

In order to sharpen your advocacy plan, your group will need more information about:

- the policy and political arenas where you focus your strategy; and
- possible policy hooks to advance your issue.

Analysis of the formal political system, the policymaking process, and its internal power dynamics helps you identify entry points for influence. It can also reveal the limits and possibilities of policy change.

## Policy Hooks

A policy hook is the link between your advocacy issue and specific policies, people, and/or institutions in the formal political arena. Advocacy aimed at the private sector may need to combine public policy hooks with strategies focused on corporate policy and practice.



Once you have identified your policy hook, you can identify your targets—the key decision-makers with the power to deliver on your issue. You can also identify possible opponents and allies.

Research and information-gathering are important tasks for fleshing out the remaining elements of your advocacy plan, and for finding your policy hook in particular. Involving citizens in this task also brings them into contact with government and other powerful entities for the first time. For example, the Highlander Center in Tennessee, United States is a 65 year old school for adult education, grassroots organizing, and social justice. In 1986, the Center worked with poor people displaced by floods, with nowhere to go, to investigate who owned the land in their communities and how much they paid in taxes. Their discoveries fueled a multi-year citizen advocacy battle in several Appalachian states to take large property owners to task on paying taxes. The process expanded and strengthened local organization and citizen leadership.<sup>1</sup>

Some research may require the expertise of a trained researcher or someone who manages information in government. These experts or insiders can be useful allies in your advocacy as long as the research agenda continues to be driven by the advocates.

This chapter offers an outline of political and policy dimensions to help guide your information-gathering, and is divided into the following sections:

- *Different Political Systems and Entry Points*
- *Phases of Policymaking and Refining Policy Objectives*
- *Other Policymaking Arenas*
- *Budget Analysis and Advocacy*
- *International Policymaking and Advocacy Opportunities*

As we discussed in the previous chapter, policymaking is not the only formal political hook for advocacy. Elections and citizen-government fora also present advocacy opportunities. However, we focus this chapter solely on policymaking.

## Different Political Systems & Entry Points

Each phase of policymaking involves diverse players, procedures and institutional structures, and can also involve different, often interconnected, levels – international, national, or local. The national level is sometimes overlooked in international advocacy. This is unfortunate, because ultimately it is up to national governments to implement international policies. The importance of local level advocacy depends on the degree of decentralization and specific authority of the local government.

This overview focusing on the national level provides some basic elements that groups will need to examine critically in order to understand the specifics of their own political institutions and processes.

### National Policymaking

The key *formal* political structures which can be targets at the national level are usually:

- Congress / Parliament - The Legislature
- President / Prime Minister - The Executive
- Courts - the Judiciary
- Bureaucracy - Appointed leadership and staff in government offices
- Political Parties
- Police; Military

These players and structures respond to other policy players, including the local and international private sector, donors, citizens and each

other. How they operate depends in part on the type of political system in which they live. In some countries, the military can operate as a separate branch of government.

A Presidential system works differently than a Parliamentary system. In the next section, we describe some of the differences of the two systems, and discuss how these systems work in theory. In practice, they operate differently. In some countries there is a mix of a presidential and parliamentary system.

### The Courts

Legal decisions determine what a law means in practice. When a change in the law itself is not possible, in some countries groups can use the courts to make changes in how the law works by establishing legal precedents, if the constitution upholds the rights they wish to enforce. For example, when women's rights advocates in Zimbabwe compared possible strategies for establishing women's equal rights to inheritance, they saw two possible alternatives: 1) seeking an amendment to existing law through Parliament or 2) bringing a case to the superior courts. The Parliament and President at the time were opposed to any proposal that "tinkered with African culture." But the Supreme Court was recognized for its independence, fairness, and respect for international human rights standards. The choice was therefore simple, but the task was difficult. The advocates needed a solid court case where the judgment would clearly change law and where the plaintiff was willing to endure public scrutiny. (For more information, see case on "The Advocacy Debate: Changing Policy, Changing People" on page ###.) In some legal systems, 'class action' allows a group of people to be the plaintiff. This reduces the individual isolation and exposure.

## Differences between the Presidential and Parliamentary Systems

### Presidential System

In its purest form, there is strict separation of legislative and executive powers. Neither is dependent on the other for policymaking. Their terms of office are also different.

In the *legislature*, formal power resides in a few key individuals. If there are two chambers – such as the House of Representatives and the Senate in the United States — each has its own leadership. In many countries, the main leaders are the Speaker and Deputy Speaker or President Protempore. Also important are the political party Whips and Majority and Minority Floor Leaders who are responsible for keeping their party colleagues in line and shaping the agenda. Often the most important policy formulation take place in committees of legislators. In some countries, there are expert staff to assist the committees who often have a lot of influence over policy.

The President is the *executive*, and has a set term in office. She/he is a policymaker, budget chief, head of political appointments, and implementer. Traditionally, the President reveals her/his policy agenda to the public at the opening of a legislative session and works with legislators and others to push through legislation or block it. She/he can also issue executive orders and has veto power. The national budget is primarily an executive responsibility but involves bargaining with ministries and legislators. The President makes key appointments, including to the Cabinet, regulatory agencies and to top positions in Ministries and Departments. Since enforcement involves discretionary decisions, the President can play a large role in ensuring enforcement.

### Parliamentary System

In this system, the executive and legislative branches are fused. The legislature elects from its members the Chief Executive, usually called the Prime Minister, who is often the leader of the majority party or coalition. The Cabinet is chosen from among Members of Parliament. The Prime Minister can dissolve Parliament and call for new elections. On the other hand, a motion of no confidence by Parliament either leads to the Prime Minister's resignation or to holding of new elections. Theoretically, the Prime Minister and Parliament are equal in power. In practice, in many countries the Prime Minister and Cabinet have more power than Parliament.

The Prime Minister is responsible for the overall direction of policy. The ministries formulate specific policies for their respective areas. Parliamentary committees cannot themselves change bills referred to them, but can recommend changes to the executive. Bills originate from the executive who also indicates priority matters. In a parliamentary system, there is more debate on the floor when a bill is tabled than in a presidential system, where votes are often lined up before a bill comes to the floor.

Regardless of the type of political system, the *national legislature*, when it has a measure of real power, can be an important focus for the policy component of an advocacy strategy.

Based on Socorro Reyes, "Navigating and Mastering the Policy Arena", chapter for the first draft of the *Action Guide*, 1997.

### The Bureaucracy

Presidents and Prime Ministers use their power of appointments and place people they trust in leadership positions to move their political agenda forward. In numerous countries, many of the critical issues are deter-

mined by the Ministry of Finance, Planning Unit, or its equivalent. In countries where the multilateral donors have a big hand in economic and budget policies, the Finance Minister can be nearly as powerful as the President. In many countries, well-placed civil servants

can be either points of influence or key informants and allies for advocates. It is usually the bureaucracy that ensures that policies are translated into real programs. They can have considerable discretionary power and sometimes play a significant role in determining policy. Advocates need to know who's who in the relevant ministries and departments affecting their issue and who shapes decisions long before they come to a vote in the legislature.

