grants or while the support is still active, to help assess progress and change course if necessary.

(For more detailed information on the challenges of evaluating an advocacy effort, see the series of reports offered by the Communications Consortium Media Center’s Media Evaluation Project at www.mediaevaluationproject.org.)

The first approach is a **process evaluation**, intended mainly to determine whether the campaign resulted in the activities and products that were expected of it. This is the most basic kind of evaluation for any grant-making effort — what one observer described as “the equivalent of counting the policy papers and the press clippings. At some level, you want to know whether they produced the research or held the rallies or contacted the reporters and policy analysts to more or less the degree they said they would. It’s not very earth-shattering information, but it is part of what you paid for, so you’ll probably want to know if the expected process was followed. And sometimes, if the answer is, ‘No, we ended up doing something different,’ that may not be a sign of failure. You may learn something important about why the grantees changed plans and what they discovered along the way.”

A more ambitious and potentially revealing approach is the **outcome evaluation**: an attempt to measure the campaign’s effect on its intended audience. If that audience is small (say, senior officials in an executive

“Unless you have a huge evaluation budget, everything you do will be a little bit of a compromise. The trick is not to give up on finding out *something* just because you can’t find out everything.”

agency or members of a congressional or legislative committee), this could be relatively straightforward, inexpensive work. Public officials or their staff can be interviewed, and their work may bear easily visible results, like a committee vote, a change in agency procedures, or actual enactment of new laws or regulations.

In other cases, the target audience may be much larger, requiring sophisticated polling or surveys to measure. A less expensive option, according to one grant maker, is to “interview some people who really know what’s going on — journalists, maybe, or staffers on the Hill, or other advocates who are not part of your grant program. Of course, you’ll get some bias in that, and there’s a lot you won’t know for certain, but

you can still learn a lot. Unless you have a huge evaluation budget, everything you do will be a little bit of a compromise. The trick is not to give up on finding out *something* just because you can’t find out everything.”

The most ambitious kind of effort is the **impact evaluation**, which is meant to determine just what effect a particular set of grants or activities had on the course of public behavior, opinion, or policy making. Here, as in many complex areas of philanthropy, we encounter the vexing problem of causation: Did a given set of interventions actually bring about a given result, or contribute materially to it, or influence X percent of it? These are questions almost any grant maker would like to be able to answer, but in advocacy,

WHY EVALUATE AN ADVOCACY EFFORT?

Despite the difficulties of measuring the effectiveness of an advocacy effort or pointing to the difference made by a particular activity or grant, one experienced advocacy grant maker argued that there are other rationales for supporting an evaluation:

- **To encourage grantees to think more broadly.** “For a lot of advocacy groups, evaluation means, ‘Did we win or didn’t we win in a particular policy context?’ We’d talk about evaluation, and they would send us a ream of press clips: ‘You see, we really did it.’ But they weren’t as analytical in understanding what it takes to win. I think that’s probably the biggest contribution the evaluators made. [Our grantees] have become more sophisticated in their understanding of the ingredients of success.”
- **To sharpen the focus on measurable change.** “We knew how much money we had, we knew how much time we had, and we knew that we wanted to make a difference. We knew that we wanted to be able to say that things were somehow different because we were there than they would have been if we hadn’t been there with this strategy.”
- **To engage your board in overall strategy.** “Ours is a risky strategy, and sometimes the board gets antsy. But the evaluation, because it’s a regular part of what we do, elevates the level of the conversation. So it’s not an antsy-ness about this grant or that grant — it’s about the strategy, which is more helpful because they are very smart and engaged people.”
- **To hold yourself accountable and enhance your own work.** “We’re making sizable investments, and it’s [our founder’s] money. I think he wanted to have a better sense of how are we doing, really. When the evaluation started, I think the staff — well, we were very nervous about this. Because the evaluation is probably as much about the strategy as it is about the performance of the grantees. But we began to see how the evaluation could help us in our work and that the evaluators were more our partners than our assessors.”

even more than in other areas, a definitive answer may be especially difficult to come by.

More recently, some proponents of public-policy philanthropy have even argued for **return-on-investment evaluations** – that is, assessing how much public benefit has been created (or, in the argot of finance, “leveraged”) by philanthropic investment in a given kind of advocacy. This works primarily when (a) the goal of public advocacy is to bring about some discrete increase or change in the allocation of public funds, and (b) the connection between the advocacy and the change in public spending is especially clear.

One community foundation, for example, organized a statewide public advocacy campaign to double the amount of protected wilderness in the state within five years. The foundation proposed, as the lead grant maker put it, “that a private-sector consortium would raise corporate and philanthropic money to pay for a staff of people to do survey

and engineering work and draw up planning documents. [Research had shown that] landowners would be willing to sell easements on their land, so the private sector would pay for negotiations and provide technical staff to arrange the sales. But the public sector would pay for the actual acquisition of the easements. ... Not only did we meet the goal, but for every \$3 the private sector raised for the operating costs, the public sector provided \$20 for the acquisition of easements. We met the goal, with more than 100,000 additional acres under state protection within five years.”

