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## CONFRONTATION, COLLABORATION AND COSTS: THIRD SECTOR PARTICIPATION IN THE POLICY PROCESS

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### ABSTRACT

It is assumed that third sector organisations are meaningful participants in the public policy process, yet when we seek to examine the outcomes of their participation the research provides little evidence to support that view. In this paper, I examine what third sector organisations are seeking to achieve through their participation in the policy process and what strategic choices they make to pursue their goals. After reviewing the difficulties associated with determining the outcomes of the work of third sector organisations as policy actors, the strategic options of collaboration and confrontation are examined and the costs and benefits and that each of them imply are considered.

# **CONFRONTATION, COLLABORATION AND COSTS: THIRD SECTOR PARTICIPATION IN THE POLICY PROCESS**

## **INTRODUCTION**

A core discourse in any review of the third sector is an affirmation of the political activism of third sector organisations through their participation in processes that determine public policies (Boris and Moser-Williams 1998, Brown et al. 2000). However, the parameters of this participation are not often directly analysed and there is relatively little research specifying what third sector organisations are seeking to accomplish by participating in the policy process or analysing the strategies they embrace to achieve their goals.

Most commentators on third sector intervention in the policy process take an essentially pluralist approach and although the actions of third sector organisations are not always regarded as positive or benign, the sum total of their interventions is seen as the essence of democracy (Parry et al. 1992). Neopluralists accept that there is bias in the process, but they share with the more classical pluralists the essential belief that a well-organised group with the necessary resources will have the potential to influence the policy process (Baggot 1995). Whichever version of pluralism is espoused, the arguments rest on the assumption that third sector organisations are significant political actors, able to directly exercise power in the policy process. Alongside this possible direct intervention, third sector organisations make other indirect contributions to the policy process through the building of social capital and an informed citizenry (Taylor 1999), as well as through their influence on social discourses and policy-related beliefs (Giugni 1999, Abrar et al. 2001).

This article focuses on direct intervention and seeks to contribute to the understanding of the nature and limits of third sector participation in the policy process. Elsewhere, I have proposed a framework for the analysis of the outcomes of participation in the policy process and explore the constraints of the political opportunity structures offered by diverse polities (Casey 1998, Casey 2001). In this current article, I focus more on the strategies of collaboration or confrontation that third sector organisations adopt to influence policy decisions through both institutional and non-institutional channels. I reflect on how third sector organisations seek to intervene in the policy process, examine the strategies available to them to pursue this participation, and analyse the possible organisational costs and benefits that might be incurred as a result of strategic choices.

## **THIRD SECTOR ORGANISATIONS AS PUBLIC POLICY ACTORS**

Before looking specifically at *how* third sector organisations participate in the public policy process and with what strategies, it is important to reflect on *which* third sector organisations participate and at what point their activities become political. Many third sector organisations are likely to claim that they are "non-political" and that their goals are to service their client target groups and not to influence government policies. Do these non-

political organisations exist? Is the political role one that all third sector organisations embrace, or can we identify a subset of organisations that have an expressed goal of influencing policy and clearly take an interventionist stance? There is little doubt that we cannot and should not necessarily ascribe a political intent to all those who join third sector organisations or assume that the organisations of which they are members seek to involve themselves in the policy process. Although large numbers of people in Western democracies are members of voluntary associations they do not, for the most part, join for what they would describe as political reasons and many of the organisations they join do not aspire to overtly political objectives (Parry et al. 1992, Dekker and van den Broek 1998).

The exact proportion of associations that have overt political activity as their main objective is difficult to establish, and figures vary widely between researchers and countries. Using self-reporting techniques, Van Deth (1997) indicates that only 25% of European associations were engaged in political participation, but also claims that their impact on the policy agenda was quite out of proportion to their numbers. Knoke (1990a) indicates that half of all the national associations he studied in the US seek to influence the outcomes of public policy debates in legislative, judicial and regulatory domains. The fact that Knoke uses national-level organisations as his sample is likely to create a bias towards larger entities with substantial resources that have more interest in operating in political arenas. Similar outcomes were reported in the UK where a survey of national voluntary organisations found that 77% reported engaging in lobbying, while local surveys give much lower figures, around the 20% mark (Taylor 1999). However, the differences in definitions and methodologies used in these studies makes comparisons between such research difficult and any figures quoted should be regarded as indicative. At best, we might say that survey research finds that a substantial minority of all third sector organisations would be regarded as manifestly political (Parry et al. 1992, Van Deth 1997).

