

Exploring Challenges to Nonprofit Engagement in Advocacy

Margaret Shetler

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Introduction

Working directly with vulnerable populations, nonprofits have a unique understanding of their constituents' policy needs and the implications of policy decisions at the local, state, and national level. Nonprofits strengthen communities and provide crucial and sustaining services by “[delivering] the majority of state-funded direct services to citizens” (Marwell, 2004, p. 266). The National Council of Nonprofits (2019) asserts that for nonprofits to successfully pursue their missions, they must have a public policy environment that is “reliable, steady, and supportive” (p.25). However, the current state of nonprofit advocacy finds that nonprofits are passive and on the sidelines of the policy realm. Only 2.98% of organizations reported lobbying activities in 2016, though 100% of nonprofits have a legal right to engage in lobbying (Nonprofit Council of Nonprofits, 2019). The Strengthening Nonprofit Advocacy Project (SNAP), a large-scale representative survey of 501(c)(3) public charities, found that although three out of four nonprofits indicated they have “engaged at least once in key types of public policy activity,” advocacy engagement is “inconsistent and generally low” (Bass et al., 2007, p.17). Nonprofits cite various barriers to policy participation such as limited financial resources, tax law regulations, and limited staff and volunteer skills (Bass et al., 2007).

Existing literature on nonprofit advocacy focuses on which environmental or organizational factors influence whether nonprofits engage in advocacy, as well as whether their advocacy influences change. This paper explores research on the dynamics between nonprofits, the government, and the policy making process. A thorough examination of nonprofit advocacy research, theoretical frameworks, and identified challenges is crucial in understanding the future of the nonprofit sector's capacity to advocate for the communities they serve. The research questions guiding my analysis of nonprofit advocacy are:

1. Based on theoretical frameworks and empirical findings, what are the greatest challenges to nonprofit engagement in advocacy?
2. How does nonprofit collaboration (coalitions, alliances) address challenges to nonprofit advocacy illuminated in research question 1?

Methodology

I used Google, Google Scholar and Washington and Lee's online library catalogue to identify relevant literature on the topic of nonprofit advocacy, using a combination of search terms such as "nonprofit advocacy," "nonprofit lobbying," "policy advocacy," "nonprofit advocacy engagement," "nonprofit advocacy effectiveness," "nonprofit coalitions," and "nonprofit collaboration." Once I identified several meta-analyses, broad overviews, and literature reviews on nonprofit advocacy (Lu 2018; Almog-Bar and Schmid, 2014; Neumayr et al., 2015), I looked to the relevant literature they cited. I also relied heavily on three books, *Seen but not heard: strengthening nonprofit advocacy* by Bass et al., (2007), *A Voice for Nonprofits* by Berry and Arons (2003), and *Nonprofits and Advocacy: Engaging Community and Government in an Era of Retrenchment* by Pekkanen and Smith (2014), which provided an in-depth overview of the topic, a historical context, a summary of current research, and an extensive empirical analysis of nonprofit engagement in advocacy.

In existing literature, a wide variety of key methods are used: qualitative analysis of survey data, quantitative meta-analysis to synthesize existing research, and systematic literature review. Further, there are also many theoretical frameworks underlying and guiding nonprofit advocacy research, directly impacting what factors are examined and which questions are asked. Following a review of existing research, I will be making a synthetic argument integrating findings from a wide variety of disciplines. I plan to draw significant empirical and theoretical

findings from the literature, placing them into context based on the specifics of the research study, research design, and theoretical framework. To guide understanding of the topic and gain insight into challenges to nonprofit advocacy engagement, I will be examining three main theoretical frameworks: *resource dependency theory*, *institutional theory*, and *agency theory*. I will then introduce the *advocacy coalition framework* to discuss how collaboration, coalitions, and alliances address challenges to nonprofit engagement in advocacy. Ultimately, I will be looking for patterns among findings in the literature to evaluate challenges to nonprofit advocacy and inform an actionable and attainable solution.

What is nonprofit advocacy?

To tackle this expansive topic, it is critical to discuss and settle upon a definition of nonprofit advocacy. The definition of the words ‘advocacy’ and ‘lobbying’ themselves have been a point of contention in the field of nonprofit research (Almog-Bar and Schmid, 2014; Bass et al., 2007; Pekkanen and Smith, 2014; Berry and Arons, 2003). ‘Lobbying’ and ‘advocacy’ are often used interchangeably (Bass et al., 2007), and though they do overlap, lobbying is more specific to influencing legislation, with a legal and IRS definition, whereas advocacy covers a broader range of activities. Pekkanen and Smith (2014) provide a solid definition that captures advocacy and its many forms: “*Advocacy is the attempt to influence public policy, either directly or indirectly*” (p.3). This comprehensive definition of advocacy emphasizes its multifaceted nature, encompassing direct governmental lobbying but also advocacy aimed at other actors like corporations. Additionally, the definition captures advocacy in a broader sense, including advocacy by nonprofit coalitions as well as by individual organizations (Pekkanen and Smith, 2014).

Existing research identifies many types of advocacy and the variety of activities it encompasses.ⁱ To get a sense of the range of language used to describe advocacy in the literature, it is explained as ‘direct’ or ‘indirect’ (Almog-Bar and Schmid, 2014; Bass et al., 2007), involving legislation or legal cases (Almog-Bar and Schmid, 2014), using ‘insider’ or ‘outsider’ strategies (Fyall and McGuire, 2015), occurring individually or collaboratively (Buffardi et al., 2017), and with aims to reach many people or a specific policy maker (Buffardi et al., 2017). Advocacy could involve encouraging stakeholders to act on behalf of the nonprofit to support a particular policy, lobbying a legislator to influence a particular policy, or conducting a public education campaign about a policy issue.

