

Two conversations with Mark Schmitt on May 22 and June 14, 2013

Participants

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Note: This set of notes was compiled by GiveWell and gives an overview of the major points made by Mark Schmitt.

Summary

Mark Schmitt is a Senior Fellow at the Roosevelt Institute. GiveWell spoke with him as part of our investigation of opportunities for philanthropy to have an impact through political advocacy. The main subjects of discussion were successes, approaches, and opportunities of philanthropic advocacy.

Successes in philanthropic advocacy

Judging the efficacy of specific players in philanthropic advocacy based on win/loss track records may be difficult because most efforts will fail, and when they succeed, many players will try to take credit. Some of the work of George Soros through the Open Society Foundations (OSF) in the 1990's is easier to assess. At that time many philanthropists hadn't yet realized the importance of advocacy, and due to the nature of the political system, it was easier to do a highly targeted intervention.

Benefits to legal immigrants

In 1996, welfare reform cut off large categories of benefits to legal permanent residents. OSF spent \$45 million helping legal permanent residents naturalize so they would have the benefits of citizens, and helped some people but saw a long backlog of people waiting to naturalize. OSF also spent \$5 million on advocacy and was able to change the law two years later in what was still a Republican Congress, thereby reversing the parts of welfare reform that had created the original problem.

The communication strategy in particular had a big impact; highlighting sympathetic figures such as veterans who could not easily naturalize due to their age made it easier to navigate the political obstacles and get the law passed. Also, the funding that went through well-established community foundations helped stitch together disparate work across the country. This is a good illustration of the importance of doing some advocacy along with other types of philanthropy.

DREAM Act

The advocacy for the Development, Relief, and Education for Alien Minors Act (DREAM Act) was also a successful case of using messaging around sympathetic figures to navigate political obstacles and build a strong movement. There have been specific case studies written about it.

School reform

Charter schools and other school reform issues are also a good case study of successful advocacy.

Marijuana legalization

The effort to legalize marijuana is an interesting example of what a five year philanthropic advocacy effort can look like. While it may be too early to tell how it will end, it's interesting that things changed so suddenly after decades of stagnant attitudes. George Soros funded some legalization advocacy groups and helped them grow in the 1990s. Ethan Nadelmann at the Drug Policy Alliance would be a good source for understanding where the philanthropic funding has mattered most. It would be interesting to know if anyone actually picked out Colorado and Washington ahead of time when predicting breakthroughs.

Same sex marriage legalization

The legalization of same sex marriage has become the modern poster child for a successful nationwide advocacy effort. Good sources for this case study are E.J. Graff at The American Prospect and Linda Hirshman. Some idiosyncrasies helped make the effort particularly effective: the wealth in the gay community, the existence of gay members of many families, and politically savvy funders.

Philanthropy's role in the fight was building a sustained, long-term advocacy infrastructure, making sure people were sticking with the issue, and finding many angles from which to push the change. In particular, there were a few national organizations, a lot of state and community organizations, media projects, and litigation efforts.

The national advocacy groups were major nonprofits: the Human Rights Campaign (HRC) and the National Gay and Lesbian Task Force. HRC was more mainstream, had a well respected “inside” strategy, and was willing to endorse Republicans, for example. The National Gay and Lesbian Task Force generated more energy and pressure from the “outside”. While the two groups may not have always been happy with the other, they were probably more effective together than either one would have been alone. State groups like the Empire State Pride Agenda in New York also gained a lot of influence.

Rashad Robinson, now at ColorOfChange, was active in the media effort, which included a push to have gay and lesbian characters portrayed positively in many TV programs and movies. That may have been a relatively easy ask of Hollywood, and may have had a significant impact.

The legal challenges actually weren't very well coordinated with the rest of the organizational infrastructure; the first case in Massachusetts and the California case that's now in the Supreme Court were thought to be too early by much of the advocacy community. It now appears that that judgement was actually wrong about the California case; the advocacy succeeded faster than they anticipated.

Perhaps the biggest driving force on the funding side was Tim Gill, who is very politically savvy. He has been active since the early 1990s through his foundation, the Gill Foundation, and complemented it with direct political work at the same time. The OutGiving conferences hosted by the foundation have had impressive lists of attendees. Other major funders include the Arcus Foundation and George Soros.

Center on Budget and Policy Priorities

The Center on Budget and Policy Priorities (CBPP) represents a good example of what a philanthropist can do in advocacy to have an impact through state level policy. It coordinates a network of state-level think tanks called the State Fiscal Analysis Initiative that includes the California Budget Project and dozens of others. CBPP has a small budget and a president who's been there since the founding over 30 years ago. It is often regarded as one of the most effective nonprofits, such as in an Aspen Institute report released about a decade ago.