Another approach has been to include political objectives as a defining element in classifications or taxonomies of third sector organisations. These taxonomies invariably provide separate "activist" categories, usually based on advocacy for single issues or for the rights of specific social and political groups (Boris and Moser-Williams 1998). While recognizing the general putative validity of such classifications, there is a danger in assuming that only the organisations that fall into these narrow categories participate in the policy process.

The reality is that many third sector organisations that claim to be non-political do participate in consultative committees or other decision-making mechanisms and most engage in some form of indirect policy action through the processes of social discussion and negotiation that constitute politics in western industrial democracies. Moreover, many seemingly non-political activities such as the creation of innovative programs with the expectation that they will be incorporated into future government funding guidelines often do intend to influence policies. This form of participation in the policy process has been identified variously as "change through new service provision" (Butcher et al. 1980) "modelling" (Minkoff 1994, Richardson 1993) or "persuasion by example" (Nyland 1995). Other common third sector activities such as community education and community development, while not necessarily directly constituting intervention in the policy process,

do seek to empower communities to promote their political participation (Checkoway 1987). The simple articulation of a demand is equivalent to exerting pressure upon a part of the political system (Kimber and Richardson 1974), given that, as Knoke notes (1990a: 220), "social groups lobby and lobby groups socialize".

More recent political discourses such as those regarding *civil society* (Walzer 1992, Boris and Moser-Williams 1998, Brown et al. 2000) *deliberative democracy* (Freeman 2000) and the *third way* (Giddens 1994, Giddens 1998) tend to incorporate broader definitions of political work into their core dialogues about third sector activity. Brown et al. (2000), for example, present four established frameworks of operation for third sector organisations, the first of which is the activist framework. They state that "[i]t is the activist framework that is most commonly invoked in discussions of voluntary associations and civil society" (Brown et al 2000: 70). and list a wide range of activities which include overt political mobilization and resistance, as well as those that promote mutuality, civic virtue, trust and moral obligation

As Boris and Moser-Williams (1998: 488) conclude, "most organisations, regardless of their primary missions, engage in public education or stimulate civic and political participation". There is always a potential for political engagement and at any moment circumstances may impinge on the least apparently political organisation which will then mobilize itself in response. Almost any organisation will act as a pressure group if certain situations adverse to its interests present themselves (Baggot 1995).

### **ARE THIRD SECTOR ORGANISATIONS EFFECTIVE POLICY ACTORS?**

While we may maintain with some certainty that third sector organisations seek to engage in the policy process, it is with much less confidence that we approach any attempt to evaluate the outcomes of their participation. Both defining the desired outcomes and measuring the effectiveness of strategies are problematic.

In the first instance, we must clarify what constitutes "success" and how it might be measured in each case. If an organisation is seeking changes, are we measuring profound changes in political culture or simply evidence of having left a "residue of reform" (Tarrow 1994)? If an organisation is seeking to maintain the status quo, is the subsequent lack of change due to its efforts or to simple political inertia? How do we distinguish between short-term success (e.g. having forced a commitment) and possible long-term failure (e.g. that commitment is later reneged)? It is, after all, always possible to win the battle, but lose the war.

Another major issue is the relationship between process-related and goal-related outcomes. An organisation may meet its internal objectives in relation to the processes of political pressure (e.g. organise a large demonstration, or be invited to join a new advisory committee), but then find that despite these "successes", the desired external impacts are not achieved and the policies do not change. This issue is of particular concern when analysed in relation to participation in the various collaborative strategies described later in this paper and is often expressed in terms of the relative value of ensuring access to institutional input

processes. Is gaining access to these processes a guarantee of being able to influence future policy or simply an assurance of playing a part in trivial rituals of consultation and cooperation?