The language used to describe advocacy has largely impacted the way that it is understood by nonprofit professionals themselves, but also the way that advocacy is approached in the literature. Many scholars (Pekkanen and Smith, 2014; Bass et al., 2007; Berry and Arons, 2003; Fyall and McGuire, 2015; Neumayr et al., 2015) express that challenges exist in measuring advocacy due to difficulties in defining advocacy as well as creating measures that adequately capture its impact or success.ⁱⁱ

Policy advocacy by nonprofits “plays an important role in democracy” by influencing policy (Ruggiano and Taliaferro, 2012) and giving community members an opportunity for civic participation (Berry and Arons, 2003). Nonprofit advocacy is in the public interest because the “end goal is a social good” rather than strictly benefiting private interests (Bass et al., 2007, p.12). Through lobbying—attempting to influence legislation—nonprofits can advocate for ‘systems-level change’ in the interest of their constituents, who are typically marginalized and excluded groups (Ruggiano and Taliaferro, 2012). However, nonprofits are directly restricted in their lobbying and political activities.

501(c)(3) Tax Exemption & Lobbying Restrictions

The 501(c)(3) designation is reserved for nonprofits who are exclusively charitable, have no private interests or benefit to private shareholders, and operate for charitable, religious, educational, or scientific purposes, to name a few (IRS).ⁱⁱⁱ Organizations that meet the qualifications for 501(c)(3) receive a tax exemption, meaning that they do not pay federal income taxes. In addition, donations made to 501(c)(3) nonprofits are tax deductible, which incentivizes giving.

As tax-exempt organizations, 501(c)(3) nonprofits are restricted in their lobbying and political activity. The original language in sec. 501 (c)(3) of the Internal Revenue code is as follows: “No substantial part of an organization’s activities may constitute carrying on propaganda or otherwise attempting to influence legislation” (Kindell and Reilly, 1997, p.264). Under these regulations, nonprofits are not allowed to endorse candidates for office, contribute campaign funds, or engage in a “substantial” amount of lobbying, which is defined as the “attempt to influence legislation.”^{iv} If an organization breaks these rules, they risk the loss of tax-exempt status and would be subject to federal income tax as well as other taxes and fines.

Under IRS regulations, lobbying is tested in two ways, the substantial part test and the expenditure test, or a 501 (h) election (see endnote).^v It is important to note is that the term “substantial” is not clearly defined in the Internal Revenue Code, leading many nonprofit leaders to be misinformed about what is allowed (Lu, 2018; Bass et al., 2007, Berry, 2020). Berry and Arons (2003) make the pressing observation that the “perception of the law could be far more influential than the letter of the law” (p.41), meaning that, in the context of nonprofits, advocacy may be limited due to the avoidance of risk from misinformed interpretations of ambiguous laws.

In reality, many advocacy activities are allowed under the existing regulations. For example, while nonprofits cannot use federal funds to lobby Congress, they can lobby administrative agencies that create regulations (Berry and Arons, 2003), talk to elected officials about public policy matters, and support or oppose federal regulations (Bass et al., 2007, p. 33). In addition, nonprofits can communicate policy issues for educational purposes, as long as they remain neutral, which is not considered lobbying by the IRS (Berry and Arons, 2003).

Now that nonprofit advocacy has been defined and the 501(c)(3) lobbying regulations outlined, I will move on to an examination of the theories of nonprofit advocacy.

Part I: Theories of Nonprofit Advocacy

Existing research on nonprofit advocacy is rooted in diverse theoretical frameworks, each adding to an understanding of organizational and environmental challenges, as well as potential solutions to improve the state of nonprofit advocacy. The most prominent theories are *resource dependency theory*, *new institutional theory*, and *agency theory*. Though the topic of nonprofit advocacy is well researched, integrating findings can be challenging, particularly when empirical findings do not always confirm the expected hypothesis of the theory. Further, each theory also has its own nuances and exceptions. Lu (2018), who conducted a meta-analysis of 46 studies on the ‘organizational antecedents of nonprofit advocacy engagement,’ argues that there is “little empirical integration” among the studies. This is because scholars approach the topic at different levels of analysis, using varying theories, focusing on different factors, and using different research designs. By outlining each theory, emphasizing the main empirical findings from relevant studies, and compiling the most prominent takeaways, a clearer picture of the nonprofit advocacy landscape emerges.

1. Resource Dependency Theory: Overview

Because the survival of nonprofits often depends on external resources, their advocacy work is typically driven by the necessity to maintain and secure those resources. According to *resource dependency theory*, organizations “are prepared to adapt to the perceived needs and expectations of important resource providers” (Oliver, 1991; Pfeffer & Salancik, 2003; via Neumayr et al., 2015, p.304).^{vi} In addition, nonprofit organizations are motivated to secure government grants, benefits and subsidies received under law, like tax exemptions from the 501(c)(3) designation (Mosley, 2012), to have the financial resources necessary to accomplish their goals.

