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Service and/or Advocacy

Nonprofit Sector in the Twenty-first Century

Nancy K. Kaufman

In both Israel and the United States over the past twenty years, there has been an explosion in the number of nonprofit organizations that live in a space somewhere between government agencies and for-profit companies. While the growth of these organizations may have been stimulated by different factors in each country, there is much to be learned through a cross-cultural exchange like the one between organizations in Haifa and in Boston.

In order to analyze some of the challenges facing nonprofit organizations across a wide spectrum of mission, purpose, and size, I have categorized the type of organizations being discussed as follows:

Direct Service only — with public and private funds
(for example, Jewish Family and Children's Services)

Direct Service and Advocacy — with public and private funds
(for example, antipoverty agencies)

Advocacy and Organizing — with a mix of public and private funds
(for example, Hyde Square Task Force)

Advocacy and Organizing — with no public funds
(for example, JCRC Boston)

Each model presents challenges as to how services are delivered, what constraints exist in managing the organization, and whether advocacy for policy change is possible. All of these models fall into the definition of "civil society" as described by Professor Amnon Reichman in the introduction to this section: "Civil Society is the

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social space between the state and the individual where for-profit and nonprofit organizations pursue their goals.” Challenges develop for the nonprofit organization when government does not behave in a way that supports the strengthening of civil society. Depending on the composition of the board and the nature of the funding the organization receives from government and/or private institutions, the pressures to “conform” can be enormous and can inhibit the ability of an organization to advocate on behalf of the clients they serve or the injustice they seek to redress. If, for example, an organization receives direct funding from the government, can the organization then advocate for policies that may be in conflict with the position of a given government entity (whether elected or appointed by an elected official)? Will the organization’s funding be threatened if it fails to “toe the party line”? And, if the organization provides direct services to clients in need, will those services be jeopardized by the advocacy position the organization takes on any given issue? In the United States, nothing symbolizes this dilemma better than the nonprofit Community Action Agencies that were created as part of the “Great Society” of the Johnson Administration. As the founder and Executive Director of one of these agencies in the 1970s, the author has a unique perspective on the challenges and opportunities presented by organizations that choose to both provide direct services and to advocate around policy issues that impact the people who are provided those services.

Community Action Agencies were mandated by the Economic Opportunity Act of 1964 and they were created to fight poverty in the inner cities while providing for the “maximum feasible participation of the poor” in planning and oversight of the organizations. Thus, a hybrid organization was legally constituted by the federal government to be both a direct service provider and an advocate on behalf of the poor with the very government that was providing the funds. The agencies were given clear guidelines for constituting boards of directors that were composed of the local community — one-third low-income members, one-third local government representatives, and one-third civic and business leaders. Thus, an inherent tension was created that often put the organization in direct conflict with the government that was regulating its funding. An example of that tension came to my agency (Tri-City Community Action Program) when fuel assistance and weatherization programs were initiated. Our role to that point had been to advocate on behalf of the poor for exactly this kind of ameliorative program, but not to run the program. But what better way to learn about the needs of the poor than to actually have specific data on who they were and what services they needed. Our organization made a conscious decision to take on the very large direct aid programs while continuing to advocate on behalf of those receiving aid.

The success of the Community Action Agencies (the network still exists forty-five years after creation) is proof positive that it is possible to provide direct services with government funding and advocate to government for a greater share of the resources

and for policies that support society's most vulnerable members. It only works, however, if the provider organization understands that its true mission is to envision a time when such services are no longer necessary because all individuals have the means to provide for their own needs by finding routes out of poverty through employment and full and independent participation in community life.

While it may be easier and less conflictual to run an organization that does not take government funds, this, too, has many challenges. Such is the case of the Jewish Community Relations Council of Greater Boston (JCRC). While it exists as an "umbrella" organization to speak on major policy issues on behalf of the organized Jewish community, it also advocates with government for increased resources for vulnerable people (both Jewish and non-Jewish) in society. While JCRC does not receive government funds directly, many of the social service agencies it advocates for in the Jewish community receive government funds to serve their clients. Strict government regulations on "lobbying" define the relationship with the public sector and determine what business can and cannot be conducted.

An example of this challenge took place in 1999, when JCRC took a group of state legislators to Israel as part of its Israel advocacy work having nothing to do with its domestic policy agenda. JCRC was heavily criticized for subsidizing a trip to Israel for legislators because JCRC also directly lobbies the state government. So, while JCRC receives no state funds directly for its programs it does maintain relationships with elected officials in order to secure resources for the larger Jewish social welfare system. It was the "perception" of influencing elective officials with a trip to Israel that became the issue. JCRC no longer subsidizes trips for state officials but it does include them on trips to Israel with other key non-Jewish people.

