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Public policy in divided societies: the role of policy institutes in advancing marginalized groups

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This article presents a critical analysis of the strategies, operating principles and work methodologies of public policy institutes advocating on behalf of disadvantaged and marginalized groups in different parts of the world. The results of a qualitative survey of policy groups suggest that best practices include high-quality research, strategic use of the media and the dissemination of timely and relevant information. A critical analysis of these strategies and the ways in which they have contributed to civil rights movements will be examined. Finally, the authors believe that suggested operating principle such as specificity, perseverance and professionalism will enhance the work of such organizations in their long and difficult journey toward social change.

Keywords: public policy; research; minority groups; minority rights; social movements; civil society; policy institutes

Introduction

Human history demonstrates that minority groups tend to be disadvantaged compared with majority groups in their societies. They are frequently discriminated against in the allocation of resources and excluded or under-represented in decision-making bodies. Furthermore, minorities often experience pressure to assimilate in order to advance socio-economically, while external forces such as the job market and linguistic pressures erode their individual and collective identities. The numerical majority usually constitutes the dominant group; as such it can use its superior status to establish a mainstream discourse that further entrenches its favored position (Bourdieu and Wacquant 1992).\textsuperscript{1} Accordingly, initiating special actions on behalf of marginalized groups is an important strategy for promoting full and meaningful equality (Eide 1995; Kymlicka 2008; Jabareen 2008b).

Simultaneously, as the forces of globalization give rise to ever more diverse – and often conflict-ridden – societies, the rights of ethnic and national minorities are gaining ascendancy in the current international regime. This is reflected in the development of international human rights law specifically tailored to meet the needs of minorities and indigenous peoples. Alongside developments in international law, increasingly individuals and groups are calling for recognition of minority groups and the acknowledgment of their rights and unique identities both within the confines of their countries of residence and internationally (Thornberry 1991, 1995;
United Nations General Assembly 1992; Lerner 2003; Baldwin, Chapman, and Gray 2007). Efforts to address the particular needs of minority groups contribute to humanity’s slow and difficult journey toward peace, stability and the construction of just and fair societies.

While international developments are important, ultimately, the state is the primary entity that can effectively guarantee rights for disadvantaged groups. As long as this continues to be the situation, the sphere of public policy will be a crucial arena in which maligned groups can promote their quest for substantive equality and for their human as well as civil rights. Indeed, Christine Inglis argues that, although a multiculturalist approach has the greatest potential to manage tensions and guarantee rights in multi-ethnic societies, such an approach can only succeed when it is promoted by the government and policy is implemented on a national level (Inglis 1996).

However, public policy cannot possibly even begin the process of redressing the disadvantaged position of minority groups unless it is grounded in a solid understanding of what the needs of a given group are, and what context-specific, practical measures would contribute to addressing those needs. While, in theory, governments and mainstream policy groups should be able to accurately define such needs, practically speaking, minority groups often find that the authentic needs of their communities are not accurately or faithfully represented by such groups. For this reason, groups founded by and for such communities have a key role to play in contributing to policy discourse on a national level.

Given these constraints, civil and human rights policy centers have been founded on behalf of minority groups in a variety of global contexts. These centers employ a wide array of mechanisms to inform and influence decision-making processes at all levels of society. While their ultimate target audience may be national authorities, breaking into the mainstream can be an on-going and long-term challenge for minorities. Therefore, they may choose to focus initially on impacting discourse within their own communities and within local civil and human rights movements while building the groundwork for change on the larger level. By intensively focusing on groups receptive to their message in the initial stages, and by informing the structure and demands of these segments of society, policy centers strengthen these movements, and can maximize their influence in social processes locally and nationally.

This paper examines the work of public policy centers that have achieved some measure of success in different parts of the world. It discusses how they perceive their work strategies and what they feel could further enhance their effectiveness. The research was conducted in 2007 to inform the development of Dirasat: the Arab Center for Law and Policy, a recently founded nonprofit policy organization in Israel. The goal of the survey was to learn from the experiences of policy centers located in and working on behalf of other deeply divided societies (Appendix 1 and Appendix 2). Accordingly, the research that is summarized in this article reviews policy centers that are similar in nature to Dirasat; nongovernmental civil society organizations whose primary target group is national minorities.