Resources allow nonprofits to carry out their mission; However, depending on the size and type of the nonprofit, different resource providers may be more important and therefore have more influence on nonprofits’ decisions. For example, it is assumed that larger organizations are less dependent on government resources and are therefore “less threatened by sanctions against them if they engage in political activity” (Schmid, Bar, Nirel, 2008). In the National Survey of Nonprofit-Government Contracting and Grants, which surveyed 501(c)(3) human service provider organizations, Boris et al. (2010) found that government funding was the largest source for 60% of the organizations (via Boris, Maronick, Nikolova, 2014).^{vii} Further, the Nonprofit Impact Matters Report, after analyzing sector wide averages of revenue sources, found that government grants and contracts are the second largest source of funding for charitable nonprofits (National Council of Nonprofits, 2019). A nonprofit’s level of dependence is directly impacted by the importance of resources received. Because of this, not all nonprofits have the same level of resource dependency (Mosley, 2012), a vital component to consider in the nonprofit advocacy environment.

1a. Resource Dependency Theory: Empirical Findings

Research conducted in congruence with resource dependency theory has primarily focused on funding and its impact on advocacy. However, not all empirical studies have reached a consensus on how funding, in particular government funding, impacts advocacy engagement and empirical studies with mixed findings have been debated (Almog-Bar and Schmid, 2014).

In support of the hypothesis advanced by resource dependency theory, several studies conclude that advocacy is negatively impacted by dependency on funding source. Specifically, it is hypothesized that larger amounts of government funding will lead to decreased advocacy. Almog-Bar and Schmid (2014) argue that receiving government funding means that they can “impose policies, regulations, and work procedures,” making nonprofits more vulnerable to changes in government (p. 12).^{viii} Schmid, Bar, and Nirel (2008) found that the more dependent an organization was on government funding, the less advocacy and political activities they engaged in.^{ix} According to the researchers, these organizations “develop behavior that conforms to the goals, service programs, and standards” the funding source prefers (Schmid, Bar, Nirel, 2008), and by conforming, they can ensure access to their funding streams (D’Aunno, Sutton, Price, 1991; via Almog -Bar & Schmid, 2014). In Bass et al.’s (2007) study, 77% of respondents “feel that government funding is a barrier to their participating in policy matters” because of a fear of retribution of unfavorable policy stances (p. 18).^x

Looking beyond government funding, philanthropic funding sources may have an aversion to advocacy, perceiving it as a “protest against the government,” which causes nonprofits to decrease advocacy engagement or not engage in advocacy at all (Almog-Bar & Schmid, 2014). In addition, Bass et al. (2007) explain that foundation grants are not often for the purpose of advocacy and therefore, certain political activities are restricted. Fyall & McGuire (2015) note that tension exists between “pursuing aggressive policy goals and not wanting to

upset funders and other community supporters” (p.1283). Fear of retribution, breaking laws, or upsetting funding sources are very real challenges that nonprofit leaders face when considering advocacy involvement.

On the other hand, many studies put forth the argument that receiving government funding leads to greater policy engagement. Findings from these studies highlight that existing relationships with government officials create more opportunity for influence (Neumayr et al., 2015; Bass et al., 2007) and perhaps a better understanding of the policy process and current policy considerations (Buffardi et al., 2017). Having more funding allows nonprofits to put more resources towards advocacy efforts (Bass et al., 2007). Another prominent hypothesis claims that dependency on a revenue stream fundamentally creates a need for policy advocacy to mitigate the threat of losing resources (Lowery, 2007). Managers of human service nonprofits, interviewed in Mosley (2012)’s qualitative study, “believed advocacy to be a crucial tool in helping to secure and maintain vital government funding” and a way to keep government officials informed on the progress and challenges of the nonprofit organization (p. 125). Many managers of nonprofit organizations believe that government funding provides incentives for advocacy, rather than constraints (Mosley, 2012).

Lu (2018) provides strong empirical support in this debate, finding that government funding does have a positive and significant association with the level of advocacy engagement.^{xi} In a comparable study on public funding and its impact on advocacy, Neumayr et al. (2015) confirm that most studies they analyzed found government funding to be positively associated with advocacy. Lu (2018) also examines the impact of foundation and private funding, both of which were positively correlated with advocacy engagement. Despite contradicting takeaways

from studies using resource dependency theory, each study lends deeper understanding into the potential challenges nonprofits face when deciding whether to advocate and to what extent.

Though funding sources may have a positive relationship with advocacy and function to incentivize advocacy in line with resource dependency theory, nonprofits are still cognizant of their limitations. Bass et al., (2007) hypothesize that lobbying regulations have a “chilling effect” for advocacy and particularly for lobbying. The language in the tax code for 501 (c)(3) organizations says that lobbying may not reach a “substantial” part of a nonprofit’s overall activity,” but as discussed above, substantial is an ambiguous term. Berry (2020) argues that there is strong evidence that nonprofits are confused or misinformed on regulatory standards, especially for small and midsize nonprofits.^{xii} In Bass et al., (2007) study, 83% of nonprofits who did not participate in public policy wrongly believed that “they could not lobby if their organization receives federal funds” (p. 32). A lack of knowledge about regulations and what is permissible elicits a fear of participation in the policy making process, with the threat of negative consequences like the loss of valuable resources (Berry and Arons, 2003; Bass et al., 2007; Mosley, 2014). Lu (2018) finds that a nonprofit’s knowledge about laws is a leading factor in predicting advocacy engagement, meaning that the more a nonprofit knows about the legality of their advocacy engagements, the more they will participate.

