
The Moral Imperative for Policy Advocacy

This is the [first of three articles](#) by Max Bell Foundation and their Senior Fellow, Dr. Roger Gibbins, addressing policy advocacy over the next few months.

SUMMARY: Dr. Roger Gibbins, a Senior Fellow at the Max Bell Foundation, focuses on shoring up the case for policy advocacy, on what charities should do: on why policy advocacy is an inherent part of the charitable mission. This case rests upon public benefits —giving voice to inadequately represented segments of the community; improving ideological balance by bringing in different voices; providing grounded policy advice as a result of on-the-ground service delivery; creating pathways for participation; closing the feedback loop with nuanced input from clients; and expanding the policy space, all of which result in better public policy. It also rests on organizational benefits — the capacity of charities to compete for thought leadership and public support.

RÉSUMÉ : Dans cet article, le Dr Roger Gibbins, « Senior Fellow » de la Max Bell Foundation, développe l'argumentaire justifiant les interventions en vue d'influencer les politiques, en mettant l'accent sur ce que les organismes de bienfaisance doivent faire et en exposant pourquoi la mobilisation au sujet des politiques est une partie inhérente de la mission caritative. Cet argumentaire repose sur des avantages pour la population : permettre à des segments mal représentés de la collectivité de faire entendre leur voix; améliorer l'équilibre idéologique en permettant l'expression de points de vue différents; fournir au sujet des politiques des conseils avisés qui sont fondés sur la prestation de services sur le terrain; créer des voies de participation; fermer la boucle de rétroaction avec des opinions nuancées de la part des clients; et élargir l'espace politique. Ce sont là des moyens qui généreraient de meilleures politiques publiques. Ce qui dépend aussi d'avantages organisationnels : la capacité des organismes de bienfaisance à rivaliser en vue d'attirer des leaders éclairés et de gagner l'appui du public.

Any executive director of a charity worth her salt can quickly rattle off reasons to avoid entering the political arena. If, however, she is asked to make the case for engagement, and particularly for policy advocacy, her response will likely be more tepid. While Canada Revenue Agency guidelines for political activity provide a powerful, even intimidating voice for caution, encouraging voices for activism are more difficult to find. Thus if we imagine a set of scales upon which charities might weigh the costs and benefits of policy advocacy, almost all of the weight will come down on the cost side of the scale. Pity, then, the poor executive director who reports to her board that the policy process may have been enriched through her engagement but that her organization has lost its service delivery contract.

However, any such rational calculation overlooks the moral imperative for policy advocacy. In part, this imperative arises because charities are involved at the delivery end of a policy chain that stretches from advocacy and agenda-setting through policy design, implementation, and evaluation. There is, then, an obligation to ensure that the programs that charities help to deliver are as good as they can be, that clients are defended and promoted within the political system, and that the sector brings its program delivery experience to bear on debates about policy design and options. In short, picking up the government cheque for service delivery creates an obligation to also pick up the policy sword.

This obligation, moreover, extends well beyond charities that are contractually involved in the delivery of public services. Charitable status and the financial benefits it conveys create a moral imperative to pursue the public good and to be engaged as policy advocates in political and ethical debates about policy and social change. The very concept of a charity carries with it an obligation for policy advocacy that sets charities apart from the private and more broadly defined nonprofit sectors. In short, charitable status confers a privileged position that comes at a price: that charities necessarily assume a moral obligation to pursue the public good.

The moral obligation for political engagement is nicely captured in a 2015 publication by the United Church of Canada:

Can the United Church of Canada and United Church congregations participate in political activity? In short — yes! The United Church has a long history and tradition of being called to the public arena by our faith (emphasis added). As a church we understand we have a call to be active participants in issues and concerns facing our communities, our nation, and our world, informed, inspired, and supported by our faith.

The goal of this short article is to shore up the case for policy advocacy. Rather than discussing what charities can or cannot do, the focus is on what they should do: on why policy advocacy is an inherent part of the charitable mission. This case rests upon public benefits — better public policy — and organizational benefits — the capacity of charities to compete for thought leadership and public support.

Public benefits from better public policy

The case for policy advocacy asserts that public life would be improved through the more active engagement of charities in policy advocacy, design, and implementation. But why should we expect this?

Giving voice

Giving voice to inadequately represented segments of the community goes to the very heart and soul of the charitable mission. And, giving voice entails not only encouraging the disenfranchised to speak on their own behalf, but speaking for them if amplification is necessary. Advocacy, therefore, is not incidental to the charitable mission; it is an unavoidable obligation for those deemed by law to be charitable. It is what charities are all about.