Dirasat works on behalf of the Arab-Palestinian minority in Israel. This minority group, which comprises approximately one-fifth of the country’s population, is subjected to on-going and deeply rooted discrimination. They also lack meaningful avenues for representation in national institutions and decision-making forums such as government bodies, institutes of higher education and public institutions.
Dirasat, inspired by civil rights initiatives around the globe, aims to develop practical and innovative ways to overcome these seemingly insurmountable challenges while mobilizing Arab-Palestinians in their quest for basic human rights, justice and recognition.

While each situation has its own unique context and challenges, public policy centers are often more united by what they have in common than divided by their differences. Indeed, when public policy centers and civil rights movements working on behalf of marginalized groups have achieved notable progress, they have frequently implemented core principles and strategies that have been refined over time and tested through trial and error. The past experiences and the expertise of other centers and movements have generated some important operating principles. It is our hope that the findings outlined here, along with insights from the authors’ ongoing work in the field, will inform and enrich the practice of other civil rights activists and policy centers and inform their work. We aim to contribute to a growing dialogue within and between activists, thus helping them to implement strategies which will bring them closer to achieving the change they strive to achieve.

The paper is divided into five chapters. It first provides the reader with a brief examination of the field of public policy, the policy process and an overview of some possibilities for policy promotion on behalf of disadvantaged groups in divided societies. It then examines the role that policy centers and the development of a policy infrastructure have played in contributing to the advancement of social movements around the world. We conclude by reviewing the findings of the study and noting experience that could be relevant for new initiatives in public policy in deeply divided societies.

The field of public policy
Public policy is a young field, generally considered to have developed during the twentieth century (McCool 1995). Although there is no one agreed upon definition of “public policy”, there is a consensus that it refers to a process rather than to the discreet act of taking policy decisions. Further, most definitions of “public policy” concur that it is made by government in the name of the “public”, that it is an expression of government intentions about what it chooses to do or not do for the “public”, and that it is ultimately interpreted and implemented by both the public and private sectors (Birkland 2001).

The policy process can generally be broken down into six stages: problem recognition, agenda setting, policy formulation, policy adoption, policy implementation and, finally, policy analysis and evaluation (Theodoulu 2005). Each of these stages of the policy process provides an opportunity for different actors to enter and influence the policy process. For example, “defining the problem” may be the work of research scientists or of community organizations. “Agenda setting”, which refers to moving the policy problem onto the public agenda, is a point at which community organizations, journalists and legal advocates are strongly placed to influence the policy process. Strong advocacy organizations may be involved in policy formation, but this is generally the realm of officeholders and bureaucrats. Policy adoption – when a new law or regulation is officially made into law – is almost always accomplished by officeholders, judges or other government officials. This is with the support of, or under pressure from, other interested stakeholders such as the media.
or the public. Implementation is performed by the governmental sector, but may be monitored by interest groups or challenged by legal advocates. Finally, policy analysis reverts back to social scientists – whether in the public, private or nonprofit sector – who attempt to measure the success of a given policy in achieving its desired outcome, to identify deficiencies in the policy or its implementation, and to suggest possible improvements or remedies. Community organizations or interest groups may also perform “community-based” analyses of policies’ effectiveness and their subsequent benefits or injury to the groups they are intended to help, and suggest alternative directions for the development of the policy or its future implementation.

Public policy may be defined very narrowly, with reference to a specific law or regulation, but it may also be used as the instrument of broad-based social change. For instance, after a long and exhaustive struggle, the civil rights movement in the USA, which sought equal rights for African-Americans, brought about the passage of an entirely new category of laws and regulations and the creation of government institutions to reflect those changes (Bell 1989, 2008). When public policy is conducted on this scale, and is successful, it can lead to a comprehensive paradigm shift in a society. While examples of widespread change for minority groups through policy change are rare, policy-making has the potential to be an extraordinarily effective tool for protecting the rights of minority groups and attaining substantive equality for them.