1b. Resource Dependency Theory: Takeaways

A close examination of the hypotheses and empirical support of resource dependency theory leaves us with a crucial takeaway: nonprofits who receive substantial amounts of government funding are inherently connected to the policy making process; they advocate because their funding is contingent on policy. However, this does not come without challenges. Nonprofits are engaging in advocacy, but these decisions are heavily influenced by their need to

secure resources, which may take priority over wider policy goals. Fyall and McGuire (2015) make the assertion that the influence of government funding can be simultaneously positive and negative; it does not have to exist as a dichotomy. Nonprofit leaders often feel they are restricted in their means of advocacy, or perhaps lean towards certain kinds of advocacy because it is acceptable in the eyes of an important resource provider. For example, advocacy may be focused on a crucial program or funding stream that ensures an organization's survival, rather than issues important to clients of an organization (Mosley, 2011; Bass et al., 2007). In addition, nonprofits may prefer to use less confrontational forms of advocacy (Almog-Bar and Schmid, 2014; Mosley, 2011, 2012; Berry and Arons; 2003). Further explanation of this trend is better supported through the lens of *new institutional theory*, which will be discussed below.

2. *New Institutional Theory: Overview*

New institutional theory is focused around the historical and cultural frameworks that impact choices and preferences of organizations based on the influence of the larger 'institution' (DiMaggio and Powell, 1983; via Mosley, 2012). This theory gives insight into how nonprofit organizations operate in the realm of advocacy as impacted by their environment. Historically, nonprofit organizations were not a major player in social services until Reagan-era federal policies of privatization and devolution, which shifted the provision of supportive services to private, nonprofit organizations (Berry and Arons, 2003; Marwell, 2004). Nonprofits 'compete' for government contracts and grants and as a result are "pulled closer into the web of government" (Berry and Arons, 2003; p.23). Meyer and Rowan (1977) argue that the structure of social welfare and nonprofit organizations is impacted by "rules and procedures emanating from the institutional environment" (via Schmid-Bar and Nirel, 2008). Organizations conform to the norms, values, and standards of the institutional environment to gain social legitimacy, resources,

and ultimately, ensure their survival (DiMaggio and Powel, 1983; Schmid-Bar and Nirel, 2008; Garrow and Hasenfeld, 2014). For example, the use of insider tactics, which include working collaboratively with policy makers, direct lobbying, and meeting with legislators (Mosley, 2011), is an accepted institutional norm tied with social legitimacy that impacts the decisions nonprofits make when deciding *how* to advocate.^{xiii}

To add another dimension to the new institutional theory, Mosley (2011) describes the institutionalization of the nonprofit human services sector, emphasizing three elements that could influence a nonprofit's advocacy involvement and the choice of advocacy tactics: formalization, professionalization of leadership, and degree of collaboration (p. 441-2). Formalization refers to "how greatly an organization is governed by formal [structures] such as hierarchical authority and formal rules and procedures" (Lu, 2018, p. 186S). Research has found that the more formalized a nonprofit is, the less ideological and more moderate its opinions and advocacy tactics become (Mosley, 2011). This results in the nonprofit becoming an "inside player" and working within government to ensure "organizational maintenance," which in this case would be maintenance of funding source or program (Mosley 2011, p.441). Professionalization of leadership is an ongoing trend in the human services sector where leaders are expected to be highly educated professionals. This facilitates advocacy as nonprofit leaders are not only more aware of the importance of advocacy, but because of their education, have a wider range of skills (p.441). Representation of an organization by a highly educated professional could also build social legitimacy in the eyes of policymakers (p. 441). The last institutional trend is collaboration, with nonprofits coordinating services, sharing knowledge, and advocating together (p.442). Collaboration is tied to increased levels of legitimacy, important to influencing policy

and being taken seriously in the policy making process (Philips, Lawrence, & Hardy, 2000; via Mosley, 2011).

Institutional pressures and institutionalization of the nonprofit sector itself has great influence on nonprofit advocacy, which will be further explained through empirical findings.

2a. New Institutional Theory: Empirical Findings

Empirical findings in support of new institutional theory are largely consistent and build on knowledge of advocacy engagement and on the advocacy tactics most frequently used by nonprofits to influence change. In Lu's (2018) meta-analysis, the organizational characteristic of *professionalization* was found to have a significant and positive association with level of advocacy participation.^{xiv} The more that nonprofits had "professionals with specialized expertise" the more they engaged in advocacy (p. 187S).

To give insight into how advocacy is occurring, a major finding is that nonprofits, particularly human service nonprofits, primarily rely on insider tactics when advocating (Mosley, 2011, 2012; Almog-Bar and Schmid, 2014; Berry & Arons, 2003; Bass et al., 2007).^{xv} Nonprofit professionals feel they must comply with the institutional norms of the policy environment, being 'insiders' and working openly and collaboratively with decision makers to gain respect and be taken seriously (Mosley, 2011, 2012). In Mosley's (2011) study on the advocacy of human service nonprofits, even organizations who utilized several advocacy tactics, and had higher capacity for advocacy in general, still focused more on insider tactics. Mosley (2012), in their study on advocacy agendas of nonprofit homeless service providers, found that reliance on government funding encouraged nonprofits to use insider strategies, rejecting more confrontational tactics. Insider strategies build on relationships already formed within the government, which supports the finding that government funding is positively associated with

advocacy engagement because there are presupposed relationships that can be built upon and used strategically (Neumayr et al., 2015; Bass et al., 2007).

To sum up the empirical findings, “greater institutionalization and increased government funding may in fact be creating political opportunity” for human service nonprofits (Mosely, 2011) and nonprofits more broadly (Lu, 2018).^{xvi} However, as discussed earlier, nonprofits are deterred from using outsider, more confrontational advocacy tactics for fear that it will negatively impact their resources or their legitimacy.