Although the foundation did not make an explicit “return-on-investment” analysis in describing this experience, it would be hard not to notice a nearly 7-to-1 leverage of public dollars for the total private investment. The reason for the high leverage, as the grant maker put it, was “that we used our influence and the power of our ideas in a way that made it less necessary to use our check book.”

What Grantees Wish Grant Makers Knew

■ **It's not necessary – and it's often counterproductive – to expressly forbid lobbying in grant letters.** Unless a particular grant specifically requires “expenditure responsibility” or the grant might appear to have funds “earmarked” for lobbying, there is no reason why grant letters should forbid activities that are perfectly legal for the grantee and that are not the responsibility of the funder. In many cases, communication with policy makers is a useful (sometimes unavoidable) activity in pursuit of the grant maker's and grantee's real objectives. Ruling such contacts out not only needlessly constrains the grantee and weakens the efficacy of the grant, but it imposes an administrative burden on the funder: policing activities that actually need no such monitoring.

■ **General support grants are a useful way to support public policy work while minimizing legal risk to the foundation.** Foundations that support social-change organizations often find it best, for both practical and legal reasons, to make at least some grants to those organizations as general operating support. One obvious reason is that a general support grant can be used for any legal activity by the grantee, and the foundation need have no

concern about what part of it may be used for lobbying. Another, equally strong rationale for general support is that it provides the flexibility for the grantee to adjust strategy and reallocate funds during the course of what is almost always a fast-changing policy effort. When the goal is to change the terms of a public debate, as one grantee put it, “the targets of opportunity usually arise all of a sudden, and they're changing all the time.” Research, press relations, meetings with lawmakers or legislative staff, constituency mobilization – any of these activities “may be useful at a given moment, and not much use when that moment has passed.” General support grants allow grantees to make these tactical decisions quickly and effectively, without seeking permission at every step.

■ **Support for local organizing is a key first step toward higher-level advocacy.** “Funding the giant national advocacy groups is important,” one grantee said, “but funders shouldn't think that those groups, by themselves, actually bring new voices and new constituencies into the debate. Those groups amplify and fight for the voices that are already organized, which is indispensable. But if you want to bring new people and groups in, if you want to

really expand the policy debate and enlarge democracy, you have to start locally, at the neighborhood and community levels. People who aren't involved [in public affairs] don't suddenly become involved just because a big organization has the same name as their ethnic group.”

■ **Have a frank discussion with grantees about their advocacy plans.** Grantees widely regret the tendency of some grant makers to cloister themselves or their foundations from any discussion of public policy and politics. The effect, said one grantee, “isn't just that we end up playing a little rhetorical game with each other – a kind of don't-ask-don't-tell, where we both know we're not being fully honest. The real problem is that we [the grantee] feel we're supposed to be playing by rules that haven't been fully discussed, that may not be necessary, and that we would argue against if we had the chance. In the worst case, it just makes us rein ourselves in, which means we're not doing what we would consider the most effective work to fulfill the purposes of the grant.”

■ **Don't demand more collaboration among grantees than funders can manage among themselves.** “The first thing

every funder wants” in an advocacy program, one grantee lamented, “is for every organization with a policy agenda in that field to come to a single table, hammer out a single advocacy plan, coordinate all our communications and activity with one another, and never do anything that might look like duplication. That’s not always the best way to approach the public policy arena, which is inherently messy and sometimes thrives on redundancy. But the main thing wrong with it is, it’s extremely hard to pull off. And the proof of that is: How often do funders ever do such a thing? Yes, it happens. But it’s pretty rare. It’s just not human nature.” Experienced grantees do acknowledge the value of a coordinated advocacy campaign among many active organizations. And some of the more successful episodes of philanthropic advocacy have in fact depended on just such coordination. Grantees rarely opposed funders’ attempts to build coalitions; they merely asked that goals be realistic.

■ **Stick with it.** People experienced with advocacy — both grantees and grant makers — routinely tell stories of successful public policy efforts that took years, sometimes decades, to have an effect. “We obviously welcome a one- or two-year grant,” one former advocacy

grantee said, “because we’re not going to turn down the support. We’d take a six-month grant, if it came to that. But don’t have any illusion that you can have a major effect on public policy in that amount of time, unless all the stars just happen to be lined up in your favor. And even when that happens, it’s usually because some other funder, or group of funders, spent years helping us get them in line first.”