Possible approaches of philanthropic advocacy

Since the 1990s, the American political process has changed and the room for highly targeted interventions, such as the OSF push to reinstate benefits to legal immigrants, has become narrower. It is not as easy to have an effect the same way today, and a philanthropist should carefully consider the available approaches. Generally, areas with less “crowding” from other philanthropists provide easier opportunities to make a big impact.

Broad movement building vs. inside game

Philanthropic advocacy can work to broadly change the way people think about an issue, or to directly advance legislation and sympathetic elected officials. It is important to be willing to do the lobbying and electoral work that is not tax-deductible, but some philanthropists today go too far in that direction and assume that they have to lobby, whereas sometimes field building and public education are needed as well or instead.

Issues with traction vs. long term strategy

Right now it's easier for a funder with progressive values to make progress on negative liberty issues such as legalization of

marijuana or same sex marriages than broad distributional issues such as spending on health care, education, or foreign aid. Similarly, given the budget climate in D.C., it would be hard to win a pure appropriations fight. If a philanthropist wants to make progress on the distributional issues they probably either have to use a long term strategy or find the angles that complement the libertarian impulse.

Even long term field-building movements have opportunities for impact along the way. For example there may be a relevant bill for which an organization might swing votes by mobilizing people in particular senators' states.

State and local vs. federal vs. international

Federal advocacy may be the only way to have an impact with truly global reach. Within a narrower scope, however, state-level advocacy can have a huge impact on people's lives. State level advocacy is often neglected, other than in California.

Working through a national networks of state organizations can be a very effective way to have a big impact, especially for issues where state-level policy is key and the funder is indifferent regarding which states see the change. The state-level members of the network can be community organizing efforts or think tanks that provide analysis and information for advocates to make them more effective. Two examples of the think tank style of state-based networks are CBPP (discussed above) and the Economic Analysis and Research Network (EARN), which focuses more on labor market issues.

Perhaps the best example of truly international advocacy effort is work on UN resolutions, although those often are very focused on United States advocacy since the U.S. is often the last country to ratify. The efforts for the UN Convention on the Rights of the Child and the Arms Trade Treaty are good examples of this. There are organizations with advocacy initiatives that are carried out in multiple countries, but there may not be a lot of interplay among the countries. Climate change would be a good place to look for a counter-example. There are organizing models that are also used in multiple countries, such as with GetUp, the Australian equivalent of MoveOn.

Incremental support vs. new vision for the field

If the advocacy community in a particular issue area is reasonably well organized but funding-limited, an investment as low as \$50,000 a year can be significant. If a philanthropist has a vision for how the advocacy community should be operating differently, many more resources are needed to make that change. Generally that means orders of magnitude more money, but it can also mean a particularly valuable connection with some ally, or political savvy that the field is otherwise lacking. One challenge of being a dominant funder is that it is harder to be aware of one's mistakes because others are less likely to point them out.

Possible opportunities for philanthropic advocacy

Immigration reform

Putting more money into the current effort to pass an immigration bill doesn't seem very useful since it is already in the end game. Health care reform, however, is a good reminder of how much work there is to be done after a big bill passes when many funders may just be celebrating. The new immigration system may allow for citizenship under specific conditions, so a philanthropist might figure out how to help people meet those conditions, or how to get things moving even if the conditions for citizenship aren't quite met. The next steps are not likely to be extremely controversial, so incremental support as low as \$50,000 might be useful here, and an additional funder might be very valuable.

Climate change

There is already a lot of advocacy funding to addresses climate change through new legislation or otherwise, so funding more of the same work may not be very efficient. However, there seems to be something about the basic structure of the environmental advocacy community that needs to be shaken up. In *Naming the Problem*, Theda Skocpol discusses some the possible mistakes in the push to pass cap and trade legislation in 2009 and 2010.

There is not consensus on what exactly went wrong and what needs to happen now, so if a philanthropist had a clear vision for what needs to change in the advocacy effort, it might be worth implementing. Doing so would require bringing enough resources to the table to show that the philanthropist is going to be a significant part of the effort. For example, it might require tens of millions of dollars per year or more, and it would also help to bring a key organizational ally to the coalition

or valuable experience that was otherwise missing.

Foreign aid

The Washington office of OSF coordinates a lot of work on foreign aid. The group that was most focused on this was Connect U.S. but it shut down recently. The best approach for this issue is to combine “inside” lobbying and electoral work with “outside” field and idea building.