2b. New Institutional Theory: Takeaways

Nonprofit advocacy does not exist outside of historical and cultural contexts and is influenced by the institutional environment. Nonprofits compete for government funding and are motivated to secure their resources, and this competitive environment has shaped the ways in which nonprofits advocate, causing many to conform to the accepted standards of the ‘institution’—the government and the policy environment—to influence policy change. Nonprofits, especially those with higher levels of government funding, prefer the advocacy tactics that are readily accepted by government officials and policy makers and build upon existing relationships between the nonprofit organization and the government. Though the use of ‘insider tactics,’ conforming to the norms and values of the institutional environment, creates more opportunity for political influence and nonprofit collaboration with policymakers, scholars raise the concern that nonprofits are only advocating for organizational needs rather than broader social change that would benefit their constituents or society (Mosley, 2011). In addition, some nonprofit organizations, particularly ones smaller in size, may not pursue insider advocacy because of fear of breaking 501(c)(3) lobbying restrictions (Mosley, 2011).

Further, the institutionalization of the nonprofit human services sector, discussed by Mosley (2011), provides an interesting perspective to nonprofit challenges in advocacy. Professionalization increases advocacy engagement, an intuitive finding, because employees with training in advocacy “are more likely to understand political and policy processes and possess the skills and tactics to participate in shaping public policy” (Lu, 2018, p. 187S). Nonprofits can participate in higher levels of advocacy, albeit more moderate or organizationally motivated, when they have more social legitimacy, whether that be through professionalization or through building insider relationships with policy makers. However, the institutionalization of human service nonprofits often occurs alongside conditions of more government funding and larger nonprofit size (Mosley, 2011), both of which give nonprofits a higher capacity and more resources to put towards advocacy.

Lastly, I will discuss the impacts of agency theory, which is important to whether a nonprofit engages in advocacy at all.

3. *Agency Theory: Overview*

Agency theory helps explain the dynamics between a nonprofit and its board of directors, furthering the discussion on how organizational factors impact the facilitation of nonprofit advocacy. *Agency theory* (Eisenhardt, 1989) describes the power dynamics between a “principal” and an “agent,” where in the nonprofit context, the principal role is filled by the nonprofit board of directors and the agent is the nonprofit (via Ruggiano and Taliaferro, 2012, p. 222). As the “principal,” the nonprofit board of directors is “responsible for making sure that a nonprofit organization’s activities reflect the interests and goals” of its members and constituents (Ruggiano Taliaferro, 2012, p.222). When making decisions about whether to participate in lobbying or advocacy, the interests and goals of both the principal and agent are weighed, with

consideration of the principal's often taking the forefront. Ruggiano and Taliaferro (2012) argue that agency theory provides a framework to examine nonprofit lobbying because negative opinions held by boards of directors and stakeholders on the topic of lobbying may impact overall decisions.

3a. Agency Theory: Empirical Findings and Takeaways

Adding empirical support, Lu (2018) finds that board influence and board support of advocacy were positive and significantly associated with advocacy engagement. Importantly, this was a leading factor among their findings. In Ruggiano and Taliaferro's (2012) study on nonprofit leaders' resistance to lobbying, participants expressed that opposing views of lobbying were problematic because lobbying is a representation of the organization and its stakeholders and the organization does not want to alienate their supporters (p.227). In addition, participants identified that within their board of directors, there were conflicting perspectives about what advocacy or lobbying activities were permissible, which created significant conflict around management decisions to lobby (Ruggiano and Taliaferro, 2012, p.226). The conflict in decision making around advocacy and lobbying hinders nonprofit engagement in advocacy.

Research delves into underlying reasons behind an opposition to advocacy, finding that negative connotations around the words 'advocacy' and 'lobbying' play a major role (Bass et al., 2007; Ruggiano, Taliaferro, 2012). Bass et al (2007) find that nonprofit leaders went out of their way to use different words than 'advocacy' and 'lobbying' to describe advocacy activities, preferring the word 'educating.' Further, when the word 'lobbying' was substituted with 'advocacy' or 'educating,' more respondents reported that they engaged in those activities (Bass et al., 2007). Negative associations with advocacy and lobbying, especially among those who

take the ‘principal’ role in nonprofits, pose a great challenge to increasing levels of nonprofit advocacy engagement.

Even if a nonprofit has an existing relationship with government officials and is incentivized to advocate (‘gently’ and with insider tactics) to maintain their resources, if board governance is opposed to advocacy, there is a significant decrease in levels of recorded advocacy. Conversely, if there is board support, more resources will likely be devoted to advocacy activities, and decision-making processes will support this aim.

Part II: Addressing Challenges to Nonprofit Advocacy

After a review of empirical and theoretical findings in nonprofit scholarship, it is clear that nonprofits face a myriad of challenges to advocacy engagement. Many of these challenges are not easily resolvable because of factors outside of a nonprofit’s control. Before delving into a proposed means to strengthen nonprofit advocacy, nonprofit collaboration and coalitions, I will review key takeaways and pose several questions that I will address below.

1. Review of Key Takeaways and Challenges from Resource Dependency Theory, New Institutional Theory, and Agency Theory and Guiding Questions

A. Resource dependency on government funding is positively associated with increased advocacy engagement because of a direct connection to the policy making process.