"Political parties are the gatekeepers in democratic governance. They choose and decide who will run for office, what flagship issues they will be identified with, where the campaign funds will be sourced, and how the election will be won. Once they acquire power, they steer the 'ship of state' in the direction provided in their party platform and program of government."

Socorro Reyes  
Center for Legislative Development Philippines

### **Political Parties**

Part of the current worldwide political trend is a shift to multiparty politics. Many people expect multiparty politics to generate more political competition and therefore, more responsive governance. On the one hand, the emergence of parties can give advocates more opportunities to influence policy and electoral processes. On the other hand, established political parties are often hierarchical, exclusive, and resist change—especially the changes promoted by new voices and players in the political game. While the party system is meant to create more choices for citizens, often a few parties dominate the political scene that do not adequately represent excluded groups.

In some places people are trying to reform political parties and to find alternative systems that enable more citizens to participate in the political process. For example, in the Philippines, the Party List System Act of 1995

reserves 20% of the total number of seats in the House for any organizations and political parties that garner at least 2% of all votes cast. Those seats are then apportioned accordingly. The Act aims to promote the representation of disadvantaged groups such as women, peasants, workers, and fisherfolk. Chapter 14 has a case study on advocacy in the Philippines using the Party List Law.

Several countries have affirmative action policies. These require that a certain percentage of all candidates and people elected represent a particular group, such as women, or ethnic groups. Different countries have different kinds of quotas. The box on the next page describes some of these differences.

Despite their problems, political parties are important points of influence and change, particularly during elections. Advocates can put pressure on parties to include key issues in their election platform.

"In order to get beyond racism, we must first take account of race... and in order to treat some people equally, we must treat them differently."

Justice Harry A. Blackmun,  
U.S. Supreme Court Justice, 1978

### **Policymaking Arenas and Processes**

Different kinds of policies are formulated at the international, national, and local levels. Transforming written policies into public programs and real changes in people's lives happens primarily at the national and local levels, but all three levels are increasingly interconnected. For example, national budget, trade, and environmental policy can be heavily influenced by international policy.

### Correcting Imbalances in Politics: Quotas and Affirmative Action

“Many countries have gender quotas and affirmative action policies to increase women’s participation in politics. In some cases, quotas are established by national legislation and in others, by political parties. According to the Inter-Parliamentary Union, in 1998, 56 parties in 24 countries used quotas. Their success depends on the specifics of the quota policy. In Argentina, the law on statutory quota requires political parties to reserve 30% of electable positions for women, and to have a woman occupy every third place on the list or party slate. In less than ten years, this law has increased women’s representation from 6% to 25%. In contrast, the electoral law in Costa Rica requires 40% overall representation of women in party slates. Yet, it is not as successful as the Argentinian approach since it does not require that parties place women high up on the ballot or list.

In South Africa, there is a penalty for political parties that fail to nominate a woman delegate to all parliamentary committees and international delegations. In Eritrea, 30% of seats in the national and regional assemblies are reserved for women. The 33% quota for seats in local government bodies in India has brought over a million women into local self-governing bodies like the panchayats.

Initially, problems such as lack of training and campaign funding for women, inexperience, fear of politics and prejudices about women as public leaders reduced the impact of these affirmative action policies in many countries. But as women gain experience and training, and enter politics in record number, the problems are disappearing and women’s voices are making formal democratic structures more representative.”

From “Women Around the World”, Center for Legislative Development, Philippines; for more information see [www.cld.org](http://www.cld.org) and [WAW6.htm](http://WAW6.htm).

For most issues, the national and local levels will be the primary focus for social and political change. However, the ultimate target may be the international policymaking bodies. For example, environmental battles can lead to the international arena where international financial institutions and transnational corporations are the focus for change, along with governments. Alternatively, the international agreements and bodies can provide leverage for national advocacy.

The scope of decisionmaking at the *national level* depends on the extent of decentralization in a given country. Throughout the world there is a growing trend toward decentralization with both positive and negative results. On the positive side, by making policymaking more accessible, citizens are able to see the direct impact of politics on their lives, and can be more motivated to get involved. On the negative side, local government is often subject to

local prejudice, inexperience, and control by local elites. Further, decentralization can lessen the possibilities for redistribution between wealthier and poorer parts of a country. Even where the system is decentralized, some policy decisions remain at the national level. These include most legal matters, defense, international affairs, and key budget issues.

*The local level* can encompass several different layers of decisionmaking. These include regions, provinces, states, districts, municipalities, villages, and neighborhoods in different countries. In many countries, the local levels are charged more with implementing than with making policy. In some countries, the local levels are simply administrative branches of the higher levels.

It is important to find out exactly which decisions are made at which level before determining the targets and strategies for advocacy.

In most countries, making the *policy process* more transparent is an important goal of citizen advocacy. Advocacy battles for increased transparency and the “RIGHT TO KNOW” demand that governments and corporations make their decisionmaking processes and information accessible to the citizens. The measures that accomplish this task are often called *Sunshine Laws* because they open up policymaking to the light of day.

## Phases of Policymaking

The policymaking process has four different overlapping phases: agenda setting, formulation and enactment, implementation, and monitoring and evaluation. Each phase is shaped by different power dynamics, and involves different players both inside and outside the formal political process.

Although the policymaking process is often explained as a step by step logic, it is rarely linear and predictable. For example, after a policy is formulated, it may not be implemented if there is strong opposition. Similarly, sometimes policy is enacted but lack of money and other factors prevent enforcement. At times your advocacy will aim to stop a policy from getting passed once it reaches the legislature.

In the best democratic circumstances, citizens can find out about, monitor, and influence the process at each stage. But powerful stakeholders can often

