

Three-Legged Stool Advocacy: Sustainable Organizations with Sustainable Results

“He, who pays the piper, calls the tune.” – Irish proverb

The lack of sustainable advocacy organizations and sustainable advocacy results are primary among civil society specialists’ concerns. Yet, discussions on advocacy rarely, if ever, include assessments as to *how* advocacy organizations or their policy proposals should be funded aside from occasional and vague suggestions about applying for grants. The current practice of surviving from grant to grant, however, is not capacity building. It’s capacity renting.

In fact, how advocacy is funded has significant influence on advocacy practices and priorities as well as the sustainability of civil society organizations (CSOs) and their results. The lack of thoughtful assessments of funding sources and their influence on advocacy practices in donor-sponsored CSO development is in no small part responsible for the poor sustainability records of the organizations and their advocacy goals. Over-reliance on third-party grants inevitably leads to advocacy that is more responsive to the priorities of grantors than to the needs of local stakeholders. It reduces incentives for CSOs to seek out local support. In turn, governments hostile to civil society are able to use CSOs’ grant dependency to label them “foreign agents” so as to justify aggressive, sometimes violent, official harassment.

Three-Legged Stool^{®1} advocacy, which employs **Direct Action**, **Public Education**, and **Public Policy** equally, makes financial sustainability a central component to advocacy planning and execution from the very outset. It ensures both long-term organizational sustainability and institutional independence. As a bonus, this approach also offers a more effective alternative to the usual confrontational advocacy.

What is Advocacy REALLY?

When people think of “advocacy”, they usually envision dramatic confrontations between civil society and government, pitting the popular will against the political will – or perhaps more commonly, the popular “will” against the political “won’t”. While such romantic notions make for inspiring stories, the political brinkmanship of confrontational advocacy is rarely successful and never sustainable.

Since its independence in 1963 Kenya passed 51 constitutional amendments to address official corruption alone. Yet, it perennially ranks well into the bottom third of the more than 180 countries in Transparency International’s *Corruption Perception Index*. So much advocacy; so little result.

The ultimate goal of advocacy is not just change laws or policies but rather to change economic and social outcomes by influencing the behaviors of individuals and organizations. *Governance* is more than just *government*. At its very core, advocacy is a negotiation between the governing and the governed as to who should have the right to manage social and economic behaviors and outcomes: the market, the state, or civil society. That right is an extremely valuable asset that should not be given away easily. Any advocacy campaign that starts assuming a government managed solution has already lost. From the outset, it has already negotiated away the most valuable asset on the table – the right to govern. In its citizens’ *Guide to Regulation* the Australian government cautioned that government regulation should “never be the default [advocacy] position (www.cuttingredtape.gov.au).”

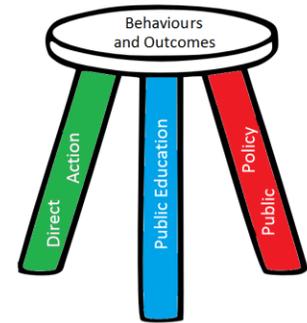
Instead of allowing or simply expecting governments to force preferred behaviors through civil and criminal penalties, successful advocacy shapes environments in which people and organizations willingly chooses to adopt preferred behaviors in their own self-interests. To change how individuals, organizations, markets, and even governments behave, you first have to change how their self-interests are determined.

¹ **Advocacy’s Three-Legged Stool** was developed by and is the intellectual property of Change Management Solutions, Arnold, MD, USA (www.harnesschange.net) and should not be used without citing its source.

Defining Self-Interests

Self-interests are defined by a combination of incentives and deterrents in our economic (market forces), social (norms and taboos), and political (laws and regulations) environments. For sustained behavioral change, you must change all of the structures that dictate those rules of conduct through:

1. **Direct action** (economic/market forces),
2. **Public education** (social pressure/public opinion), and
3. **Public policy** (lobbying).



This more balanced three-dimensional approach, like a stool, yields more stable and sustainable outcomes by identifying and changing the market incentives and social norms that are often the sources of undesirable behaviors in the first place. Relying on legal or regulatory punishments alone to push against deeply rooted economic and cultural drivers will eventually exhaust itself.