Scott (1990), sees success of political activities precisely in terms of the integration of previously excluded issues and groups into the normal policy process: "[i]f there is a telos of social movement activity then it is the normalization of previously exotic issues and groups" (Scott 1990: 10). In a more radical analysis of social movement outcomes, however, this might be seen as co-option and failure if it is considered that the normalization requires too much of a compromise of the original movement goals. Despite such criticisms, integration through the process of influencing social discourses and policy agendas continues to be an aspiration of many third sector organisations (Abrar et al. 2000).

Burnstein et al. (1995) identify six types of policy responsiveness to the political activity of social movement organisations, which ranged from initial access to policy decision-making realms through to meaningful structural changes in policy environments. Table 1 represents an example of how these types of responsiveness can be characterized in terms of an organisation's interest in influencing policy change.

**Table 1: Types of Policy Responsiveness**

Type	Impact on policy change
Access	Organisation sits on advisory committee or participate in others forms of consultation
Agenda	Desired policy change is adopted by powerful stakeholders
Policy	Desired change is translated into new legislation or guidelines
Output	New policy is enforced as organisation desired
Impact	New policy has intended consequence
Structural	Long-term structural change

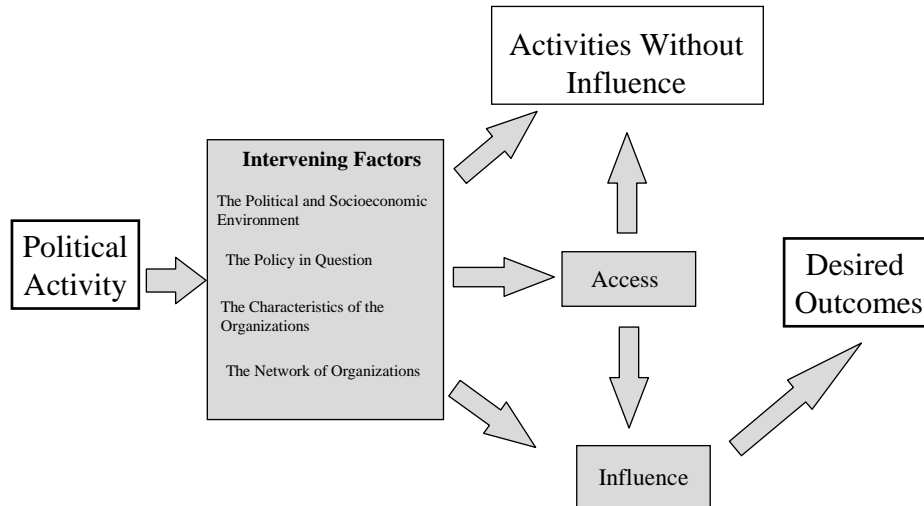
Source: Author, based on Burnstein et al. (1995)

The different types of policy responsiveness could be regarded as representing increasing levels of success. Ultimately, success may need to be measured in terms of the highest order structural changes, but achievement of the next level of responsiveness from the current circumstances becomes an important affirmation of positive outcomes.

To determine success in political terms we have to attempt to answer the question of who gets what from the relationship between third sector organisations and government policy makers and by some means evaluate the individual, collective and relative power of third sector organisations in the decision making process. This is no simple enterprise and, as Wilson (1990: 10) notes, "if it has been hard to define [third sector organisations], it is even harder to reach any consensus about their importance". An increase in political activity may

not necessarily translate into an increase in their influence. Figure 1 indicates a possible model of third sector political activity.

**Figure 1: Outcomes of Third Sector Political Activity**



Source: The Author. ( For a detailed discussion of the intervening factors, see Casey 1998 and Casey 2001).

There have been apparent successes: popular movements led by third sector organisations which appear to have achieved objectives; professional organisations which make important gains for their members; and consultative groups which help bring about significant changes in government policies. At an anecdotal level, these apparent victories exist and they continue to inspire the participation of third sector actors. Faith in the potential effectiveness of participating in the policy process foments the creation of new actors and encourages them to develop their abilities to manage the political and cognitive resources within their reach (Smucker 1991, ACOSS 1993).