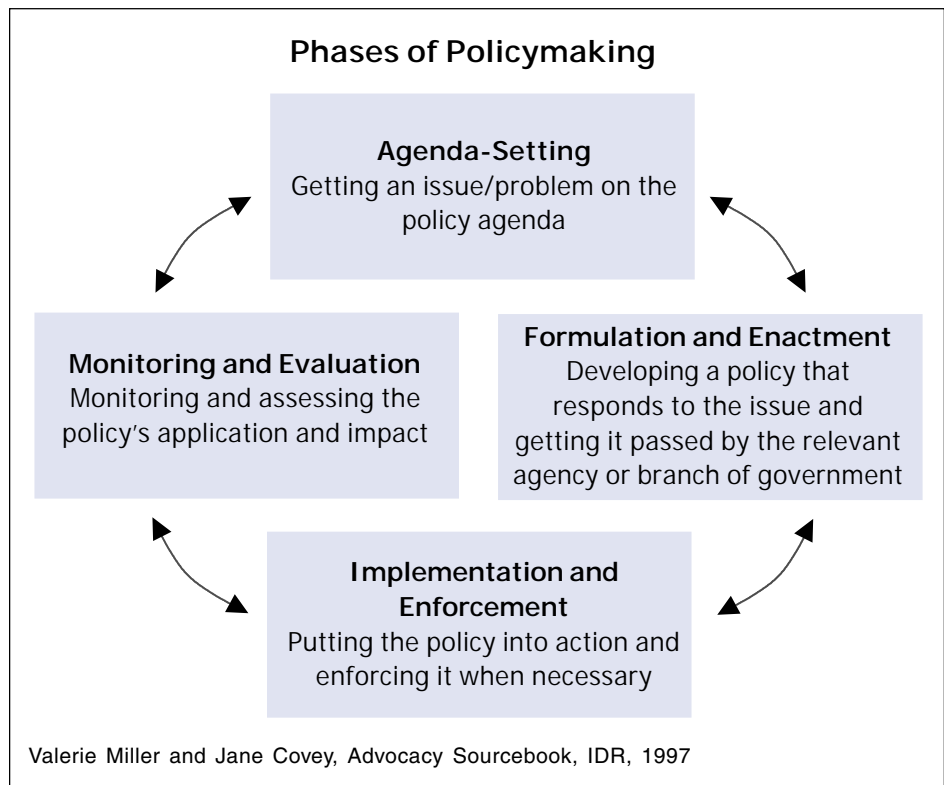
make it difficult for outsiders to find out what is going on. Frequently, the public is unaware of pending policy changes until they come up for a legislative vote or until an executive order is issued. In many countries, policies and laws are decided before they get to the legislature.

### Agenda Setting

Power dynamics and political forces put an issue on the policymaking agenda. Getting your issue on the agenda is often the toughest part of advocacy work. Constituency-building and mobilization use the power of numbers to attempt to get on the agenda. Where agenda setting is tightly controlled, lack of access can sometimes lead to large-scale public protest.

### Formulation and Enactment

Once on the agenda, policies and laws are developed through research, discussion of alternatives, technical formulation, and politics. There are many players involved and the process varies significantly between countries.



After formulation, enactment can happen in different ways. When enactment happens through a vote in a legislature, opportunities for influence are optimum. But sometimes policies are passed quickly because negotiations happen before passage, behind the scenes. Lobbying skills are important in this phase, and a strong base of citizen support on the outside increases your clout on the inside. (See Chapters 14 and 15.)

### Implementation

The agencies and individuals who are responsible for implementation vary from issue to issue, but will always be targets for advocacy and influence. Implementation often involves the development of social programs, retraining or hiring new government staff, and setting up regulations or enforcement mechanisms. Budgets are therefore a critical ingredient. If policies are approved but there is no budget allocation, they are unlikely to have any real impact. Policies without resources attached are called “unfunded mandates,” and bureaucrats are, understandably, reluctant—or simply unable—to implement them. Advocacy efforts sometimes seek to *block* implementation of a particular policy or law. In many places, this task is particularly hard for those who resort to civil disobedience and other forms of protest.

### Monitoring and Evaluation

This phase involves assessing a policy’s impact on the problem it was intended to solve. Without public pressure, this phase is often overlooked by governments or international policymaking bodies because it involves resources and time. They may also avoid this phase because it shows where policies have been unsuccessful, or reveals the corrupt diversion of resources. Sometimes, the impact of a policy can be a motivating starting point for broad-based constituency-building and citizen education because it is felt concretely.

This phase has increasingly become the focus of advocacy. Sometimes citizens groups propose the establishment of joint citizen-government monitoring boards. These are increasingly popular in some parts of Latin America where enforcement is getting new teeth. State and local governments are passing citizen monitoring laws that require governments to systematically get input and approval from civil society to ensure enforcement.

## Purpose

This two-part exercise is designed to help advocates identify and evaluate the key policy players in different phases of policymaking and develop appropriate strategies to influence them during each phase.

## Process

(Time: 1–2 hours)

The first framework lists the key institutional and individual players in each phase of the process and spells out their interests and positions. It can be used in conjunction with the *Power Map* (page ###). The second combines the *Policy Map* with the *Advocacy Action and Impact* matrix (page ###). By combining the frameworks, you can plan the aims and activities that will be part of your advocacy in each phase. The “dimensions” show which actors and systems you will target or engage at different moments.

### Facilitator’s Tips

- There is often a big difference between what the formal rules say should happen and what happens in reality. Those involved may say one thing and do another. Policymakers may say they support your position and then work against you behind the scenes.
- It is important to identify where the interests of the different players converge and where they conflict.
- The more specific the issue, the easier the mapping and analysis.

## Policy Map

Issue/Policy:				
PHASES	Institutions	Individuals	Interests	Positions
Agenda-Setting				
Formulation and Enactment				
Implementation and Enforcement				
Monitoring and Evaluation				

Adapted from *Advocacy Sourcebook*, Miller and Covey, IDR, 1997.



## Setting Objectives for Phases of Policymaking

DIMENSIONS	Agenda-Setting	Formulation and Enactment	Implementation and Enforcement	Monitoring and Evaluation
<b>Government</b> <i>National</i> -Executive -Bureaucracy -Courts -Legislature  <i>Local Councils</i>  <i>International Agencies</i> (World Bank/ IMF, UN, etc.)				
<b>Private Sector</b>				
<b>Civil Society</b>				
<b>Political and Social Culture</b>				
<b>Individual</b>				

## Budget Analysis and Advocacy

Over the last decade, there has been growing citizen interest in budget policy. Budgets are the most powerful policy that governments make because they determine whether other policies or laws get implemented or not. Budgets reveal the true priorities of governments. They may be skewed in favor of vested interests at the expense of those with less voice in the political process. Politicians rely on the fact that most people are intimidated by budgets. Budgets are therefore important targets and tools for social justice and rights advocates.

Budget advocacy projects ideally combine research and analysis with advocacy. Most existing initiatives challenge corruption and critique budget imbalances that favor the elites. Some take a pro-poor perspective, some a gender perspective and some combine these. Most push for budget transparency and the “right to know” about the budget-making process and the data used to make choices. However, there are important differences among budget advocacy projects in terms of how the advocacy agenda is set and who participates in the process. Below are two broad distinctions that can be found among strategies that offer some lessons for linking advocacy and budget analysis.

A notable model of participatory budgets comes from Porto Alegre, Brazil. In the 1990s the city government legislated citizen involvement in deciding and monitoring budgets. Citizens now gather in town halls and soccer stadiums to debate budget priorities. The process has been refined over the years, with ever greater numbers involved.

### Research-led

Many budget initiatives have policy research as their starting point and emphasis. In these mostly national-level projects, NGO think tanks and researchers produce valuable analysis for advocates or government reformers. Where the research is directly tied to an ongoing campaign or policy change, the information boosts advocacy significantly. However, if the research is not directly linked to a citizen action agenda from the outset, it can be difficult for citizens groups to figure out how to use the information. This is especially true when research looks at the entire budget and citizens’ groups have difficulty finding an entry point.