Advocacy by charities enjoys strong public support. The 2013 Talking About Charities survey (Lasby & Barr, 2013, p. 88) found that 94% of Canadians think it is acceptable for charities to speak out on matters of public concern like the environment, poverty, or health care. When survey participants were asked to choose between two statements, 64% agreed that “the opinions that charities express on issues of public concern have value because they represent a public interest perspective” while only 34% agreed that such opinions “do not have value because they only represent the perspective of a particular interest group” (Lasby & Barr, 2013, p. 86). As Andrew Coyne (2014) argues, “Any organization concerned with poverty reduction that did not advocate for the sorts of policies it believed would reduce it would arguably be shirking its responsibilities, and no government should be allowed to tell them that they can’t.”

Nonetheless, public support is not unconditional. When asked which of two statements was

most aligned with their own opinion, 80% of respondents felt that “charities should be obligated to provide information about BOTH sides of an issue” while only 19% felt that “charities should only have to provide information that supports their cause.” Here public opinion aligns with the CRA’s interpretation of advocacy as a sidebar activity drained of passion and moral outrage. The CRA defines advocacy as demonstrated support for a cause or particular point of view, and in this context charities can undertake advocacy activities including public awareness campaigns and meetings with elected officials. However, and as the Calgary Chamber of Voluntary Organizations (CCVO) explains (2013):

The activity must be a minor focus of the charity and not the main way of furthering its charitable purposes. All advocacy activities should be based on a position that is well-reasoned and not based on information that is false, inaccurate or misleading. In addition, while materials can have some emotional content, they cannot primarily appeal to emotions.

Such restrictions may place charities at a disadvantage in the competition with nonprofits and social media crowd-sourcing platforms for funding, volunteers, and political influence.

Improving ideological balance by bringing in different voices

Through advocacy, charities bring not only more voices but different voices, or a different lens, to the policy table. As Harding (2011, p. 44) maintains, political activity by charities “. . . is seen as partially correcting inherent inequalities in political speech by representing minorities and other under-represented interests.” Opponents of the late Harper Conservative government, for example, often implied or directly asserted that a missing lens was that of social justice, or sustainability, or peacekeeping, or even compassion. They feared that economic considerations were crowding out social and environmental voices in policy debates, and believed that greater charitable sector involvement would create better ideological balance.

Charities may provide a policy voice for interests that would otherwise be silent: prisoners and parolees (through the Elizabeth Fry and John Howard Societies), endangered species, animals suffering from inhumane treatment, remote environments, and developing countries with no seat but nonetheless a stake at the Canadian policy table. The voice for such interests finds its natural home in the charitable sector and, as a result, the charitable voice on balance tends to fall to the left on the ideological spectrum. The charitable mission, after all, is to give voice to those who lack a voice, to amplify marginalized voices. Charities bring more than greater ideological balance; they also help balance the interplay of public and private interests. An important theme in the Canadian value system is that the public interest is something more than, and something apart from, the net balance of private interests. This means, however, that the public interest has to be articulated and brought into play.

Providing grounded policy advice

Charities involved in service delivery provide a bridge between the abstractions of public policy and the lived experiences of those for whom policies are designed. As a result of having “boots on the ground,” charities can have valuable insights into the design and effectiveness of the programs they deliver. If we want policy design to be guided by evidence, much of that evidence is found in the experience and expertise of charitable service providers. As Bill Schaper (2012) neatly summarizes:

Across Canada, charities have a wealth of in-depth knowledge about their community and the populations they serve. Organizations working on the ground can identify new or emerging issues and opportunities, and be a source of insight and expertise. Sharing this knowledge with all levels of government can lead to the development and implementation of effective policies that build a healthy and vibrant community.

On a related note, there may be less policy expertise within the public service than we often assume. Departmental policy shops, thinly staffed at the best of times, are soft targets when budgets are cut. Bureaucratic expertise is also limited by career mobility; today's in-house expert in social support could easily be tomorrow's expert in endangered species. Career paths within the public service are built through vertical, horizontal, cross-departmental mobility, and through service in central agencies such as the Privy Council Office and its provincial equivalents, Treasury Boards, and cabinet secretariats. The rapid rotation of deputy ministers, along with their ballooning and sometimes paralyzing managerial responsibilities, further limits policy input from the top.

Many of the building blocks for optimal policy design, including experience and continuity of engagement, are therefore more likely to be found outside rather than inside the public service. The infusion of experience-based expertise from service providers and of grounded advocacy can significantly strengthen the design, implementation, and evaluation of public services. Bureaucratic expertise may complement sector expertise rather than the other way around. There is, then, a virtuous circle that comes from embracing charitable expertise and grounded advocacy in the policy process.