However, beyond any anecdotal evidence, it is difficult to evaluate the actual political performance of third sector organisations. There are few systematic studies on the sources and causes of possible success in achieving desired policy outcomes and scant literature that attempts to analyse the factors which have led to victories or to examine those factors that might help determine the best strategies for achieving them (Kriesi et al. 1995, Giugni 1999). In this sense, research on political effectiveness reflects a wider methodological limitation of power studies in the social sciences. As Thomas (1993: 223 ) notes, "making assessments of group power is fraught with problems [and] there is no satisfactory way to measure it at either the individual group or system level".

We are seeking to appraise not only outcomes and observable events but also dynamic, on-going power relationships that determine the influence and domination links between actors

in a system (Knoke 1990b). We are interested not only in the "if" of outcomes, but also the "how" and "why". Yet the nature of these power relationships has, in general, defied measurement by researchers. The difficulty of understanding the motivations of those involved in the decision-making process combined with a tendency by administrations to legitimate their own internal processes, and the opposing tendency of third sector organisations to overstate their influence, only serve to complicate the possibility of evaluating the impact of non-government actors.

To establish the causality between the activities of third sector organisations and political outcomes, we must attempt to "peer inside the black box of legislative and executive decision making" (Mitchell and Munger 1991: 536). But, despite any apparent transparency in the process, much of decision-making is likely to remain hidden, both in the sense of the ideologies and structural inequities that determine the distribution of power, and in the possible interests of participating actors to conceal their role in the process. Kingdon (1995) talks about the visible and less visible arena and Evans (1996) concludes, in the context of US House Committees, that "deals were negotiated behind the scenes, in settings so private that for all practical purpose they were not visible to the general public". On the whole, there is a relative invisibility of the role of non-government actors and a tendency by government actors to disguise or downplay their impact (Nyland 1995).

Forbes (1998:183) notes that attempting to determine nonprofit effectiveness is "measuring the unmeasurable". In his review of the attempts by various researchers to measure the effectiveness of nonprofits, he concludes that there can be no objective measures. He maintains that the only meaningful definitions and assessments of effectiveness are those that are created by the individuals or organisations in specific contexts and that they will continually evolve as a result of interactions with other authors. Success and effectiveness in regard to third sector organisations are social constructions (Forbes 1998, Herman and Renz 1999) and the same action may be viewed as a success by some commentators but judged as a failure by others (Giugni 1999).

Given the methodological difficulties, we are left only with more subjective conclusions. Brown et al. (2000: 79), for example, indicate that "despite some unrelenting critiques of the efficacy of activist voluntary associations, it would be fair to say that the overall assessment ... is positive". They concede that the activities of activist organisations have not resulted in major structural shifts, but they maintain that social agendas have been influenced. Similarly, Abrar et al. (2000) identify policy-oriented learning that influences policy belief systems as the most significant impacts of intervention by feminist third sector organisations. This influencing of social agendas and shifting of public discourses is the successful outcome most often identified by authors (Giugni 1999).

## **PARTICIPATION: COLLABORATION OR CONFRONTATION**

Participation in the policy process by third sector organisations is usually either through institutionalized channels of collaboration or through more confrontational tactics designed to create social and political pressures in favour of an organisation's policy objectives.

Collaboration can be defined as activities in which third sector organisations act as "partners" of government, collaborating in institutionalized processes of policy making, oversight and service delivery, and acting as "nerve ends" by warning policy makers of dangers and providing technical feedback (Wilson 1990). In contrast, confrontation involves a more belligerent attitude in attempting to force changes, generally from outside the "system".