### Advocacy-led and Problem-centered

Some budget initiatives are led by citizen organizing and advocacy groups. In these

#### Budget Analysis

Budget analysis looks at:

*Inputs* - the money appropriated (tax and other revenues) and spent;

*Activities* - the services planned and delivered (e.g. health services, industrial support services, tax collection services);

*Outputs* - the planned and delivered take-up of the activities (e.g. patients treated, businesses supported, taxes paid);

*Impacts* - planned and actual achievements in relation to broader objectives (e.g. healthy people, competitive businesses, sustainable growth of national income).

Elson, Diane, *Gender Budget Initiatives as an Aid to Gender Mainstreaming*, OECD Conference on Gender Mainstreaming, Competitiveness and Growth, November 2000.

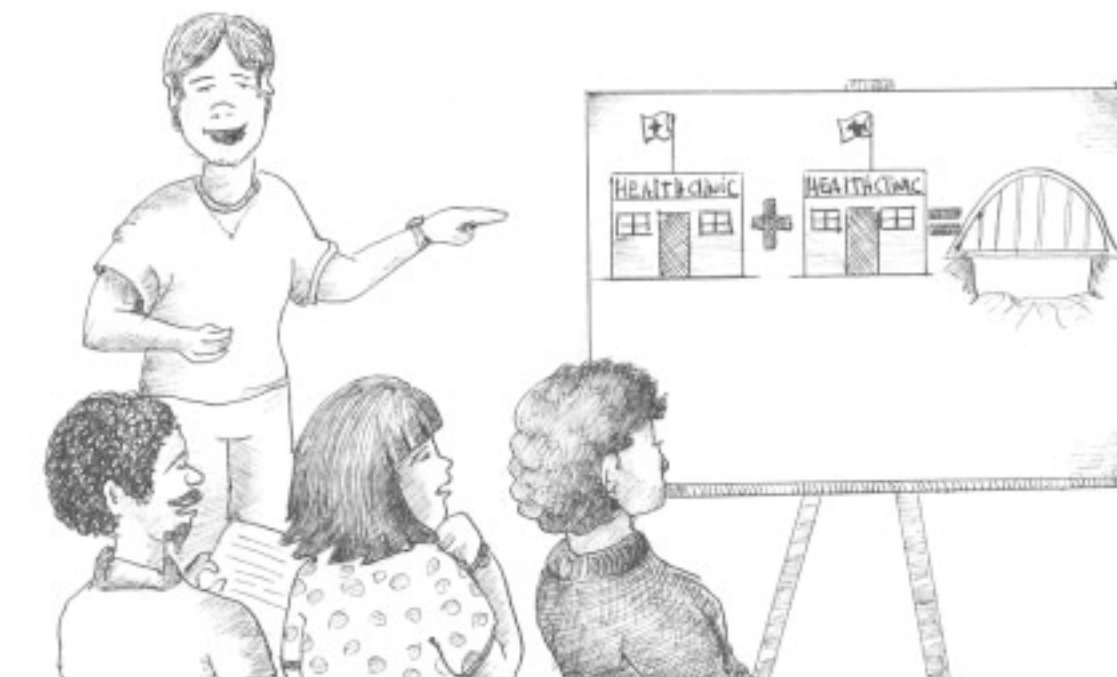
cases the research often starts with problems that people face in their daily lives and issues that are the focus of ongoing advocacy. These projects typically target local government as well as national government and work with research groups to develop the information and analysis related to their specific cause. Participatory or action research methods are used to engage communities in their own analysis, linking a problem to a policy to a budget allocation. Some of the projects place as much emphasis on gathering and using information to build citizen participation, as on using it to change the allocations and priorities in the budget. In connecting budgets to real life and accountability, projects look at budget impact as well as allocation.

In both kinds of projects, people, legislators, and government reformers sometimes work side by side. In this way, government and elected officials gain the skills and information they need to do their job more responsively while citizens gain the capacity to influence the budget process.

A problem-centered approach can combine participatory methodologies and gender analysis and includes five steps<sup>2</sup>:

1. A description of the situation and problems facing a marginalized group in a specific context (or sector) and a prioritization of problems;
2. An assessment of government's policies and programs in relation to these priorities, including the extent to which they are responsive to excluded groups;
3. An assessment of the extent to which the allocation of financial and other resources is adequate to implement the policies and programs;
4. Monitoring of the extent to which the resources are used for the intended purpose and reach the intended beneficiaries;
5. An evaluation of the impact of the resources on the problems identified in the original situation analysis of step one.

Budget projects that focus on women or gender use gender analysis to help groups priori-



Understanding the Meaning of Budgets

tize problems, and pinpoint how budgets and other policies are discriminatory and thus, shape those problems as well as potentially solve them. Using a gender lens often exposes the unequal and inefficient collection and distribution of resources. But a full analysis of budget priorities calls for a combination of gender with class, age, race-ethnicity, and regional perspectives as well.

Certain political factors are conducive to participatory budget work that gives voice to marginalized populations such as women and the poor. Those factors include:

1. political openness and a government commitment to clean up corruption and increase transparency; budget analysis and action can be the ideal complement to macro-economic policy advocacy;
2. a group of reformers within key ministries such as Finance or Planning;
3. a group of reformers in legislatures;
4. an alliance of NGOs concerned with accountability and social justice that include policy expertise, links to grassroots groups, and participation rights and advocacy skills.

Often, budget projects that emphasize people-centered advocacy:

- are citizen-led, including the research activities. The budget analysis is a process of citizen education that enables people to demystify, analyze, and influence the allocation of public resources;
- are oriented to solving concrete problems. By combining technical expertise and practical experience, they strengthen the capacity of government to address people's needs equitably;
- use gender as a tool for analysis and action;

- use participatory methodologies for defining community priorities;
- highlight the right to participate in decisions that affect one's life, and equitable access to public resources;
- promote constructive dialogue and collaboration among communities, advocates, and government.

## International Policymaking and Advocacy Opportunities

In the last decade, international policymaking has been both a target and tool for citizen advocacy. Major policy questions of trade, foreign debt, financial flows, corporate responsibility, the environment, and development strategies are defined at the international level. Although the impact on ordinary people is enormous, the international decisionmaking processes still tend to be less responsive and open to outside voices and interests. Global advocacy has called for increased transpar-

“. . . as many governments and international organizations have found to their dismay in recent years, secretive decisionmaking by small elites can no longer be sustained. Contrary to the claims often made by central bankers, government officials, and even some in the World Bank and the IMF that decisionmaking on technical or complex subjects is best left to the experts, without informed participation by all those affected, policy decisions will fail to take into account important information and interests and will lack the legitimacy that only public voice can bring. Decisionmakers should not try to sneak even a good public policy past the public.”

Ann M. Florini, Carnegie Endowment for International Peace, *Does the Invisible Hand Need a Transparent Glove? The Politics of Transparency*, 1999.

ency and representation as well as specific policy change.<sup>3</sup>

At the same time, international policies, commitments, and conventions can be valuable tools that legitimize local demands. The advocacy processes around these can also draw upon regional and international advocacy networks. The language in the international agreements can produce new points of leverage for advocacy with policymakers at the national and local levels and can help define a policy hook and message. When national laws and policies are unlikely to be passed on a difficult issue, a resolution with international backing can be an effective angle for reaching policymakers. We look at some of the international hooks below. (In Chapter 15, Outreach and Mobilization, we advocacy on economic and trade policy in more detail.)