The area is fairly promising for a philanthropist because it is not over-crowded, a moderate amount of money might make a difference, and the people in the field tend to have a similar perspective so shaking things up might be good. Making progress on the issue would require a long term effort.

Education

Educational policy is in a transitional period in the United States; federal policy may change in the next five years or so, especially in higher education. There is room for another philanthropist, especially in higher education where there are fewer large funders, or in kindergarten through 12th grade (K-12) education if the debate can be redefined somehow. Currently the debate in K-12 education is very narrowly focused on things such as charter vs. non-charter and teacher assessment.

Political process reform

A philanthropist might make the political process more responsive, find ways to work around the existing partisanship, reduce the existing level of partisanship, or change the role of money in politics. There has been some good work on this at the state level such as the public financing in New York State elections, where the legislature has been a huge obstacle in the past. There is space in this issue for a new philanthropist.

While there doesn't appear to be an opening for big bipartisan movement on this right now, the current system is unsustainable so hopefully there will be an opportunity in the next five years. The current system requires a large amount of time from elected officials. It also takes a lot out of their control, and eventually they will presumably rather have it under their control.

Science funding

Open access is a potentially interesting cause, but as long as the federal domestic budget is squeezed so tightly, there isn't a lot of room for more funding of anything. Assuming the push wouldn't include expanding the budget, success for science funding would risk being a hard fight in the Appropriations Committee, and any gains would come at the cost of other programs that may also be valuable.

Political science funding

Political science funding for the National Science Foundation was recently cut which means that information that is valuable to democracy will be lost. There is space for another philanthropist in this issue.

Intellectual property reform

Intellectual property reform is a promising area for a philanthropist. For example, American trade policy often gets manipulated into becoming an enforcement mechanism for the intellectual property claims of American companies.

Telecommunications policy saw something of a breakthrough in the last six or seven years when the focus became intellectual property and work like that of Gigi Sohn at Public Knowledge. Dean Baker at the Center for Economic and Policy Research is another very talented person working on intellectual property reform.

Tax system

There is space in this issue for another philanthropist. Federal policy won't move in the next two years but hopefully will move in five years.

Saving the state income tax

There has been a recent wave of states looking to eliminate their income tax, which would have significant negative consequences for services such as education and health care, and create a more regressive tax structure. Organizations have not been well prepared for this and there aren't a lot of philanthropic resources available to fight it.

Zoning

Any fight on zoning will play out very differently in different states and cities depending on what the local interest groups are, and what the status quo is. For example, in New York City, the zoning has serious problems but the developers are invested in the status quo so they don't want to change it.

It would probably take a lot of work to create a state-based network for zoning because it doesn't come with a built-in ideological lens, and the core issues may be different in each place. While one can easily imagine an ally such as the Cato Institute, finding other allies may be hard. One approach would be to set the stage nationally by building awareness about the problems, or start with a particular city or state.

Occupational licensing

Occupational licensing shares some aspects with zoning but might not be as difficult. It is a classic political science case of well organized incumbents winning out over disorganized people. With the possible exception of community colleges, it's not clear who the big allies would be. It is also not an issue that is on most people's radar. While a state-based network approach would be natural, a funder could also have a strategy of raising awareness and framing the issue nationally, such as by writing books about it or designing creative legal challenges.

Criminal justice reform

It might be possible to make a difference in the shorter term on criminal justice, especially at the state and local level. There are definitely bipartisan opportunities to make progress. Even ten years ago, a lot of people interested in criminal justice reform were exploring a lot of conservative connections.

Criminal justice issues that currently have traction include working against mandatory minimums, working toward legalization of marijuana, and others. It would be interesting to figure out how much marijuana legalization alone would take pressure off of criminal justice problems such as prison overcrowding. For example, in New York City, the stop-and-frisk program puts a lot of people in jail, but if marijuana were legal there would be fewer people in jail and there might not be as much need to change the policy. Legalization would also open up a larger conversation about how other drug crimes should be treated.

Animal welfare and factory farming

There are a lot of problems with factory farming that could be used to push for policy change. In addition to animal welfare issues there are climate change, local waste, and justice issues such as polluting low income communities. Even if animal welfare is the most concerning, it might be best to include the other problems as part of an advocacy effort.

Some people are dealing with this issue on a local or state level. A really good example is Bob Hall at the Institute for Southern Studies. He did a great analysis of hog farming and how it's a huge political power in North Carolina, a major pollutant, and a low wage job creator.

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