However, nonprofits perceive restrictions in the means of their advocacy. They do not want to face retribution, whether that be loss of funding or loss of 501(c)(3) status.

Considerations of financial security are often the priority. *How can the impact of funding source dependency be mitigated?*

B. The institutionalization of advocacy has created a preference among nonprofits, reliant on government funding, for less confrontational ‘insider strategies’ because that is what is

accepted as the norm. Social and institutional legitimacy are crucial to government influence. *How can both capacity and social legitimacy be cultivated to improve the state of nonprofit advocacy?*

- C. Advocacy motivated by resource dependency and through ‘insider strategies’ is typically focused on organizational policy needs, like sustaining a funding source, rather than needs or issues important to the clients and constituents of an organization. *How can nonprofits shift their advocacy agendas to advocate for broader societal goals while still being taken seriously by policy makers and influencing change?*
- D. Nonprofits’ board of directors often have a negative view of lobbying and advocacy, creating conflict within the principal / agent relationship and harming nonprofit engagement in advocacy. *How can negative perceptions of lobbying and advocacy be combated?*

2. Nonprofit Collaboration and Coalitions: Overview

Beyond organizational factors discussed above, like funding source, knowledge about laws, formalization and professionalization, and board support, it is important to consider the external environment of nonprofits, particularly their relationships with crucial actors. External relationships are “widely recognized as the key to advocacy effectiveness” for nonprofits (Zhang and Guo, 2020, p. 945). Important relationships include those with policymakers, constituents, and crucially, those with other nonprofit organizations (Zhang and Guo, 2020). Nonprofit collaboration and coalitions will be explored as a promising solution to strengthening the state of nonprofit advocacy.

Many scholars have explored relationships among nonprofits and its impact on advocacy (Zhang and Guo, 2020; Lu, 2018; Fyall and McGuire, 2015; Mosley, 2014; Schmid-Bar and

Nirel, 2008; Donaldson, 2008; Bass et al., 2007 and others). However, differing language is used throughout the literature, so I will first clarify the terms *nonprofit collaboration* and *nonprofit coalitions*.

Guo and Acar (2005) define *nonprofit collaboration* as “what occurs when different nonprofit organizations work together to address problems through joint effort, resources, and decision making and share ownership of the final product or service” (p. 342-3). This could include service coordination and knowledge sharing, for example (Guo and Acar, 2005; Mosley, 2011; Lu, 2018). Collaboration could also be for the purpose of improving services or for advocacy aims (Mosley, 2014).

Next, *nonprofit coalitions* are formed typically for the purpose of policy advocacy (Zhang and Guo, 2020; Bass et al., 2007; Donaldson, 2008; Schmid-Bar and Nirel, 2008; Fyall and McGuire, 2015). Sabatier (1993) defines a coalition as “groups of actors within policy networks ‘who share a set of normative and causal beliefs and who often act in concert’” (p.18; via Fyall and McGuire, 2015).^{xvii} Bass et al., (2007) uses the word *association* and Buffardi et al., (2017) uses *alliance* to describe similar concepts as *nonprofit coalitions*, though both would fall under the definition above. Coalition building is seen as an advocacy tactic (Saxton & Guo, 2011) and is described as “crucial to advocacy outcomes” (Herman and Renz, 2008).

Both nonprofit coalitions and collaboration more broadly provide a promising avenue towards building capacity for nonprofit advocacy and addressing challenges as explored through the examination of theories and empirical findings.

2a. Nonprofit Coalitions, Collaboration, and Successful Advocacy: Empirical Support

Empirical findings in the literature support the claim that nonprofit coalitions and more broadly, collaboration, improve nonprofit advocacy. In a measurement of collaboration as an

organizational antecedent to advocacy, Lu (2018) finds a significant and positive association between interorganizational collaboration and policy advocacy. Mosley (2012) found that 84% participated in coalitions to influence public policy. Examining the correlation between nonprofit membership in associations and advocacy, Bass et al., (2007), find that there is a significant correlation between belonging to a national and state association and participating in lobbying and indirect lobbying (p.41). In addition, Buffardi et al., (2017), who looks at reported policy *change*, not just engagement in policy, finds that alliances among nonprofits were associated with a higher likelihood of reported policy change, particularly in enacting new policy. These are encouraging findings because they provide empirical support that collective power of more actors and concerted advocacy is more persuasive.

2b. Addressing Advocacy Challenges

To understand why collaboration and coalitions address challenges to advocacy, it is important to understand why nonprofits decide to collaborate and the benefits they gain. Collaboration occurs for nonprofits to increase “access to external resources,” to “develop institutional linkages, and buffer environmental uncertainty” (Guo & Acar, 2005; Sowa, 2009; via Lu, 2018). In addition, Sowa (2009) explains that nonprofit coalitions are formed for “organizational survival, to achieve legitimacy, and to improve the position of the organization within their environment” (p.356). Nonprofit leaders expressed that “participation in advocacy coalitions and interorganizational networks was the tool [they] felt best helped them overcome the barrier of limited capacity” (Mosely, 2014, p.125). Through collaboration, nonprofits can share information with each other on topics of advocacy and potential threats and opportunities to policy goals (Lu, 2018), increasing opportunities for advocacy. The benefits of collaboration exemplify how nonprofits are reacting to challenges they face in their limited capacity,

attempting to mitigate the impacts of dependency on a funding source and strengthen their organization.