### International Rights Advocacy

A rights-based approach to advocacy implies many different meanings and strategies. Two of these involve: a) using international conventions to push for the enforcement of rights at the country or local level; and b) expanding the definition of rights to include social, cultural, and economic issues by amending agreements and creating mechanisms for enforcement. In these cases, international agreements are the *policy target* or the *policy hook* for advocacy.

Until the early 1990's, most human rights advocacy focused on civil and political rights, such as freedom of speech, of association, or of religion. Advocates continue to denounce abuses of these rights, particularly in conflict situations and repressive political environments using instruments such as the International Convention on Civil and Political Rights.

#### Headlines on Rights

"On April 23, 2001, the United Nations Commission on Human Rights reaffirmed its political commitment to women's rights to land, property, housing, and inheritance. After a showdown on the 'right to adequate housing' between Mexico and the United States, the Mexican delegation won and the resolution was adopted through consensus by this important human rights body. For the second consecutive year, the delegation of Mexico—supported by close to 50 government delegations from both the North and the South—put forward for adoption a resolution entitled, 'Women's equal ownership of, access to and control over land and the equal rights to own property and to adequate housing' (E/CN.4/2000/L.53).

"Although the content of the resolution is only slightly stronger than last year's, there are important new additions. For example, the resolution encourages all human rights treaty bodies, in particular the Committee on Economic, Social, and Cultural Rights and the Committee on the Elimination of Discrimination Against Women, to 'regularly and systematically take a gender perspective into account in the implementation of their mandates, and to integrate the contents of the present resolution into their work, as appropriate.' The resolution also remains an important affirmation of women's right to inheritance.

"This resolution would not have been adopted without the support of many NGOs in countries around the world. These same supporters must now ensure wide dissemination of the resolution, transform it into a popular advocacy tool, and translate it into local languages. The advocates will need to develop creative means to use the resolution so that it assists in domestic struggles for women's rights to land, property, housing, and inheritance."

Excerpt from the AWID RESOURCE NET, from The Association for Women's Rights in Development (AWID) at [www.awid.org](http://www.awid.org).

## Using UN Conferences and Their Related Declarations

During the 1990s, there were seven UN conferences that are important for the international social justice movement. These conferences are commonly referred to by the cities where they took place:

- New York (1990). World Summit for Children
- Rio de Janeiro (1992). UN Conference on Environment and Development
- Vienna (1993). World Conference on Human Rights.
- Cairo (1994). International Conference on Population and Development, including women's reproductive rights.
- Copenhagen (1995). World Summit for Social Development, including social policies and rights.
- Beijing (1995). Fourth World Conference on Women.
- Istanbul, Habitat II (1996). UN Conference on Human Settlements.
- Hamburg (1997). UN Conference on Adult Education.

Critics of the conferences complain that often policy changes do not follow smoothly from the declarations generated by the meetings. They are also concerned that preparations and participation consume a lion's share of the resources and time available for NGO advocacy. This often leaves very little for local organizing. Some organizations are now rethinking their investment in the UN arena. Instead, they are refocusing their energies on strengthening constituency groups and grassroots leadership. The challenge is to find ways in which the different spheres of political action—local, national, and international—can create synergies for change.

Some of the important outcomes of UN meetings include:

**New and strengthened networks:** To prepare for UN conferences, many NGOs and advocates have organized first at the local level and then nationally. This enables groups to agree on what they want to see in the official government and international platforms. Monitoring and follow-up activities after the conference provide opportunities for building linkages. For example, after the Beijing conference there were extensive cross-border e-mail discussions on women's equity, political power, health, and other issues.

**Exchange of new skills and knowledge:** The shadow NGO conferences that run parallel to official conferences create spaces for activists to come together. The process is sometimes nonhierarchical and a significant shift from usual domination by Western industrialized countries.

**Legitimacy:** The preparatory processes for each conference strengthen the legitimacy of the official and NGO country delegations. If conducted in a participatory way, the preparatory processes should also strengthen accountability.

**New government commitments.** After conferences, some governments introduce important reforms in keeping with their commitments. NGOs can use these commitments to monitor progress and press for further change.

**Reforming international institutions and policies:** The shadow NGO fora demonstrate to international institutions that civil society is not only capable of participating in policymaking, but is essential to the process. As a result, many UN agencies are now more open to working with civil society.

**Improved advocacy and policy knowledge:** The conferences have multiplied the capacity of NGOs worldwide, particularly in areas like advocacy and policymaking. This has led to unprecedented levels of informed citizen involvement at the global and national levels.

Adapted from the *Advocacy Learning Initiative, Volume I: Reflections on Advocacy*, David Cohen, Advocacy Institute-Oxfam America, Draft 11/19/99, to be published by Kumarian Press, August 2001.

### Questions to Analyze Your Human Rights Policy Hook

- Does your problem involve a violation of a protected right (i.e., one covered in some legal instrument)? What is the right?
- Is the right defined in the national constitution? Explain.
- Is the right defined in international human rights conventions? Explain.
- Is the right defined through common practice? Explain.
- Do national laws conform to international human rights standards? If not what do they need to do so?
- How is the right being violated?
- Who is/are the violator(s)?
- Can the state be shown to be directly or indirectly responsible for the violation?
- How will you prove the violation? Are there documented cases that can be used to demonstrate the violation?
- Does the public understand that the problem involves violation of human rights?
- Has this problem been challenged through courts or national-level human rights mechanisms? If so, can you use these challenges for this case?
- Could you use international mechanisms to address the problem?
- If yes, do you have access to international mechanisms or must you put pressure in other ways?
- What kind of remedies do international mechanisms offer?
- What do you think you can achieve by working on this problem? Write out your desired outcomes as separate sentences.
- Does some practice need to be stopped or does positive action need to be taken to comply with human rights standards? Explain.
- Are you demanding something of the government? If yes, what exactly and specifically must the government do?
- What would constitute satisfactory action by the government?

From *Advocate's Strategy Workbook* (draft), by Margaret Schuler, Women, Law and Development International, 2001.

There are many political challenges in using other international rights agreements in advocacy. Although governments sign the agreements, they usually do so with formal reservations and may not ratify them. They also may not take the obligations seriously.

It has been more difficult to advocate on a broader range of economic, social, and cultural rights. While there is a universal definition and international enforcement mechanisms for political and civil rights, these do not exist for economic, social, and cultural rights. As a result, many forms of discrimination and exclusion that appear to be serious violations of

rights, may not legally be defined as such. Yet considerable gains have been made and incorporated into many agreements related to children, women, labor, health, etc.