Mark Weller notes that civil society can play an important role in affecting public policy through the work of consultative bodies. These bodies constitute “a particularly relevant part of the toolkit of participation mechanisms for minorities where they are not fully represented in elected and other bodies”. Indeed, Weller writes that, even where minorities do have some direct representation, they often “will only be able to exercise quite limited influence in relation to legislative and other projects, given their non-dominant position in society and hence also in elected bodies. [Thus,] consultative mechanisms often prove more effective in transmitting the interests of minority constituencies into the chain of legislative of political decision making” (Weller 2010, 478–479).

Consultative bodies *founded by and/or for* minority groups, play an important role in articulating the concerns and interests of their constituency, in an environment often dominated by more mainstream institutions. Not only do they bring their concerns to the attention of government and the wider public, they also “perform an important function in mobilizing minority communities and in streamlining their own ability to represent themselves [by] enhancing capacity-building among [these communities,] reviewing and commenting on [relevant] legislative initiatives [and] campaigning to support the drafting of [desired] legislation”. They subsequently support its implementation, which they are then well positioned to monitor and evaluate. Consultative bodies also contribute to public awareness of legislation passed and its impact on minority communities (Weller 2010, 484; 490–491). The work of such groups is particularly crucial in deeply divided societies where government and mainstream institutions practice near or total exclusion of minority groups and where attitudes toward such groups can range from ambivalence to downright hostility. While the ability to affect deep and sustainable change for groups working on the margins of society may be limited, their presence can represent a vital addition to a holistic policy discourse.
Policy institutes, social movements and knowledge

Many current and historical examples of civil society organizations, similar to the consultative bodies described by Weller, have played meaningful roles in various social movements. Policy institutes have provided support for research, for effective public education campaigns, and for the nurturing of professionals, and have helped to develop a linked network of like-minded organizations that work on different aspects of the policy process. These activities have created and supported the infrastructure of social movements, which subsequently resulted in various measures of success. Policy groups’ consistent support and perseverance over a number of years have helped and even enabled social movements to influence public policy on a large scale.

The National Association for the Advancement of Colored People (NAACP) is a primary example of such a group. It was the preeminent civil rights organization in American history, with a mission to ensure educational, social and economic equality of rights of all persons, and to eliminate racial hatred and racial discrimination. An early victory of the NAACP against lynching is a good example of the power that well-researched publications – coupled with an effective public education campaign – can bring. In the 1920s, the NAACP’s main focus was ending lynching in the USA. While no law against lynching was ever successfully passed by Congress, the NAACP report, “Thirty Years of Lynching in the United States, 1889–1919”, launched a public debate that was widely credited with almost ending the practice (NAACP 2009).

The Center for Applied Legal Studies (CALS) in South Africa, provides another example of how such centers can strengthen civil rights movements: CALS played a crucial role in laying the groundwork for the dismantlement of Apartheid by bringing together “a multiracial coalition of judges, lawyers and educators [who] began to transform South African society more than two decades before the transition into democracy in 1994 [by educating] South Africans about their existing rights under the law, and [working] to expand those rights” (Marshall Clark 2006). Through the strategic use of research, networking and training legal workers, CALS and the coalition that it brought together helped change the culture of law and policy in South Africa. Without their work “it would have been very difficult for the politicians of the early nineties to agree upon a constitution which contained a bill of rights” (Dugard 2006).

More recently, the European Centre for Roma Rights (ERRC) has demonstrated the important role that such policy centers can play in influencing policy agendas. Although the Roma constitute the largest national minority in Europe, the issue of Roma rights has long been ignored on the policy level. While much remains to be done, thanks to the work of the ERRC and other organizations, Roma rights are now garnering increased attention in Europe. The ERRC has focused public and political attention on the human rights situation of the Roma, and leads advocacy efforts for the implementation of anti-discrimination law in Europe. According to T. Bedard (personal communication, 19 June 2007), they have utilized a number of tools to do this, including the formulation and distribution of key policy papers to influential stakeholders, legal work and training, monitoring and lobbying.