Structure → Conduct → Performance

All too often advocacy addresses only immediately visible behaviors. The behaviors that we can see, however, are most often only manifestations of the real problems – not the problems themselves. The economic, social, and political **structural drivers** that define the **rules of conduct** that, in turn, reward or punish **behaviors** are often so subtle that we no longer see them or are so endemic to our environments that they are perceived as unalterable parts of a culture. But attempts to modify behaviors, while continuing to work within the same structures that enable them, will eventually fail.

For its results to be sustainable, advocacy must focus on the *structures* that motivate and reward undesirable behaviors – not on the behaviors themselves. **Three-Legged Stool** advocacy looks beyond those surface behaviors. It identifies and uses all three behavioral drivers to realign the structures that are their root causes.

First Leg: Direct Action

Three-Legged Stool advocacy does not rely on government mandates alone to solve social problems. When the only objective of a CSO's advocacy campaign is political change, the organization, in fact, entrusts the responsibility for achieving its most important social objectives to public officials, who can be expected act in their best interests – not the CSO's. But why should government officials accept the risks, costs, and responsibility for social change on civil society's behalf, if civil society organizations do not step forward and accept any responsibility themselves?

Through **Direct Action**, the first leg of the **Three-Legged Stool**, civil society retains direct responsibility for delivering the desired outcome by maintaining control of the institutions that influence behaviors, such as standards and testing organizations, schools, health or social service providers, and other such organizations. While taking direct responsibility for a social and economic outcome is more effective and successful than lobbying alone, it is also far more demanding of nonprofit organizations. By undertaking **Direct Action**, which often takes the form of self-regulation, civil society organizations become part of the governance structure. They cannot so easily blame others for social failures.

As already noted, the right to manage social or economic outcomes is a valuable asset that can generate revenue; a fact that corrupt government officials demonstrate with each bribe they extort. By taking **Direct Action** a CSO keeps to itself the continuous income stream that makes the organization financially sustainable in the long-term and provides the funding to ensure truly independent advocacy; unanswerable to outside pressures or donor priorities.

For example, the Pakistan Centre for Philanthropy (PCP), created "to increase the volume and effectiveness of indigenous philanthropy," established independent and objective standards for "transparent and accountable" nonprofit organizations. It also provided fee-based training for NPO managers. The PCP then began certifying CSOs that met those standards, in consultation with the

Federal Board of Revenue (FBR), Pakistan's tax authority. The FBR later amended its rules to require CSOs to submit a PCP certification as proof of nonprofit status in order to obtain a tax exemption. Authorizing the PCP to assign tax exempt status was a huge transfer of wealth from the public to the nonprofit sector. While done to increase tax status transparency and reduce fraud, it also created a sustainable revenue source for the PCP and enhanced the value of its training programs.

Some liken the self-regulation capacity of **Direct Action** to putting the fox in charge of the henhouse. In reality, it is generally more effective and more efficient than public sector regulation. Sponsors' and clients' abilities to immediately withhold financial support in response to any maleficence give **Direct Action's** self-regulation a built-in self-policing mechanism that government regulation lacks.

Second Leg: Public Education

By becoming part of the governance structure, as the PCP did, a CSO must demonstrate that it can be trusted to put the best interests of the public before the CSO's interests or those of its constituents. CSOs undertake **Public Education** campaigns, the Advocacy Stool's second leg, not only to inform the public as to the value of the changes they are trying to affect but also to explain why an independent organization, and not the public sector, should control the governance mechanisms. Even in countries in which the government is not trusted, without **Public Education**, direct governance by civil society is often met by a skeptical public.

Like Direct Action, **Public Education** can also be self-funded. "Social investors", i.e. organizations that benefit when behaviors are successfully changed, will gladly contribute as partners, sponsors, and allies – not out of charity – but in their own interests. For example, as part of a public education effort to encourage hand washing, especially in food preparation, the Kenyan Medical Association (KMA) produced public service announcements funded by sponsorships by a regional manufacturer of hand sanitizer and were broadcast free in the stores of a national chain of convenience stores. However, to maintain credibility, a CSO must strictly limit sponsors' participation to prevent education campaigns from appearing to be product endorsements.