For example, despite the growing condemnations of violence against women, in many cases, international mechanisms to protect women are not enforceable unless it is proven that the state is in some way responsible for the continuation of violence. In most cases, there are national laws that criminalize assault and abuse, but they may not be enforced for a variety of reasons. In Brazil, in response to extreme levels of violence against women,

human rights organizations monitored actions taken by the police and justice system and found extensive impunity and discriminatory treatment in favor of the perpetrators. State negligence was proven to be deliberate and systematic—constituting a violation of international human rights standards. The Brazilian government was sanctioned by the Inter-American Court of Human Rights.

A valuable lesson from the Brazil case, however, is that the definition of human rights standards and enforcement is evolving and that working to gain recognition of rights is an important advocacy project. Here, much can be learned from the women's movement.

### Women's Human Rights Advocacy

Women, Law and Development International (WLDI) describes the task of women's human rights advocacy in the following way:

“Despite promising advances at the international level, it is clear that women the world over confront a daily reality characterized by the denial of their fundamental human rights . . . Realizing the potential of human rights in the lives of a broad constituency of women is a major, pressing challenge for the global women's rights movement. Making sure that human rights norms ratified at the international level have practical impact in people's lives involves advocacy ... WLDI understands women's human rights advocacy as citizen-initiated efforts to:

- Amplify the definition and understanding of human rights to include abuses of women that are not yet generally acknowledged as human rights violations;
- Expand the scope of state responsibility for the protection of women's human rights;

- Enhance the effectiveness of the human rights system in enforcing women's rights and holding abusers accountable.”<sup>4</sup>

The frameworks (on the following page) from WLDI describe the women's human rights advocacy process. These frameworks can be used to explore how your women's rights advocacy can use a rights policy hook or target. (See the *WLDI Advocates' Strategy Workbook* and *Facilitator's Process Guide* for more guidance.)

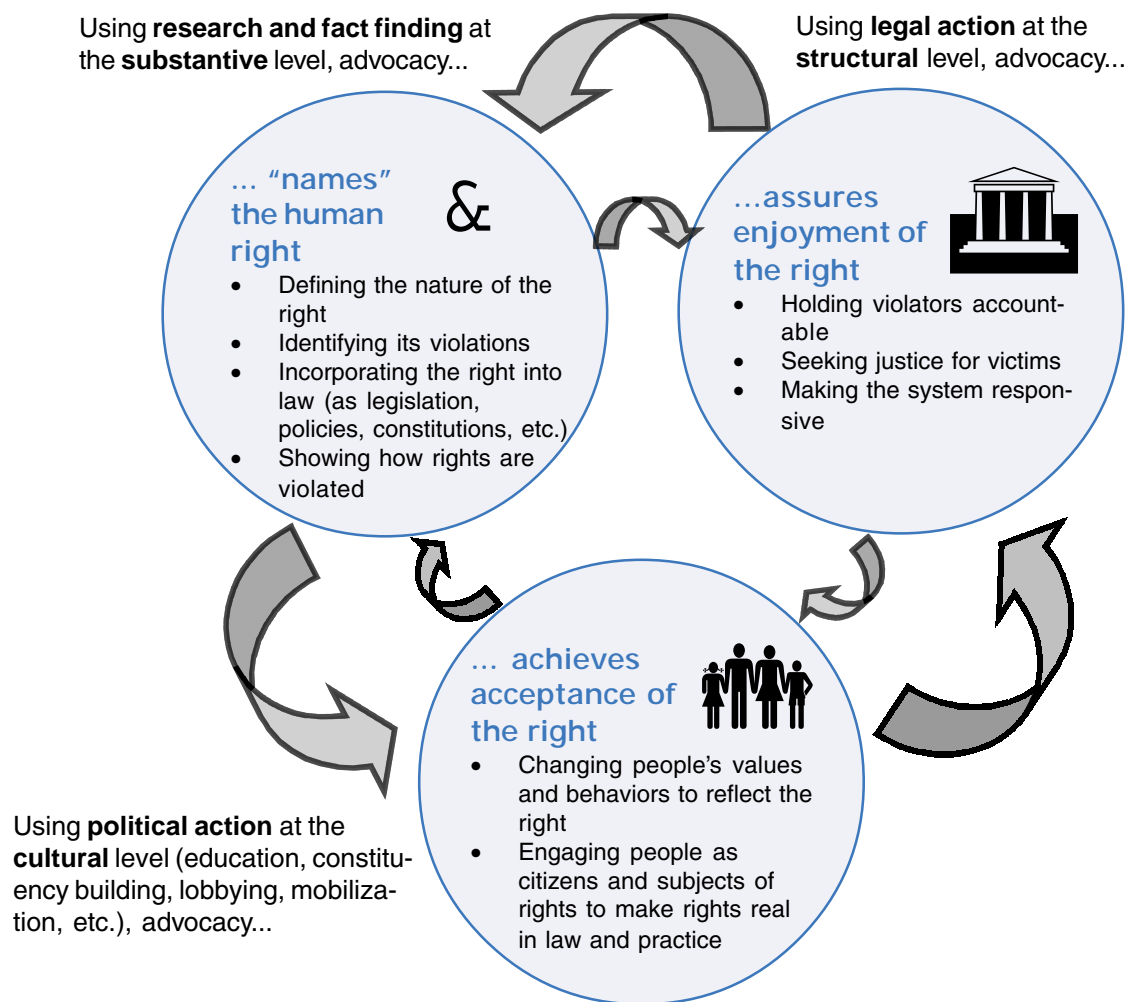


## Making Formal Rights Real Rights

Which rights?	Where are they found?	Advocacy Challenges
All rights that apply to both men and women.	Rights found in general human rights instruments	To ensure that these rights are consistently applied to both sexes.
Rights that are specific to women or that need to be expanded to ensure basic rights for women's situation.	Rights covered in specialized instruments, such as CEDAW.	To ensure that these rights are treated with equal seriousness as the general human rights.
Evolving rights.	Not yet defined or covered in any treaty or instrument.	To press for the explicit definition and acceptance of these rights.

Women, Law and Development International and Human Rights Watch Women's Rights Project. *Women's Human Rights Step by Step*, Washington DC, 1997.

## The Dynamics of Human Rights Advocacy



From *Advocate's Strategy Workbook* (draft), by Margaret Schuler, Women, Law and Development International, 2001.

Example Framework for Defining ESC Rights and Obligations: Right to Health		
CONCEPT	DEFINITION	EXAMPLE
Core content of a right	The specific individual entitlements that make up a right.	In the area of health, the right to immunization against preventable epidemic or endemic diseases.
State obligation	The responsibilities of the state to respect, protect, promote and fulfill the entitlements under the right.	The state is to develop policies and programs to meet obligations. In the case of the right to health, policies and programs of promotion, prevention, treatment and rehabilitation.
Obligation of conduct	Obligation to undertake specific steps (acts or omissions).	For example, developing immunization campaigns.
Obligation of result	Obligation to obtain a particular outcome.	Decrease in mortality from epidemic or endemic diseases.