In nonprofit coalitions, members are directly connected to more resources, which can potentially offset the negative impacts on advocacy that come with dependency on a single resource. Nonprofit coalitions decrease the financial burden for nonprofit organizations to participate in advocacy (Donaldson, 2008) because it is more cost effective (Boris, Maronick, Nikolova, 2014; p. 68). Participation in coalitions makes advocacy more attainable for nonprofits who may not normally participate because it “shields smaller groups from economic vulnerability” (Boris and Krehely, 2002, via Boris, Maronick, Nikolova, 2014 p. 68). Advocacy in coalitions allows individual organizations to “maintain a low profile” while their policy concerns are advocated (Boris, Maronick, Nikolova 2014, p. 68). Further, coalitions “provide cover from potential retribution by the advocacy target” (Donaldson, 2008, p.35). Decreasing the financial burden and environmental uncertainty, connecting nonprofits to more resources, and collectively advocating for policy issues allows the potential for nonprofit advocacy to take place free from pressures of the funding source a nonprofit is dependent on.

Next, nonprofit coalitions address advocacy challenges as discussed through the lens of *new institutional theory* because coalitions are directly tied with higher levels of institutional legitimacy. Nonprofit organizations who participate in coalitions or collaborate with other organizations in their field are typically accepted as “legitimate players,” which is a precursor to being taken seriously by policymakers (Mosley, 2012, p. 442). Respondents in Mosley’s (2012) study share that participation in coalitions is part of being “highly visible” in order to raise public profile and perceived legitimacy of the nonprofit (p.857). In a study on human service nonprofit advocacy, several nonprofit directors said they “gained credibility and saw legislators become

more receptive to their minority constituencies through the effective mobilization of coalitions" (Boris, Maronick and Nikolova, 2014, p.68). Onyx et al., (2010) argue that lobbying government, an 'institutional' strategy, is more effective through the formation of a coalition (p.55). Nonprofit coalitions are successful in building social legitimacy around organizations and the causes they represent, and this collective power is taken more seriously by policymakers as coalitions are playing into institutional norms of professionalization.

Further, collaboration impacts the issues that nonprofits advocate for, pursuing broader societal goals that will have positive impact on vulnerable populations that nonprofits serve. When nonprofits collaborate to develop programs and services, it "more than triples the odds that the organization will engage in advocacy for social benefits" (Garrow and Hasenfeld, 2014, p. 92). Fyall McGuire (2015), in their study on an advocacy network, found that coalitions are a means of strengthening nonprofit policy engagement because coalitions "take positions that would seem more risky to nonprofits who are seeking direct funding from government" (p. 1283). Collaboration and coalitions have the potential for stronger advocacy, not only because of collective power but also through policy goals focused on societal benefits rather than strictly organizational benefits.

However, an important antecedent to advocacy is support of advocacy by the nonprofit and its board of directors, who are the ultimate decision makers. Though not directly addressed by empirical data, institutional legitimacy and increased capacity gained through coalitions and collaboration may reduce negative connotations of advocacy and lobbying among nonprofit leadership. Educating nonprofit leaders on lobby provisions in tax law or even information sharing on advocacy opportunities may address hesitancy to participate in advocacy. Further, as discussed above, there are many incentives to collaborating with other nonprofits and joining a

coalition. Bass et al., (2007), argue that simply reducing barriers to advocacy “does not necessarily mean that nonprofits will suddenly get more involved in public policy” (p.38). The key to consistent engagement is providing a strong incentive and motivation for engagement that ties to an organization’s overarching mission (Bass et al., 2007, p.40). Collaboration and coalitions create incentive for nonprofit leadership to be involved in advocacy to further their mission.

Conclusion

Nonprofit advocacy is an expansive and complex topic, but one that requires scholarly attention. With deep insights into policy solutions that could benefit their clients and constituents, nonprofits are in the position to influence systems-level change for typically marginalized and excluded groups. However, in the policy environment, nonprofits are competing with other interests with greater financial resources and access to decision makers. Therefore, in order to make the intended impact, it is critical for nonprofit advocacy to be effective. Research has primarily focused on what organizational factors predict advocacy engagement, which is useful in identifying challenges to advocacy. However, more emphasis should be placed on which strategies are effective in building capacity and strengthening advocacy. To that end, collaboration and coalitions provide a promising and actionable solution. Nonprofits have greater access to resources, gain institutional legitimacy, can take stronger policy positions, and are protected from retribution from important resource providers, all which build stronger advocacy.

Future research could explore factors which influence nonprofit coalition success as well as an examination of whether participation in collaboration or coalitions influences nonprofit board perceptions of advocacy.

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ⁱ Different types of advocacy mentioned in the literature include *direct advocacy*: lobbying and other appearances before government decision makers; *indirect advocacy*: encouraging individual citizens to act on the behalf of an organization or group; *legislative advocacy*: reliance on the legislative process to create policy change; and *case advocacy*, representing the interests of a group in a legislative case (Almog-Bar and Schmid, 2014). Buffardi et al. (2017) describe different forms of advocacy, including collaborative (i.e., help in drafting bills), confrontational (i.e., direct action), act alone (i.e., contribute public comment), act together (form an alliance), reach many people (i.e., through media attention), or act in a targeted fashion (i.e., provide expertise). Lastly, advocacy is also described in a “insider” versus “outsider” distinction. Insider strategies refer to actions such as “direct lobbying, meeting with legislators, and invited testimony” (Gormley & Cymrot, p. 104; via Fyall and McGuire, 2015). Outsider strategies include more ‘confrontational’ and grassroots advocacy, like protests and public education efforts (Fyall and McGuire, 2015).