Similar labelling of participation activities and tactics is offered by diverse authors: Najam (in Young 2000) defines the strategies of policy entrepreneurs as *collaboration*, *complementarity* or *confrontation*; Giungi (1999) distinguishes between *disruption* and *moderation*; Tarrow (1994) speaks of *non-contentious* and *contentious* actions; Minkoff (1994) of *routine advocacy* and *non-routine protest*; Dearlove (in Maloney et al. 1994) talks of *helpful* and *unhelpful*; Maloney et al. (1994) distinguish between *consultation*, *bargaining* and *negotiation*; Mathews (1993) speaks of *persuasion*, *inducement* and *coercion*; Meyer and Imig (1993) speak of *assimilative* and *confrontational*; and Butcher et al (1980) use *collaboration*, *campaigning* and *coercion*. The terms are essentially differentiated in the taxonomy of each of the authors by the degree of conflict with government they generate. They generally do not represent discrete categories, but descriptors along a continuum in which only the extremes are well defined. Moreover many participation activities may be used in different forms, and at different times, in ways that render them more or less belligerent or conflictive, and the same organisation may use both collaborative and confrontational strategies to promote its ends. How any activity, such as lobbying legislatures, is regarded may depend on whether it is supporting or opposing current government policy.

## **Collaboration**

Collaboration is usually articulated through commissions, advisory boards and other formal channels of liaison, consultation and oversight, as well as through other mechanisms such as public hearings and calls for submissions, which allow external policy actors to comment formally on legislative and administrative proposals. The increase in the number of policy actors in the latter part of the twentieth century has been accompanied by the growth of these types of liaison and consultation channels (Maloney et al. 1994).

But there is strong disagreement as to whether these forms of participation constitute collaborations which effectively influence the outcomes of the policy process or whether they are little more than mechanisms of governmental control. Government departments create, regulate, and provide the resources for the work of liaison and consultation committees, which often also means that they are able to set the parameters of the dialogue they engage in. There may be a genuine intention to establish a meaningful dialogue between participants, or in some instances the government department that established the committee may use it to simply "sell" predetermined policies and stifle criticism. Some third sector organisations reject participation in government commissions and regulatory groups because they feel they may be forced to compromise their goals, and some even seeking to distance themselves physically from the decision makers (Dalton et al. 1990). Other organisations and individuals are responding to the perceived lack of influence through

traditional participative mechanisms by promoting innovative structures of deliberation and consensus building (Freeman 2000, Carson 2001).

The other major form of collaboration is through contracts or funding agreements for the delivery of services. This participation in service delivery is seen as resulting in greater prestige and closer proximity to government, which consequently opens up more possibilities for participation in policy development. Through service delivery, third sector organisations have access to clients and, therefore, knowledge of their needs, which legitimizes third sector organisations and confers the right to influence decision-making. Nyland (1995) goes beyond collaboration to talk of "shared interests" and the "coproduction" of creation and delivery of public service through a close relationship between third sector organisations and administrations.

Critics of participation in service delivery contracts claim that the logical consequence is clientalism and instead of forming an independent oversight and pressure block the perspectives of collaborating third sector organisations are increasingly compromised by the "carrot" of access and funding (Baggot 1995). The guidelines that are imposed through funding mechanisms create external controls over the activities of third sector organisations, and many allow themselves to be bought or they simply avoid "biting the hand that feeds them"(Roelofs 1987).

This debate on the impact of participating in service delivery has taken on particular importance in light of the current trend towards marketisation and the increase in third sector organisations participating in service delivery in response to new governance ideologies and processes. Closer relationships through contracting arrangements are generally seen as a guarantor of participation in policy development, with authors such as Coston (1998) and Rees (1999) equating collaboration with a greater symmetry of power relationships. Other authors, however, question these assumptions and argue that even though third sector organisations are being given more to do, they appear to have less influence and that the increased number of third sector organisations does not necessarily translate into more systematic participation in the decision-making process of states or international organisations (Phillips 2000). The oft repeated maxim of government divesting itself of service delivery so that it "steers and not rows" leads to the question of whether those who are rowing have any say in which direction they are heading (Denhart and Denhart 2000).

## **Confrontation**

The alternative to collaboration is confrontation. The judicial system, institutionalized appeals processes and oversight bodies allow for some level of confrontation within the system. But there is also a whole range of non-institutionalized tactics for confrontation, including those aimed directly at legislatures or administrations and those which have the intention of creating a social-political climate in favour of one or other of the competing policy options. These tactics include the flexing of social muscle (demonstrations), financial muscle (boycotts), or industrial muscle (strikes), as well as a range of other activities such as the publication of reports to denounce undesirable situations, letter-writing campaigns that

target politicians, spectacular actions to capture public attention and, at the most extreme level, illegal actions such as bribes, blackmail, and terrorism.