From *Circle of Rights: Economic, Social and Cultural Rights Activism*, by the International Human Rights Internship Program and Asian Forum for Human Rights and Development, 2000.

### Economic, Social, and Cultural Rights Advocacy

Despite many challenges, advocacy on economic, social, and cultural (ESC) rights has advanced considerably in the last decade. However, while policymakers are increasingly open to rights language, advocacy for the right to housing, food, a decent wage, basic healthcare, and a voice in decisionmaking generates firm opposition from policymakers. Disagreement takes shape around the elusive legal and budgetary challenges of enforce-

ment, and ideological differences about who is responsible for addressing poverty and inequality. Advocates for the formal recognition of ESC rights argue that a person cannot enjoy political rights without freedom from hunger, poor health and exploitation.

In some countries, advocates can use language from the many agreements and conventions that establish ESC rights as part of their strategy.<sup>4</sup> (See following cases.)<sup>5</sup>

#### ESC Case Study #1: Nigeria, a Case Study on Education

"Arbitrary and discriminatory imposition of fees may result in a denial of equal access to education and therefore constitute a violation of the state's obligations. For example, in a class action filed on behalf of the National Association of Nigerian Students (NANS), the Social and Economic Rights Action Center (SERAC), a Nigerian nongovernmental organization, is asking the court to determine whether the arbitrary increase in fees as applicable to tertiary institutions by upwards of 1,000 percent was compatible with the right to education. The suit is founded on the grounds that the policy would impede access to higher education; that it constitutes a violation of the principles of equality and nondiscrimination due to its selective application to schools mostly in Southern Nigeria; and that the policy is unjustifiable given the rapid decline in quantitative and qualitative standards in higher education."

International Human Rights Internship Program and the Asian Forum for Human Rights and Development. *Circle of Rights: Economic, Social, and Cultural Rights Activism*, 2000, p. 306, 416.

## ESC Case Study #2: The Assembly of the Poor and the Powerful of the People of Thailand

“Negative effects of economic and industrial development led to the merger of disadvantaged groups in one of the most powerful people’s movements in the history of Thailand. On 10 December 1995, representatives of people affected by dam projects and land and forest conflicts as well as representatives of the urban poor and industrial workers, met to chalk out a strategy for dealing with their problems. They were joined by students, NGOs and representatives of people with similar problems in other Asian countries. On 14 December 1995, in a special village established in protest against the Pak Mool Dam, a declaration was adopted creating a network called ‘Assembly of the Poor,’ which would provide mutual support to the various member networks and strengthen their bargaining power. The next day, thousands of people submitted an open letter to the Thai prime minister at a meeting of the heads of governments in the Southeast Asian region. This attracted domestic and international media attention. The Thai government ignored this as well as subsequent demonstrations by the Assembly of the Poor.

“On 25 March 1996 more than 10,000 people from twenty-one provinces assembled in front of Government House in Bangkok; they established a ‘Village of the Poor’ in the heart of the city. The government opened negotiations with representatives of the Assembly, but no progress was made. After one hundred days, the Assembly decided to disperse and reconvene again with a bigger rally. On 25 January 1997, the Village of the Poor was reestablished with participation from an even larger number of people. Nearly 20,000 people filled up a more than one kilometer stretch near the Government House in Bangkok.

“The Assembly was a nonviolent, creative expression of protest by people who had long been ignored. It was a model of organization, with different committees taking responsibility for ensuring the smooth stay of nearly 20,000 people. The long effort of the Assembly achieved success with the newly elected government, which announced its willingness to negotiate. After ninety-nine days, the government agreed to many of the Assembly’s demands and twelve committees were established to monitor the implementation of the various aspects of their agreement.”

International Human Rights Internship Program and the Asian Forum for Human Rights and Development. *Circle of Rights: Economic, Social, and Cultural Rights Activism*, 2000, p. 306, 416.

## Advocacy on Corporate Policy and Practice

One result of globalization is the increasing power and geographic reach of corporations. Today transnational corporations shape the working and living conditions for people in many countries. They have brought opportunity and resources in some cases, while growing poverty and the gap between haves and have-nots in a number of countries overshadows and threatens to undermine these gains. The rapid movement of capital in and out of countries often creates instability that has been devastating for people’s basic survival.

The transnational corporations that produce everything from jeans to music can also make competition difficult for many local, and especially smaller, businesses. At the same time, local businesses, which now compete in the global marketplace, argue that they have to keep wages low to survive, and rationalize deplorable working conditions in the name of competition.

It is increasingly difficult for national governments to regulate transnational corporations. They are conflicted between their desire to protect their citizens from the negative side-effects of globalization while also taking steps

### Do You Know People Who Shop in a Supermarket?

One example of an innovative corporate advocacy campaign is “The Great Supermarket Till Receipt Collection” organized by Christian Aid, a charity organization in Great Britain. The supermarket campaign was developed to pressure supermarkets to establish and meet standards for their store-brand products to ensure basic worker rights, and fair pay and conditions.

As a faith-based charity, Christian Aid appeals to church members to collect as many supermarket receipts as they can. The receipts are regularly sorted and then given to the corresponding local supermarket managers with the explanation that the people who spend all that money care about the way workers in developing countries are treated. In this way consumers are demanding that supermarkets play an active role in ensuring just labor conditions for the workers who supply their products. Campaign participants regularly return to the supermarkets to ask about the progress being made.

The supermarket campaign has collected over £15 million worth of supermarket till receipts and generated extensive coverage in the local press. The campaign has also worked with other groups including businesses and unions to press major supermarkets to join the Ethical Trading Initiative (ETI). ETI is a government-sponsored initiative through which members must adopt a minimum standard for their codes of conduct for ethical training. Thanks to the supermarket campaign and other efforts, seven of the ten top UK food retailers have become members of the ETI.

The supermarket campaign continues because the ETI has yet to deliver real change in conditions for overseas workers.

For more information on this initiative, see <http://www.christian-aid.org.uk/campaign/supermar/supermar.htm>

to encourage foreign investment. Corporations that ignore working conditions in the factories that produce their goods or turn a blind eye to the environmental impact of their operations have often been targets of advocacy. Effective advocacy strategies to foster improved corporate social responsibility have included both protest and incentives. (See Chapter 15, p ### for the case of Via Campesina). Consumer groups have used their buying power to persuade corporations to seek a better balance between people’s wellbeing and profits in their decisionmaking.

As with all other issues that are potential targets for advocacy, it is crucial that strategies focused on corporate policy and practice involve the participation of those affected by the problem. It is easy to feel indignant at corporate use of sweatshop labor or inhumane

working conditions. However, outside groups that have little or no connection to the workers they are trying to help may end up causing more harm than good if their efforts are not linked to local groups with knowledge regarding the context and the alternatives available for the workers. Transnational corporate policy requires a transnational advocacy approach so that local groups and individuals in the affected areas have a voice in decisionmaking around the advocacy.