ⁱⁱ Neumayr et al. (2015) evaluate different measures of advocacy used in existing research, with some studies using *resources*, the share of expenditures devoted to advocacy, and others using specific advocacy *activities*. There is further differentiation among the measure of different advocacy *activities*, with some research studies using broad measures with a yes/ no indication of

advocacy, and others more specific, asking nonprofits if they engage in a range of different advocacy activities (Neumayr et al., 2015). The question of how different measures of advocacy impact findings has been posed throughout the research (Almog-Bar & Schmid, 2014), but Neumayr et al. (2015) argue that there is not an “obvious relationship between measurement methods and findings about the impact of public funding on advocacy in most cases” (p. 303).

ⁱⁱⁱ The definition of ‘charitable’ captures organizations, for example, that work towards the “relief of the poor, the distressed, or the underprivileged;” advancement of religion, education, or science; and “combating community deterioration” (IRS).

^{iv} For more clarification on what the IRS considers to be legislation, the term is described as “action by the Congress, by any State legislature, by any local council or similar governing body, or by the public in a referendum, initiative, constitutional amendment, or similar procedure” (Kindell and Reilly, 1997, p. 270).

^v Bass et al., 2007, outline the two ways in which nonprofits may be ‘tested’ in their level of political activity under the Internal Revenue Code: the expenditure test (501 (h) election) and the substantial part test (p.78-79). The expenditure test is thought to offer more clarity for nonprofits in the amount of lobbying allowed, though they must choose to fall under the expenditure test and adhere to those rules. Under the expenditure test, only up to 20% of exempt purpose expenditures may go towards lobbying, and up to \$1 million per year, depending on the nonprofit organization’s budget. To ‘count’ as lobbying, the action must have incurred an expense. On the other hand, for the substantial part test, the lobbying action would be counted regardless of whether costs were associated. As is discussed, substantial is also not defined in the tax code, adding confusion and lack of guidance for nonprofits.

^{vi} Johansson (2003) and Saidel (1991) highlight several crucial resources that are vital to nonprofit success—funding, volunteers, members, information, recognition, public support, and access to the policy making process (via Neumayr et al., 2015).

^{vii} Human service nonprofits are those who directly assist children, families, and seniors through programs and supportive services. Examples include food banks, homeless services, and youth development, shelter and crisis services (Charity Navigator).

^{viii} Almog-Bar and Schmid (2014) conducted a literature review of research on nonprofit policy advocacy published over the last decade, focusing on nonprofit human service organizations. Their literature review reveals similarities between advocacy tactics used by nonprofits in Israel and United States (p.21).

^{ix} Schmid, Bar and Nirel (2008) look at the advocacy activities of human service organizations in Jerusalem. In Israel, there are no legal constraints on political activity. Though the legal and governmental context differs from that of the United States, this study illuminates how nonprofits conform to expectations of resource providers, which is why I felt it was important to include it in the broader discussion of resource dependency theory.

^x Bass et al. (2007) conducted a large-scale study on nonprofit advocacy using a random sample survey of 990 tax filers. They received 1738 nonprofit responses from all over the United States, interviewed 40 nonprofit leaders, conducted 25 additional interviews with nonprofit experts, and 17 focus groups with CEOs and board members of nonprofits

^{xi} Lu (2018) aims to quantitatively synthesize existing studies on organizational antecedents of nonprofit engagement in policy advocacy by reviewing 46 studies and aggregating 559 effect sizes on 17 different organizational predictors. Lu (2018) looks at key constructs from prior research that correspond with each theory I discuss in the paper, providing strong empirical support. The constructs include: *knowledge about laws* and *revenue streams* (resource dependency theory); *formalization* and *professionalization* (new institutional theory); and *board support* (agency theory). In addition, this meta-analysis examines level of *collaboration*.

^{xii} Berry (2020) proposes that the IRS should change the ‘substantial’ rule and clarify what is permissible in order to expand lobbying in the nonprofit sector.

^{xiii} Advocacy that involves strategies that are seen as indirect or ‘outsider,’ like a protest or boycott, may be perceived as controversial or “cause others to see the organization as unprofessional,” which could impact an organization’s source of funding (Mosley, 2011).

^{xiv} Organizational characteristics related to new institutional theory analyzed by Lu (2018) include *formalization* and *professionalization*. Interestingly, the association between formalization and advocacy engagement was not significant. However, most studies to which new institutional theory can be applied explore what kinds of advocacy tactics used, and Lu (2018) meta-analysis only looks at reported advocacy engagement.

^{xv} In this study, insider strategies included “participating in government committees and commissions, providing testimony, and lobbying policy makers for changes” (Mosley, 2011, p. 437). ‘Insider’ typically involves direct contact with policy makers. Saxton and Guo (2011) give examples of insider and outsider strategies. Insider strategies include direct lobbying, judicial advocacy, administrative advocacy and expert testimony. Outsider strategies include research, media advocacy, grassroots lobbying, public events and direct action, public education, coalition building, voter registration and education.

^{xvi} Much of the literature using new institutional theory focuses on human service nonprofits.

^{xvii} Coalitions are discussed as part of the Advocacy Coalition Framework, which considers the overarching policy process (Sabatier 1993). This framework identifies coalitions as a path for substantive policy change, when there is a “negotiated agreement involving two or more coalitions” (Sabatier and Weible, 2007). Organizations form coalitions with others that share their beliefs in order to secure wanted policy outcomes.