■ **Know the game.** Foundations need public policy veterans on their staffs or among their close advisers, many grantees say. The procedures of advocacy, as one grantee put it, “seem kind of goofy to people who don’t know how these processes work. If you don’t know the inside rules, you’ll have a hard time knowing what’s worth funding and what’s just good-government posturing.” Grantees also welcome funders as strategic advisers and even critics — provided they have the relevant experience. “Hanging out day after day in the state capitol, testifying at meetings where two-thirds of the committee doesn’t show up, doing policy briefings for people who already agree with us — some funders might look at that and say, ‘You’re crazy.’ You know what? We *might* be crazy — sometimes that’s exactly what we need to hear. But those

same activities can be essential parts of the process. We need to hear feedback from people who really know the ropes, and who can distinguish between the usual, necessary craziness of the system and any strategic mistakes we might be making.”

■ **Don’t expect instant “metrics,” but recognize the value of advancing the process.** It’s possible, given a sufficient amount of time, to quantify the impact of some forms of advocacy work. But grantees caution that (a) sometimes “it may *never* be possible to say exactly what any given set of grants accomplished, in and of themselves,” and (b) it’s rarely possible to make that determination in just a few years. That doesn’t mean that funders shouldn’t try to evaluate the effectiveness of their grants or of grantees’ work. But it does mean, as one grantee put it, “that they should recognize the evaluative importance of moving the debate along, building support, getting the message out — even when no laws or regs have been written, no actual change in policy has taken place, but there’s at least some debate going on that wasn’t happening before. That’s impact. It’s just not easy to measure.”

Key Lessons from Grant Makers

The legal restrictions on lobbying can be subtle and need to be studied carefully. But they permit a broad range of advocacy that includes taking positions on important public issues of the day. This guide does not present nearly enough information to constitute a thorough grounding in the legalities of advocacy grant making. But it does illustrate a wide field of completely legal philanthropy whose purpose is to affect government decisions and actions. Too often, foundations shy away from advocacy because of an exaggerated fear of violating lobbying rules. Yet grant makers, grantees, and their legal counsel all agree that such fears impose a needless limitation on the possible effectiveness of philanthropy. Worse, they may actually constitute a neglect of one important *responsibility* of philanthropy: to stimulate public awareness and debate of issues that affect people’s well-being.

The most fundamental, and most common, form of advocacy grant is one that contributes to a more informed, more inclusive public debate. “Advocacy” doesn’t always mean promoting a particular point of view. Sometimes, it means bringing to light more information about a public problem, or helping more people to participate in the debate, so that whatever policy is written, it will have the benefit of the best information and the most lively exchange of ideas. Even when the goal truly is to promote a particular solution or approach to a problem, the first step may need to be circulating more information and engaging more people’s participation. This isn’t just a matter of funding more and better research. It also means presenting the

research in an engaging way, to the right audiences, in terms that each sub-set of the audience will understand and care about. That challenge combines the arts of scholarship, journalism, advertising, mass media, constituency-organizing, coalition-building, and political analysis. All are possible objects of strategic grant making, and most successful advocacy contains some combination of several of these features at once. In a recent publication, advocacy grant maker Ruth Holton, of the California Wellness Foundation, offered this guidance, which many others echoed: “An effective public education campaign needs to be designed by experts who, through market research, can identify an effective message and the appropriate population to target.”

The presence of controversy and the possibility of confronting opposition are not reasons to avoid advocacy. In fact, they may be the most important reason to engage in advocacy – given adequate precautions. Grant makers emphasize that confronting opposition and negotiating an effective compromise are not necessarily opposite alternatives. They are often two aspects of a single process. “A steady line of confrontation, with back-channels of negotiation, makes the negotiation more effective,” said one advocacy veteran. When a policy issue may involve confrontation or controversy, several grant makers advise being candid about that possibility with colleagues, executives and trustees, and planning carefully in advance for how such controversy can be managed. It’s essential to know how much attention and controversy each grant maker – and each organization – can accept, and plan grants and

activities accordingly. Often, said one grant maker, “your willingness to take some heat goes up dramatically when the issue is one that your foundation really considers important. Know what you believe in, and you’ll pretty much know what you can advocate for.”

It is possible, if not always easy, to measure the effectiveness of an advocacy effort. But it’s best to be patient in looking for measurable results. The question of how to evaluate advocacy grants is now the subject of a growing body of experience and writing. Different funders have used a combination of approaches: measuring process and activity; measuring outcomes (without necessarily knowing which activities caused which outcomes); or even measuring direct impact – that is, the question of what effect was brought about by a given, specific activity. It’s a rare evaluation of any kind of philanthropic activity that can conclusively prove success or failure. But the idea that advocacy grants can’t be evaluated, or that their value can’t be assessed as confidently as other kinds of grants, is widely and vigorously disputed.