The JCRC does receive considerable private funds through the Jewish Federation in Boston (CJP), and that, too, can be a source of conflict when positions are taken that may run counter to the prevailing business interests of donors to the Federation. By being constituted, however, as an independent organization with a separate board of directors, JCRC is able to carefully weigh the various interests of the community when taking positions on controversial issues. The challenge here has been most visible in efforts to maintain a "broad table" of inclusion on issues where there is disagreement about strategy regarding domestic issues and Israel advocacy issues.

In the domestic area, gay marriage is an example of another challenge JCRC faced. The Supreme Judicial Court of Massachusetts made a ruling that permitted civil marriage for gays and lesbians. Many different "faith" groups opposed this ruling even though it did not speak to the issue of religious ceremonies. Several partner organizations asked JCRC to take a position, which was difficult given the diversity of the JCRC membership. A decision was made to have an open dialogue and to give all members an opportunity to express themselves. The primary issue was one of civil rights and not religious beliefs. After a thorough debate, a vote was taken and it was

decided to support the Supreme Court's decision. The Orthodox community voted against and clearly expressed their concern but did NOT walk away from the table because the process was a fair and democratic one.

Another example of taking stands on controversial issues involves taxes for social and welfare services. In order to effectively advocate for vulnerable individuals in our community, we often hear from legislators that the resources simply do not exist to fund all the necessary services people need, and decisions must be made as to how to cut the pie unless the pie is actually increased. We have been faced with this challenge many times and it is coming up again in 2010 with an initiative on the November ballot that will ask citizens to decide on a possible roll-back of the Massachusetts sales tax and an elimination of the liquor tax that was put into effect in 2009. As in the past when similar initiatives have been proposed, JCRC is asked by our elected officials and secular and religious partners to take a stand. Our JCRC Council will take up this issue, once again, and I fully expect that it will vote for JCRC to be active in the campaign to prevent the roll-back of taxes. What is at stake here is millions of dollars in funds needed to support poor and vulnerable people. But what is also in play are the beliefs of many that taxes are not good for business or people at the higher end of the income spectrum. Since many of those people are donors to the Federation, this is an issue of great concern. By building support among all the Jewish agencies that receive government funds and their board members, I fully expect that we will provide a voice for maintaining the "safety net" for people in need.

More recently, JCRC has been challenged on the issue of who and how Israel is represented on the Council. B'rit Tzedek V'Shalom has been a member of JCRC for several years. Recently B'rit Tzedek merged with J Street, and some people would prefer J Street not be represented on the Council. It has long been the policy of JCRC that if an organization supports a two-state solution to the conflict between Israel and Palestinians and believes in the right of Israel to exist as a Jewish democratic state, then they would be welcomed on the Council as a member organization. Since J-Street meets those criteria they are on the Council (as is CAMERA and the David Project; ZOA and Hadassah; Reform, Conservative and Orthodox movements). It is the organization's belief that we are stronger when we include different voices around the table than when we try to silence any one voice.

Because JCRC is a representative body with over forty different Jewish organizations represented on its Council, it is able to vet issues in a deliberative and democratic manner. By using a democratic process where majority rules a fairly reliable process exists to insure that positions are taken that represent the majority of community opinion. Thus, JCRC is able to be a forceful advocate with government without worrying about the political implications of the positions it takes, and it is seen as a formidable force at the state and federal levels because of the constituency it represents (higher voter participation) and the careful way in which it carries out its

advocacy, often in coalition with other religious and civic organizations.

In conclusion, one of the greatest challenges facing nonprofits in both the United States and Israel in the twenty-first century is how to balance the delivery of critically needed direct services while also paying attention to the policies that make those services necessary and how to speak out when those policies do a disservice to their clients. This challenge becomes further complicated when government is providing the funds to make the services possible. It can be equally complicated when a private organization is providing funds and wants to try to control the agenda. In both cases, it is important to be true to one's mission, yet sensitive to the many different constituencies and points of view.

Building a powerful base of support among those who receive services and then building meaningful relationships with those in a position to influence policy is an important way to bridge the gap in the space between government and the private sector. By strengthening the "civil society" from a position of shared interests and shared values in a democratic society is likely to be the most effective way to achieve the desired result. The challenges must be addressed in order to guarantee that our vibrant democracies (in Israel and the U.S.) are able to act on their most basic responsibility to support and sustain and strengthen our most vulnerable members of society.