Third Leg: Public Policy

Becoming part of the governance structure through Direct Action also dramatically changes civil society's approach to **Public Policy**, the third leg. Most importantly, taking ownership of a problem transforms civil society's relationship with government from that of *Patron-Client* dependency to *Peer-to-Peer* coordination. By focusing on alternative solutions instead of criticizing existing processes, **Three-Legged Stool** advocacy repositions civil society as a problem-solver of social issues instead of a critic of government policies and officials. Being solution-focused rather than complaining about specific government policies or practices, civil society can *depoliticize* the public discourse. By adopting apolitical approaches, civil society avoids perceptions that it is in opposition to any government or political party. In brief, civil society is more successful when it is more civil.

The Last Resort: As already discussed, **Public Policy** is never the default solution for addressing social issues. The direct link between regulation and corruption is well documented, making regulatory solutions the riskiest course. Every new regulation is one more opportunity to extort a bribe. In addition, regulations' negative disincentives, i.e. fines and imprisonment, are the least effective and sustainable means of influencing behaviors. They are effective only so long as the regulations are consistently applied and only if the public is unable to game the system. This also makes regulation the least efficient means of managing change. But these observations do not suggest that there is no role for the public sector in managing economic and social environments.

What Free Market?

While government is often vilified as a harmful intruder into a free market, without the rule of law, which only public sector can provide, free markets would simply cease to function. "[I]n reality, a market economy does not exist separate from government – it is very much a product of government

rules and regulations.”² **Direct Action’s** self-regulation of is a more efficient and effective form of governance only when markets are fairly transparent, when consumers and suppliers can choose not to participate, and when nonprofits cannot exploit the public trust for its own betterment.

Similarly, government is essential for effective **Public Education**. Only the public sector has the capacity to ensure a voice for social, economic, and political minorities, without which, the social approbations and deterrents that Public Education is meant to foster could be simply overruled by political or economic elites. Without public defense of minority rights, democracy indeed becomes “two wolves and a sheep voting on what’s for dinner.”

Government should be called upon to regulate behaviors **only** when:

1. Market mechanisms and social pressures are proven to be ineffective in influencing undesirable behaviors **AND**
2. Those behaviors present direct “unreasonable risks of injury” to the health, safety, or general welfare of society.

As an independent arbiter, government serves the social good by safeguarding rights, not engineering predetermine outcomes. Advocacy should never seek special treatment for a specific group. All advocacy goals need to be stated in terms of the benefits the change brings to society as a whole, not the limited good it brings to an organization’s immediate cause or constituency.

Public regulation is the riskiest, least effective, most expensive and least sustainable means of behavioral change.			
	Direct Action	Public Education	Public Policy
Control of Outcome	High	Moderate	None
Motivation	Market rewards	Social Acceptance	Fines and Imprisonment
Funding	Self-funding	Shared costs	All yours
Level of Risk	Low	Moderate	High
Sustainability of Outcome	High	Moderate	Low
<i>Source: Change Management Solutions</i>			

Conclusion

There can be no real local civil society organizations until they are locally supported. Transitioning from donor-financed, confrontational advocacy to **Three-Legged Stool Advocacy** is essential for civil society organizations to become self-sufficient and for sustainable advocacy to emerge. By becoming responsible themselves for social and economic outcomes and retaining the valuable asset of managing behaviors, civil society organizations create revenue generating activities that not only achieve their social objectives but also pay for public sector lobbying when needed. By identifying social investors to partner and sponsor public education campaigns, civil society organizations in developing markets are able to become financial self-sustaining. Even more significantly, **Three-Legged Stool Advocacy** allows civil society organizations to free themselves from perceptions of being tools of foreign influence and to develop advocacy campaigns independent of the priorities of donors and other benefactors.

About Change Management Solutions: Since 2006, Change Management Solutions has been dedicated to helping civil society organizations around the world *to identify, understand, and harness the forces of change* transforming their stakeholders’ markets and environments. For more information contact Richard O’Sullivan at +1 410-793-5685 or rosullivan@harnesschange.net or visit our website: www.harnesschange.net.

² Amy, Douglas J., *Capitalism Requires Government: An Unapologetic Defense of a Vital Institution*, <http://www.governmentisgood.com/articles.php?aid=13&print=1>