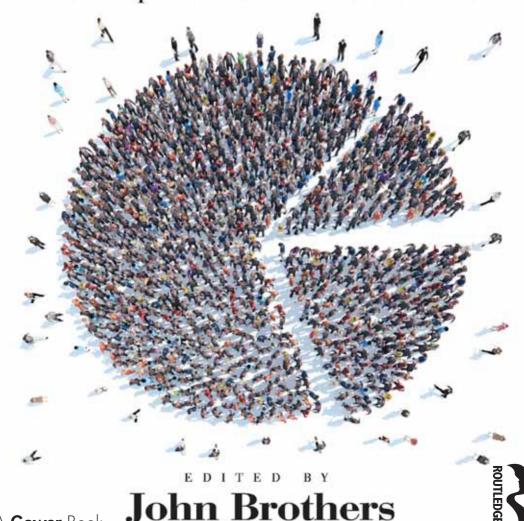
Rebalancing Public Partnership

Innovative Practice Between Government and Nonprofits from Around the World



A Gower Book

Rebalancing Public Partnership

Reviews of Rebalancing Public Partnership

A perennial question for nonprofits and foundations is how best to interact with, enhance and even transform the work of government in the pursuit of social good. This new resource from Brothers et al. gets to the heart of the complexities as well as the power of relationships between governments and the nonprofit sector in a way that can yield insights for all of our work.

Kathleen P. Enright, President and CEO, Grantmakers for Effective Organizations

Some of society's most important work takes place at the intersection of non-profits and government—from service provision to scientific research to policy innovation. And as our society evolves, so must the relationships between government and non-profits.

lacob Harold, President & CEO, GuideStar

This book examines the relationship between nonprofits and governments, between society and the state, in several countries and reflects on fundamental questions of political and social transformation.

Elizabeth D. Knup, China Representative, Ford Foundation

The relationship between governments and non-profits is built on the shifting sands of political and social discourse, yet, making this relationship work is critical in supporting and sustaining resilient communities. This book provides a rare and invaluable international analysis of this important relationship and should be compulsory reading for government and non-profit leaders.

David Crosbie, Chief Executive Officer of the Community Council for Australia

As governments at the state and federal level look for ways to strengthen the community and create jobs, one issue is paramount; the need to re-evaluate the role non-profits play in the economy. As major employers and dynamic sources of investment revenue, the time has come to move past the .com/.org divide, and roar into the future as equal partners.

Robert Egger, President, L.A. Kitchen, USA

John Brothers does the charitable sector a great favor in undertaking his excellent walk through the history of the sector and its relationship with government. While each chapter has the distinctive imprint of the particular author, collectively they offer a comprehensive picture of the charitable sector and its complex, often troubling and always dynamic association with government in the US and around the world.

Diana Aviv, President & CEO, independent sector

Rebalancing Public Partnership brings a global perspective to the interaction of governments and nonprofit organizations in the making of public policy and delivery of services. My experience in New York City was a continuous courtship of these dynamics, and this volume brings an international perspective on how this plays out with governments at all levels.

Linda Gibbs, Principal, Bloomberg Associates

This is a timely overview of the current relationship between the non-profit sector and government in Trinidad and Tobago. The author provides valuable reflections on how the policy, and the legal and fiscal framework, could be improved in ways that would enhance national development, which is the common goal.

Mrs Zalayhar Hassanali, Former First Lady of the Republic of Trinidad and Tobago (1987–1997)

Rebalancing Public Partnership

Innovative Practice Between Government and Nonprofits from Around the World

Edited by JOHN BROTHERS

Visit the Government and Nonprofit Handbook website at:

www.rebalancingpublicpartnership.com



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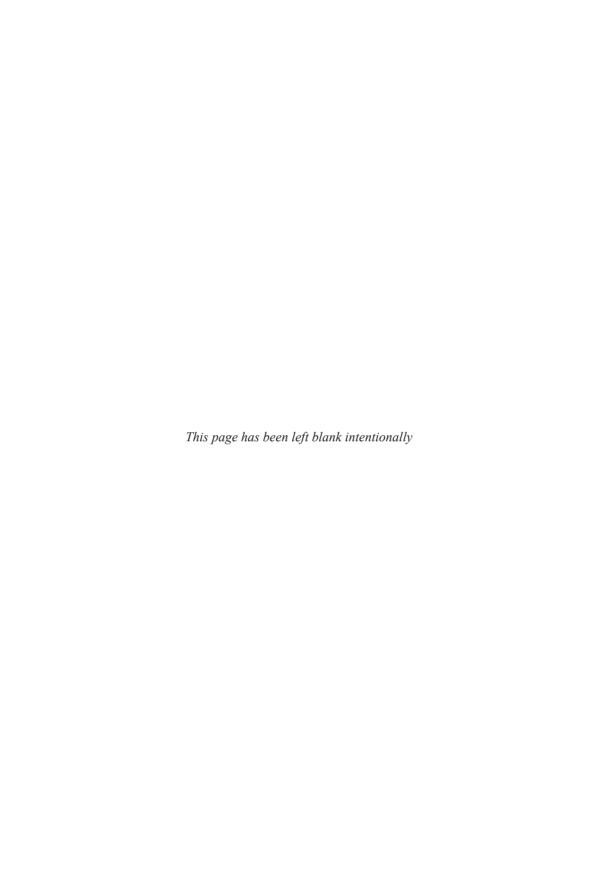
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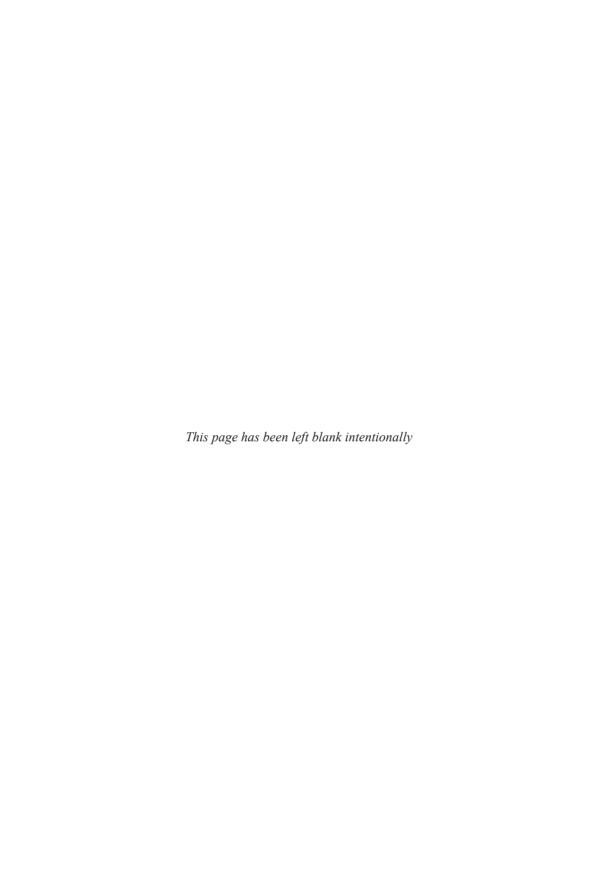
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Preface

Prior to the election of US President Barack Obama, I began to notice in the United States that the relationship between the nonprofits and government was changing and that the average nonprofit practitioner was not paying attention. As I traveled throughout the world, I noticed the same trends I was seeing here at home. While there were numerous issues, the challenges that the government—nonprofit partnership was experiencing fell into four specific areas. While these were serious problems for the sector, they also marked great opportunities to build a stronger partnership and also a chance to further secure the social safety net that requires a strong partnership between public and nonprofit sector. Those challenges are currently:

- 1. The uneven contractual relationship between government and the nonprofit sector.
- 2. Government's historical misunderstanding of the work and efforts of the nonprofit sector.
- 3. The nonprofit sector practitioners' challenge in understanding the policy development process.
- 4. The growing misuse of the nonprofit sector to meet partisan and political means.