Creating pathways for participation

Political engagement can be daunting for most individuals and organizations. The political world is vast and complex, and the rules of the game are often obscure. Hence a long Canadian tradition of get-out-the-vote campaigns, generally directed towards individual voters (or non-voters). Nonetheless, although it makes sense to encourage active engagement by individual citizens, much of that engagement still takes place through groups, including both formal organizations and mercurial on-line communities. Here charities can play an important role by providing pathways for participation. In so doing, they can also aggregate diffuse interests, thus providing a stronger collective policy voice. Charities can provide training and confidence-building experiences, and badly needed non-partisan space for political conversations.

However, the role that charities filled in the past as guides on the complex political landscape may be contested going forward. Guides abound, including not only nonprofit organizations but also celebrity personalities such as Doctors Phil and Oz, Jenny McCarthy, and Gwyneth Paltrow. With the Internet at their fingertips, Canadians have less need for the guidance that charities traditionally provided. As former Ontario Premier Bob Rae stated, "Anyone with a smart phone can be a pundit for the day." In the face of greater on-line competition, including Blogger Bob and his thousands of counterparts, charities run the risk of being outflanked and marginalized as advocacy voices in the political arena.

While charities facilitate greater political participation by their clienteles, there is also added value from charities themselves entering the political fray. Charities bring a collective experience and wisdom that reflects while going beyond what individuals might bring. They are more than channels, more than conduits.

Closing the feedback loop

Policy advocacy goes well beyond media campaigns and placards; it also takes place through the back channels of government, through roundtables, informal consultations, and research reports. A benefit of charitable policy advocacy, therefore, is that charities can be a useful sounding board for governments, bringing their experience to bear on program design, implementation, and evaluation. Although governments may have survey tools to tap levels of client satisfaction, organizations that deliver programs may provide more nuanced feedback, including concrete examples of policy impact or the effects of inaction. Feedback may also provide an early warning system for programs about to go off the rails or for grievances about to be leaked to the media.

Although none of this precludes direct feedback to the government from the recipients of its programs, these recipients may not be in a good position to provide such feedback; they may feel vulnerable or lack the skills and capacity to communicate with government bureaucracies. They may be too readily dismissed as always whining for more and being unable or unwilling to see the infamous “big picture” that governments confront. Charitable service providers may be particularly adept at providing political intelligence on how programs are received on the ground. Experience shows that the best of policy intentions may collapse when such information is missing. Recent Government of Canada initiatives on educational reform within First Nations communities — the proposed and now dead First Nations Education Act — provide a case in point.

The important point here is that the policy process is not linear. It is better seen as a loop, even a Mobius strip, with no beginning and no end. Policies are always being adjusted in the light of experience and changing circumstances, including changes in government, and charities can be an important part of that loop by bringing their experiences and expertise to bear through research reports, conversations at conference coffee breaks, and informal email exchanges.

Expanding the policy space

Policy design and implementation benefit from the infusion of new ideas and insights about how best to achieve policy objectives while efficiently managing inherently limited public resources. Innovation, however, is more likely to come from outside than inside the system as public servants are understandably preoccupied with administering the status quo. There are, then, opportunities for thought leadership by Canadian charities. This is not to say that charities will always bring good ideas to the table; there may be more chaff than wheat, more weeds than flowers. Nonetheless, charities can potentially make a positive contribution to the banquet of ideas from which better public policies may emerge, but only if advocacy propels new policy thinking into the political arena. Thought leadership initiatives in the absence of advocacy are self-indulgent and will be stillborn.

Canadian public life is not characterized by a cacophony of policy voices. A cultural predisposition for moderation in all things, deep if eroding social deference, and a willful blindness to policy experience and experimentation in the United States all act to dampen policy debates. By contrast, thousands of policy flowers bloom in the United States, many in ideological teapots, and many that Canadians would quickly dismiss as weeds, as views rooted in conspiracy theories. Nevertheless, I would argue that we need a larger flower garden, and even if we don't get more flowers, additional fertilizer would not go amiss. Certainly there is

ample room in this garden for thought leadership from Canadian charities, leadership animated by policy advocacy. Unfortunately, some argue (Beeby, 2014, p. 3) that the CRA-induced chill of the past few years has led to a “shrinking space for dissent in Canada.” Whether this will change with the new government remains to be seen.

Organizational benefits from policy advocacy

Although the identification of public benefits from charitable policy advocacy helps somewhat to balance the risk/benefit scales of engagement, it does not take us far enough. We still face the conundrum of comparing public benefits and private risks. Criticism of the policy status quo may put an organization offside with both government and private funders. Bitten hands may no longer feed if policy advocacy is seen as inappropriate by funders who are primarily concerned with the organization’s charitable mission or political neutrality.