Those who advocate confrontation tactics see them as the only response to a political system that seeks primarily to protect the established power relationships. Piven and Cloward (1977) claim that institutional politics fail to respond to challenging groups unless threatened by disruption. Knoke (1990a) notes the greater importance attributed by administrations to opposition groups than to allies and indicates that success comes to those who fight.

The relationship between third sector organisations that tend more towards collaboration and those that tend to be more confrontational is also open to differing interpretations. On one hand, collaboration by some third sector organisations reinforces the marginalization of those that maintain a stronger opposition to government; but on the other, the presence of radicals can reinforce the negotiating position of the moderates who ask for changes from within the system. Minkoff (1994) talks of "radical flank" effect as an aid in the bargaining position of more collaborative organisations.

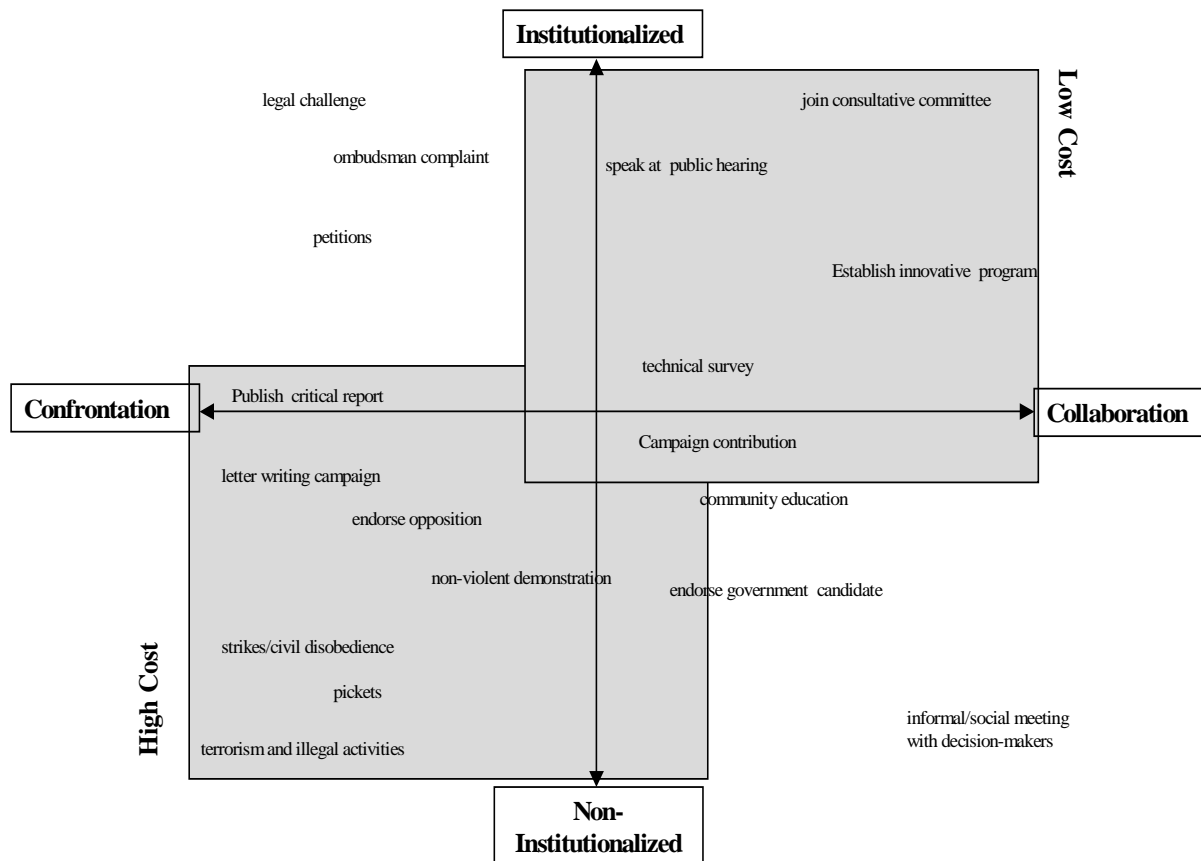
## **THE COST OF POLITICAL PARTICIPATION**

Whatever the tactic used, third sector organisations have to assume the political, organisational and economic costs they entail. Any third sector organisation that wishes to maintain a more confrontational relationship with government must be able to assume the consequences inherent in such a relationship. Confrontational political activity is not without its perils nor can it be carried out without restrictions. Engaging in activities which bring an organisation into conflict with government institutions or the political mainstream can have a considerable cost for the organisation.