As I surveyed and spoke to thousands of nonprofit leaders throughout the world on these areas, it became clear that these issues needed a deeper focus. I dedicated several years of study to the relationship and that study confirmed the four points above, leading to the motivation behind this book. The goal of this book is to give the reader a deeper understanding into the past and future of the nonprofit—government relationship while providing unique perspectives and exciting innovations between the two; both here in the United States and in several countries throughout the world. Let me take a moment to further highlight the challenges and describe the approach I have taken to address these challenges, and offer some acknowledgements for those who helped prepare this book for the reader.

The Challenges of an Uneven Partnership

Recent and ongoing stories regarding the government's approach to the nonprofit sector outlines a deep problem with the uneven relationship between the two. Here are some of the areas that highlight this troubled relationship:

KNEE-JERK REACTIONS

It is very easy for elected officials to circle the wagons around individual nonprofits based on either partisan angling or just general misinformation. In the United States, just look to the 2010 challenges with National Public Radio and political pundit Juan Williams. In late 2010, National Public Radio (NPR) terminated William's contract after he publicly commented, "if I see people who are in Muslim garb and I think, you know, they are identifying themselves first and foremost as Muslims, I get worried. I get nervous." NPR stated that the remarks were "inconsistent with our

ethical standards and practices, and undermined his credibility as a news analyst with NPR" and decided to part ways with Williams.

The response by many current and former public officials, including Sarah Palin and Newt Gingrich, called for NPR to lose the federal funding it receives, and then former Senator Jim DeMint introduced legislation to defund NPR. While some in the sector may not see reason to worry as NPR is continually being threatened with this action, there is recent precedent by the federal government in targeting nonprofit organizations based on politics and partisan information.

THE GOVERNMENT UN-PROMISE

In elementary school, one of the games I used to play involved acting as if you were going to shake someone's hand as a sign of friendship or partnership and then, at the very last second, yank your hand away. Some people called this move the "Sike!" Immature, of course, but it always got a few laughs. If we think about one of the primary connections between government and nonprofits, many in the nonprofit sector might say that the government's contracting relationship with the nonprofit sector is essentially a version of this childhood game. Unfortunately, in the contracting world, government has repeatedly issued what I now deem the "Government Sike."

In a report by The National Council of Nonprofits (with additional data by the Urban Institute) the report cites a national epidemic of government not living up to its end of the contracting relationship. The report highlights a number of challenging areas, perhaps best reflected through the example seen in the State of Illinois, where the State's Comptroller's Office showcased over 2,000 nonprofits that the State has failed to pay almost half of a billion dollars in just the first six months of 2010.

UNCLEAR ABOUT EACH OTHER

In the first half of the Obama administration there were three major pieces of legislation passed, with over 3,000 pages of legislation developed. Within this legislation there was scarcely mention of the nonprofit sector and, according to my interviews with those in and around Washington DC, the sector was barely consulted when the legislation was drafted. When Minnesota Congresswoman Betty McCollum's office drafted legislation relating to the nonprofit sector she looked for information in the research arm of Congress, the Congressional Research Service (CRS). When McCollum's office was unable to find information about the sector, they asked CRS in 2009 for a study on the nonprofit sector. Until that time, not one study had been conducted in the nonprofit sector by CRS; a sector that is equal in size to the nation's manufacturing industry.

Outside of CRS, if you asked an elected official to talk to you about the nonprofit sector, you would more than likely get a response about the local charity that he/she is likely to support. Elected officials' knowledge of the sector tends to be limited to their experience supporting their respective causes and doesn't extend to the sector as an industry.

What is even more distressing than this is how little the average nonprofit leader knows about government. When I surveyed over 150 nonprofit leaders throughout the United States on their involvement and participation with government, the following points outlined that, just like their counterparts, the elected officials, nonprofit leaders demonstrate a startling reticence to be involved, understand, or engage with the process behind government, with my data stating that:

• 49 percent had a minimal relationship with the federal government, limited to being registered as a nonprofit organization and/or filing an annual tax report, entitled a 990;

- just over 17 percent of respondents stated that they had very involved relationships with the federal government, serving in an official capacity with government, whether receiving a grant or serving on a panel or committee;
- only 7 percent watched the work of the government, taking a leadership role or frequently advocating for areas of the nonprofit sector to their elected officials.