We talk more about strategies for action in Chapter 15, *Outreach and Mobilization*, that are applicable to corporate advocacy.<sup>6</sup>

## A Note on Formulating Policy Alternatives

Just as your policy hook will help you determine the targets for your advocacy, it also will guide you in developing policy alternatives. With more information about the policymaking process that corresponds to your particular policy hook, you can refine your proposed solutions into policy alternatives. A policy alternative spells out exactly how a concrete problem will be solved and specifies the role of government in the solution. It should take into consideration both how the solution can be implemented in concrete terms, and how and where the budget necessary for its implementation can be found.

In some cases, developing a policy alternative may be a rather technical process, for example, if you want to propose or amend a law. In these cases, advocates should carefully analyze the time and resources they have available to dedicate to this activity. Groups may find it more efficient to engage someone

with expertise in this area to assist them in drafting the formal policy alternative so that they have more time to dedicate to other aspects of the advocacy. In any case, the group must have a clear idea of what they expect the policy alternative to achieve and work closely with the people developing the proposal to ensure that it accurately reflects the solution they are proposing. Whatever the situation, members and constituents need to be involved in defining the parameters of the alternative to guarantee accuracy, buy-in, and follow-up. Once finalized, the alternative will need to be presented in formats appropriate for policymakers, constituents and the broader public.

### Sensitivity to Different Contexts for Effective Global Advocacy: The Case of Child Labor

One area of corporate practice that has been the target of numerous advocacy efforts has been the use of child labor. Yet generalized assumptions regarding the problem of child labor have led to many advocacy mistakes and problems. In some countries, childhood is considered a period during which a child is dependent on, and protected by adults and child labor therefore considered a violation of this norm. However in other countries, work is seen as an important part of a child's socialization, and also as an often necessary contribution by the child to the family and community. In fact a 1998 ILO document acknowledges that in some contexts "the absence of work . . . can condemn the child to a variety of social, moral, and health risks."

Increased awareness of and consideration for these varying cultural norms is leading to greater recognition of a distinction between child work and child labor, where "child labor" categorizes less acceptable practices involving exploitation and dangerous working conditions.

While taking contextual norms and standards into consideration is important, advocates must also be cautious about validating culture for culture's own sake where it may be violating the rights of certain groups. This example again emphasizes the importance of the active participation in advocacy of those affected by the problem so that the solutions developed are viable and appropriate to their needs.

Debbie Budlender

## Assessing Entry Points: Questions about Policy Engagements

Although a key advocacy goal is to create opportunities for citizen's groups to be directly engaged in policy processes, engagement does not always impact policy decisions in the end. It is easy to believe that access to policymakers will translate to influence, but in practice, this is rarely true. Policymakers sometimes construct these policy spaces to educate citizens about the choices they've made, or to appear consultative and thus, diffuse public criticism. But they may have no intention of changing their agendas. For this reason, many activists worry about being "coopted" by policy engagement. Some NGOs who work closely with governments are criticized for losing their independence and connection with people when working with government consumes all of their energy and time. So a plan to engage should include the option to disengage if the political costs outweigh the benefits.

Deciding when and how to engage with policy processes is not straightforward or simple. Many different factors usually have to be considered and weighed against each other. Once the decision is made to engage, it must be reassessed continuously as the process unfolds.

Among the many questions to explore, here are two:

- Is the policy space "created" or "invited"?\* If you come to the decisionmaking table as a result of political pressure generated by your efforts – a created space – you may be in a stronger position to influence policy choices. In contrast, when policy makers invite citizens' groups into the policy process, often transforming the space into a meaningful opportunity for change will involve demonstrating your power once you get there. However, often citizens' groups are not fully aware of the power dynamics, so behave like guests invited to a dinner party, not wanting to offend the "host" with more demands.
- What are the opportunity costs of engagement? How much time and resources will the meetings, research, and other activities consume? What alternative activities could those resources be dedicated to? If more can be gained from other advocacy activities, then perhaps the policy opportunity has lost its value and another strategy is more appropriate.

Impact is another important issue to assess when deciding if and how to engage. Again, this is not so straightforward and there are several issues to compare, such as:

- Are you making an impact on policy priorities and choices? As groups involved in UN conventions and Poverty Reduction Strategy Papers have seen, influencing a policy document does not necessarily have a real impact on policy. It may be the first step in a long process of change or it may be a waste of time.
- Can the policy opportunity be used to educate people about their rights and the political process, and to build your constituency for the long-term? Although you may not have a real impact on policy, the opportunity to engage may stimulate dialogue and give your organizing efforts increased focus, public visibility, and credibility. However, people may expect something concrete from the process beyond learning and organization, and then can become disillusioned if a project or more resources do not materialize.
- Will the policy opportunity translate into real change on the ground? If the opportunity to engage leads to new programs, new opportunities and new resources, then the risks of engaging may be counterbalanced by these gains.

While these questions provide some ways of looking at engagement, there is no formula and no substitute for strategic, critical thinking. As groups engage with power, they should be vigilant and may need to remind themselves of who they are ultimately accountable to, in order to make sure the process is worthwhile. If it is not, remember that advocacy is about creating more promising spaces for engagement where citizens are able to advance their agenda with policymakers.

\* See Brock, Karen, Cornwall, Andrea and Gaventa, John, *Power, Knowledge and Political Spaces in the Framing of Poverty Policy*, IDS, draft, September 2001, and the workshop report from *Making Change Happen: Advocacy and Citizen Participation*, December 2000, produced by IDS.

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**NOTES**

- <sup>1</sup> See Gaventa, John, *Power and Powerlessness*. Urbana: University of Illinois Press, 1980.
- <sup>2</sup> Adapted from Debbie Budlender, project documents and materials, The Asia Foundation.
- <sup>3</sup> On balance, the World Bank has attempted to open up the policy process to citizens' voices in the development of Poverty Reduction Strategy Papers (PRSPs) in dozens of countries, but with mixed success (See [www.ids.ac.uk/ids/particip](http://www.ids.ac.uk/ids/particip)).
- <sup>4</sup> Women, Law and Development International and Human Rights Watch Women's Rights Project. *Women's Human Rights Step by Step*, Washington DC, 1997.
- <sup>5</sup> *Circle of Rights: Economic, Social, and Cultural Rights Activism*, produced by the International Human Rights Internship Program and the Asian Forum for Human Rights and Development (2000), is a useful resource for this purpose. The publication contains exercises and information for understanding the conventions and mechanisms as well as examples of advocacy.
- <sup>6</sup> There are also many websites where you can find information about corporate practice, and potential hooks for advocacy. One example is Verité, a nonprofit organization that promotes independent monitoring of factories, linking with local humanitarian and advocacy organizations to both evaluate and address workplace conditions ([www.verite.org](http://www.verite.org)). Other related sites include the Centre for Innovation in Corporate Responsibility at [www.cicr.net](http://www.cicr.net), Global-Exchange at [www.globalexchange.org](http://www.globalexchange.org), or Maquila Solidarity Network at [www.maquilasolidarity.org](http://www.maquilasolidarity.org), to name just a few.