There are many roles for grant makers who want to support advocacy. Choosing your personal level of involvement can be as important as deciding what to support. This guide includes observations from grant makers who have personally drafted policy proposals and position papers, met with public officials, hosted policy forums, and made public statements in print or broadcast media. Many others, however, prefer to let their grantees take the lead in all these areas, even to the extent of keeping their own role, and the foundation’s name, as deep in the background as possible. Between these two extremes lie many possible middle positions. How a grant maker chooses among them will depend on the skills and strengths of the available grantees, the grant maker’s own expertise and available time, and the foundation’s willingness to play a public role. The main message of all the grant makers who contributed to this guide was: Any of these approaches can be consistent with effective, vigorous advocacy and successful participation in the policy process.

Levels of Operation: Individuals, Organizations, Collaboratives, or Networks?

Among the earliest choices facing grant makers in advocacy – and a question that may recur many times – is how an advocacy campaign should be organized: What kind of activity, involving what kinds of relationships among people, will drive the effort for change? Put another way, the question is: In order to promote the cause we've chosen, are we seeking to motivate individuals, create or support institutions, or build networks of people and organizations to promote this cause?

Mobilizing **individuals** directly may be the easiest approach to understand, but it's usually the hardest to accomplish. To stir individuals to carry out or advocate for change directly, it may be necessary to apply mass media in a sufficiently sustained and concentrated way to reach thousands or millions of people with a persuasive message.

Funding **organizations** to advocate for new ideas is the most widely used approach among grant makers, and one with many successes. But aiming grants solely at influential organizations has its limits. Over time, even very popular, widely respected organizations come to occupy a niche in public policy discussions. They have established constituencies, a recognized point of view on certain issues, and often a kind of natural limit on how far their appeal and influence extends.

To overcome those limits, advocates and funders sometimes form **collaboratives** – or organizations of organizations. A collaborative may include a staff and a designated chair, committees and a division of responsibility, and sometimes a small executive committee or leadership group. The strength of a collaborative is its ability to gather different constituencies, ways of thinking about an issue, and styles of leadership and advocacy, all focused on a common cause. But that strength can also carry weaknesses: Managing philosophical and "turf" tensions among members, as one grant maker put it, "is a constant challenge for the funders – that is, when the funders aren't busy managing their own differences among themselves." Still, almost every grant maker interviewed for this guide cited the value of forming collaborative groups in at least some aspect of advocacy.

More and more, funders are beginning to explore a different model of collaboration, involving not just formal collaborative bodies but also decentralized **networks**. These tend to feature open paths of communication among actors at all levels, involving both planned, regular forums and spontaneous, ad hoc communication going on constantly. Participants may work in far-flung parts of the country, concentrate on different levels of government and policy making, occupy varying ranks or branches within their organizations, and dedicate a lot or a little of their time to the problem the network addresses. Being part of the network allows them to exchange information, seek help or advice, view the world from different perspectives, compare observations or ideas, and plan activities with one another – in smaller or larger circles, depending on their needs and preferences. All this can happen without necessarily having to hold official meetings or otherwise draw members into a formal body.

Successful networks tend to rely on some concerted effort to introduce the various participants to each other, at least electronically. In practice, a network usually needs well-functioning telecommunications, and may benefit from web meetings or teleconferencing. In short, it will probably need grant support to get started and to keep the communication flowing.

A grant maker in civil rights believes that some of her most significant and lasting accomplishments have been in helping to form a network of committed people in many fields loosely connected with civil rights. She describes it this way: "These were people from fields whose goals were objectively interlinked, but whose movements were in reality completely walled off from one another. We had environmentalists, trade unionists, civil rights people, academics, education people, community economic development people, businesspeople, all committed to building a more equitable society, from their various vantage points. ... At first, the idea was just to forge a relationship among them so they could call each other when their movements overlapped or their needs were similar or just when somebody was getting in the way of somebody else. Amazing things have come about because of people in that group calling each other and saying, 'How can I help?'"

Ways to Use This Guide

We hope this guide sparks thoughtful deliberation about the role of public policy advocacy in your foundation's areas of interest and approach to philanthropy. You may find it helpful for framing discussion in the following ways:

With your board or top executives, this guide could open conversations on what public policy interests they would like to see advanced, what options should be considered, and what skills, partners, and resources would be needed.

With grantees, this guide could facilitate in-depth conversation about what public policy issues have consequences for their work, what role they would like to take in advocacy (if any), and what resources they need to play that role effectively.

With colleagues and advisers, this guide might be a starting point for debate about the role of public policy in your field of activity, and the pluses and minuses of pursuing an advocacy agenda.

As a training tool for grant makers, this guide could be the basis for an examination of their foundation's approach to advocacy and how that approach affects the grant maker's particular field.

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