What was constant in the United States and abroad is that a heavy majority of nonprofit leaders only paid attention to government as it related to their organization's ability or inability to obtain government funding.

Finally, related to this point, in teaching social policy to undergraduate social work students at Rutgers University in New Jersey for several years, I have been fortunate to be able help students understand the policy process. As I taught my students the basics of policy I also naturally began to investigate how much nonprofit leaders knew about the development of policy. With just a little digging, I became very concerned as I learned that a majority of nonprofit leaders understand very little about policy development and how they could place themselves within the policy development process.

PARTISAN USES OF THE SECTOR

In the excitement of the 2011 budget negotiations between the House Republicans, Senate Democrats, and the White House, it was again a nonprofit organization that was thrust into the national spotlight. When negotiations lingered into the final hours before a government shutdown, both Republicans and Democrats showed they were close on meeting their budget numbers, but there were a few issues that were holding up the process, mainly the policy "rider" attached to the budget that would take away government funding toward Planned Parenthood.

For social reasons, the issue exploded in the public arena where liberal groups were decrying the effort to defund as a deliberate action against women, while those on the conservative side were vowing to advance the pro-life movement. As a liberal, it might be easy to find where I fall within this dialogue, but I felt more agitated as a nonprofit practitioner at seeing how the sector was being misused by the federal government again. The 2011 actions against Planned Parenthood are a part of an increased effort by political parties to use the nonprofit sector as a partisan football.

Beginning in 2001, most who study the sector would acknowledge that Congressional and regulatory involvement has been increasingly heightened to possibly unprecedented levels. The Internal Revenue Service (IRS) is the government agency in the United States that is responsible for tax collection and tax law enforcement. It is a different animal as it relates to the sector compared to just ten years ago, and the Planned Parenthood situation is becoming more of a regular part of the nonprofit—government dialogue.

The Book

As these issues became clear, an area where I thought I could contribute was to create a handbook outlining various perspectives from around the United States and the world. While the United States represents half of the chapters in the book, the rationale was that in my travels to other countries, many nonprofit leaders looked to the nonprofit sector in the United States as a benchmark. In looking at the structure of the book, you will notice that there are two distinct sections—the American perspective and the international perspective.

The American perspective outlines how the sector has got to where it is and highlights the innovations and practices that are emerging in the relationship between nonprofits and government at the local and State level to meet the changing dynamics of the sector. Similarly, the international perspective takes several very different countries and regions and allows the reader to both understand the sector and its relationship to its government but also the innovative avenues those countries are taking in response to the volatility that is a feature of this sector.

Acknowledgements

This book began shortly after I finished my doctoral work in 2012 and has had a number of exciting turns. Because the journey has been so substantial, it means that there are so many great people to thank.

First and foremost I would like to thank the chapter authors who represent very diverse locations far and wide, which was very exciting but also took a great deal of coordination, and patience on their part, in finishing this book. Thank you to them for their willingness to work with me on this project.

A great debt is also owed to my friends at Northeastern University: Dan Urman, Thomas Koenig, Kelly Conn, James Fox, and Robert Pritchard who helped me with my earliest thoughts on this area. To me, they represent the best that academics has to offer: distinguished scholars, inspired teachers, and engaged mentors.

As I began to seek insight from the sector, I talked with some of the nonprofit sector's most accomplished professionals who gave time as I progressed through my initial thinking. Thanks to Clara Miller, Robert Egger, Peter Frumkin, Elizabeth Boris, Dan Pallotta, Harvey Dale, and Marc Owens for their thoughts and advice.

I also gratefully acknowledge the generous assistance of the Hauser Center for Nonprofit Organizations at Harvard University for awarding me a year-long visiting fellowship to support the initial stages of this work.

I dedicate this work to my children, Max and Nina, who sacrificed much for me to complete this work, and to my wife, Arlene, whose love, unyielding support, and encouragement inspired me to continue during times of challenge. Thanks to my family, friends, and colleagues whose unwavering support provided the impetus to complete this work.

Finally, I give a special dedication to my mother, Donna, whose grace under amazing odds is my daily fuel.

Dr. John E. Brothers New York, NY

PART I AMERICAN PERSPECTIVES