Given this reality, public benefits offer a limited line of defense for charity leaders advocating political activism. Fortunately, organizational benefits from policy advocacy also exist:

- Policy engagement may energize an organization’s base. Volunteers and funders may be attracted to an organization perceived to be fighting the good fight.
- Policy advocacy may enhance organizational profile through media coverage, and media coverage may attract the attention of potential funders and volunteers.
- Being seen to have the ear of government, as a policy insider may strengthen the appeal of a charity as it competes with rivals for charitable giving and public support.
- Given that the policy status quo is seldom changed by organizations working alone, policy advocacy creates opportunities for alliance building and thus for reaching a broader constituency. It is all part of being a player -- and being seen to be a player.
- High-profile policy advocacy may be essential and unavoidable if sufficient resources are to be found to address the organization’s charitable mission. Although the philanthropic sector in Canada is not small, its resources still pale beside those of the public sector.
- Although some argue that political engagement and policy advocacy may erode public trust in charities, engagement and advocacy may also be expected by many donors. Charities may be damned if they do and damned if they don’t when it comes to policy advocacy.
- In some cases, policy change will deliver more to clients than other things charities could do. For example, a community-based environmental organization may focus on a riverbank restoration project and avoid highly politicized debates about environmental policy relating to climate change or resource development. However, policy change in these respects may provide greater environmental benefits in the long run than could the agglomeration of smaller environmental initiatives.

Policy advocacy therefore brings not only public benefits but also, at least in some cases, private benefits to charitable organizations. It may help in the recruitment of staff and board talent, and in sharpening the organization’s appeal in an increasingly crowded funding environment. Public and private benefits need not be at odds.

Building the case for policy advocacy

Charities have an advocacy role that is legitimate and important; they have not only the capacity but the obligation to add value to the policy process and to the larger political system within which that process is lodged. Charities have an obligation to ensure that the services they

deliver to clients are as good as they can be, and they have a complementary obligation to promote their clients within the political system and in the intra-governmental scramble for resources. More generally, charities have value to add to public policy debates and thus to the turbulent political world. Charities are carriers of values and experience that should be brought to bear on policy debates.

Program delivery has given the sector additional resources and community profile, allowing it to touch more people more directly. With this comes an obligation for charities to pick up the policy sword when they pick up the cheque and to bring their program delivery expertise and experience to bear on the design of public policy and on political debates about policy design. Rather than asking if it is appropriate for charities to speak out, we should ask whether it is appropriate for them to be silent.

The New Public Management movement sometimes draws a distinction between steering and rowing, with governments doing more of the former and nonprofits and the private sector doing more of the latter, in many cases through service delivery contracts. However, this distinction should never be carried to the point where charities put their oar in the water only to row. In a democratic society, leaving governments alone to steer is a moral abdication; the charitable sector rowers have a very real stake in where their craft is heading, and at what speed.

This said, building the case for policy advocacy faces a number of formidable obstacles quite apart from the risk that bitten hands may not feed:

- political is often heard as partisan even though partisan engagement is only a small slice of a political pie that includes advocacy through research reports, policy roundtables, social media, conferences, and letters to the editor;
- the benefits of engagement are primarily public, accruing to society at large, while the costs are primarily private, adhering like barnacles to individual charities; and
- diffuse and abstract public benefits such as more informed and inclusive policy debates defy measurement whereas the potential financial costs to organizations are more easily measured.

Thus it is not surprising that the case of policy advocacy may not rest easily with a risk-averse charitable sector. Nor will it be readily embraced by governments, for their policies will be in the crosshairs of charitable engagement. Increased policy advocacy by charities may also encounter stiff headwinds from funders, boards and staff. Hence the need to build and disseminate the advocacy case, and to change our focus from what charities can do in the political realm to what they should do. Policy advocacy is a moral obligation, and if charities do not make governments uncomfortable, they are not delivering on their charitable mission.

The bottom line is that charitable status conveys a moral responsibility to be an active agent within civil society, that charities must be more than the sum of their government contracts and charitable receipts. At a fundamental level, charitable status implies not only the power to row but also the obligation to steer, to be thought leaders in the arena of ideas.

Notes

[1] Charities are in a difficult bind if their staff and board believe their charitable purposes can best or only be advanced by a change in government. Advocating for a regime change is beyond even the most liberal interpretations of CRA guidelines.

^[2] Philips (2011, p. 230) notes that within two years in the early 2000s, 50% of the public servants involved in the Voluntary Sector Initiative had changed jobs and “exited participation in VSI.”

^[3] It would be interesting to compare how long, on average, deputy ministers and executive directors of charities hold their respective positions.

^[4] One of the most high-profile contemporary organizations in this respect is Samara Canada. To quote from their website, “Samara Canada is dedicated to reconnecting citizens to politics. Established as a charity in 2009, we have become Canada’s most trusted, non-partisan champion of increased civic engagement and a more positive public life.”

^[5] CBC “The Current,” August 25, 2015.

^[6] Canadian military veterans provide a notable contrary example.

^[7] I am reminded here of Pierre Berton’s early work (1965), The Comfortable Pew.

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