Direct political work by third sector organisations is an activity legally restricted in many countries (Randon and 6 1994), but beyond any strictly legal boundaries there are the real or implied dangers of opposing those who control the purse strings. For many organisations, the most damaging sanctions available to government are the cutting off of funding and the relegation of the third sector organisations to the status of political untouchables. Many third sector organisations work on the razor's edge, conducting their relations with government as a constant to and fro which allows them to maintain a confrontational stance without crossing the line to political and financial suicide.

As the level of confrontation rises, non-institutional activities often become more dominant and organisations must carefully balance the cost-benefits of engaging in what could be high cost activities. Figure 2 identifies major collaboration and confrontation strategies and locates them according to the two continuums of confrontation/collaboration and institutionalized/non-institutionalized. The relationship between these continuums translates into the costs associated with the strategies.

**Figure 2: The Cost of Political Strategies**



Source: The author.

The cost implications of engaging in any participation strategy are in no way static, and will vary as a function of factors such as the actors involved and the historical moment in which they are implemented. There are also other transactional costs that an organisation must consider, given that a strategy that may be costly in terms of external relations may also be precisely the strategy that members and supporters expect, thus generating other dividends for the organisation.

Third sector organisations often develop a preferred style of confrontation or collaboration that may be hard to change. May and Nugent (in Maloney et al. 1994) identify as a fundamental group characteristic the perception of whether group goals are moderate or radical. For organisations identified as radical, confrontation strategies may help maintain member contributions, even though they may not be the most effective for influencing

policy. For more moderate organisations, collaboration remains the strategy of choice to maintain a proximity to decision-makers. Not only do they believe collaboration will translate into policy influence, but it also serves to maintain the favoured status that will ensure continued contracting and funding relationships. However, the leaders of moderate and radical groups alike often lack the political sophistication, know-how or resources to evolve towards other strategies that might be more effective in achieving their goals.

## **CONCLUSION**

Third sector organisations seek to engage the political process and to influence public policy. In doing so, they pursue successful outcomes by making strategic choices regarding activities that are likely to further their agendas. The possibility of success, however, has never been clear and the relative merits of the different strategies have largely defied clear assessment. The effectiveness of political activities "is likely to vary according to the circumstances under which they are adopted" (Giungi 1999: 17).

The strategic choices regarding political activities can be illustrated by the continuum between collaboration and confrontation with decision-makers. While political strategy can be constrained by the specific opportunity structures of each polity, third sector organisations in industrialised democracies generally enjoy the freedom to select from a range of strategies. They can "play by the rules" with the expectation that respect for mainstream political conventions will be rewarded with meaningful participation in decision making processes or, at the other end of the continuum, they can choose to bend the rules and seek to force changes through a more belligerent wielding of political power.

Decision about strategy must take into account the likelihood of successful outcomes as well as the organisational costs involved. However, in the absence of evidence to support or refute the efficacy of any of the strategic choices are ultimately made according to the ideology and culture of the organisations. Organisations respond to collective worldviews, through which the policy process as is seen as more responsive to either pluralist engagement and negotiation or structural conflict.

As events in the streets outside recent international meetings of world economic forums demonstrate, the use of confrontation strategies in industrialised countries are increasingly targeted at supranational entities (McGrew 2000). At the same time, collaboration in the international arena is expanding as third sector organisations become semi-official advisors to the same entities, manage increasing portions of development funds and lobby for new forms of international governance (Kerr 2001). Old paradigms are adapting to new world stages, but the same questions about the outcomes of the participation of third sector organisations in the policy process persist.

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