Despite a political agenda that is almost diametrically opposed to civil and minority rights movements, the conservative movement in the USA provides an
interesting example of how the effective use of research and policy analysis and a focus on community development and training can create the foundation necessary for a social movement. The relatively successful development of strategic research and training capabilities is widely credited as one of the key factors in the rise of the conservative movement in the USA. Jean Hardisty, one of the leading scholars of these issues in America, considers this to be among the important factors in moving American politics from the civil rights era to neo-conservative dominance (Hardisty 1994). She notes that “a movement[s] level of success is shaped by the strength and effectiveness of its infrastructure”. She further argues that, through their attention to movement-building and investment “in the building blocks or skeletal structure of their movement, such as publications, research centers, think tanks, and academic fellowships and chairs designated for rightist scholars, campus organizations, and youth groups”, the conservative movement managed to create “an overwhelming force that has swept the right to power and swept away liberal reformism in 15 short years”.11

Robert Bothwell, president emeritus of the National Committee for Responsive Philanthropy, also emphasized these tactics in assessing the effectiveness of the conservative movement. He quotes James A. Smith: “In the past two decades, the most important function served by the network of conservative think tanks has not been the germination of new ideas, but the creation of a ‘new cadre’ of professionals…Not only have the dozens of conservative think tanks created a framework for disseminating ideas that exist largely outside the established infrastructure of academic journals, university presses, and commercial publishing,…they have also designed career vehicles for conservative activists and thinkers.” Bothwell also quoted Callahan, who correctly predicted in the 1990s that: “Conservative think tanks are well positioned to help consolidate and extend the major conservative policy gains of recent years[having] perfected their strategies for building elite and public support for policy ideas through extended campaigns that reframe broad arguments, popularize specific blueprints for action, and mobilize grassroots support” (Bothwell 2003).

The experience of the conservative movement is instructive regarding lessons about strategies and mechanisms for advancing policy initiatives. The groups reviewed here have demonstrated the importance – and even necessity – of certain tools in building a social movement that will be able to influence policy and effect widespread change over time. Accordingly, minority rights practitioners can adopt their work strategies with the aim of protecting the rights and interests of disadvantaged groups and in leading the movement for social change.

Methodology

All of the above examples indicate that institutions that focus and invest their resources in promoting the growth and strength of the movement itself are likely to have significant influence on civil rights and other social movements. Accordingly, soon following its establishment in 2007, Dirasat, the Arab Center for Law and Policy, commissioned a qualitative survey with the aim of learning from the experience of others.

As a first step, we mapped organizations engaged in analogous work in other countries (Appendix 1). As Dirasat is a nonprofit civil society organization that
works on behalf of the Arab-Palestinian minority in Israel, we looked for nonprofit civil society organizations that work with minorities or other marginalized groups facing social, economic and legal challenges. Given that Dirasat planned on conducting a mix of activities, we also sought out organizations that conduct a large range of activities – research primary among them but also media, legal, advocacy, training and more – to learn about methodologies employed. We also sought a sample that was diverse geographically and in terms of approach. Of course, we strove to identify organizations with strong reputations in the field, which have experienced notable success and which employ innovative methodologies. Lastly, given that the research relied on phone interviews with high-ranking individuals, regretfully, we had to eliminate a number of promising organizations since we were unable to make direct contact with them. Out of 14 organizations reviewed, four policy centers were chosen to be the subject of in-depth case studies (Appendix 1). The studies were conducted by means of archival and web-based research, and written material including media items, as well as interviews with staff members (Appendix 2). In examining each organization, we looked to identify best practices and examine challenges and strategies that could inform Dirasat’s work.

The methodology used to examine these organizations was qualitative in nature; this was intentional as qualitative research is both descriptive and flexible. Our choice of methodology allowed us to tailor the research questions in accordance with the needs and challenges of the Arab-Palestinian minority in Israel, the context in which we work and the kinds of activities we hoped to conduct organizationally.

Qualitative research is also a key tool for developing public policy for minority and other marginalized groups (Ray 1994). As a known and accepted research methodology, and especially in combination with other forms of research-based evidence, it is one more tool that minority and other weakened groups can use to bolster their claims. Not surprisingly, minority and other such groups’ most critical needs are often social and economic; qualitative research is well-placed to investigate such questions (Ray 1994). Indeed, given the marginalization of minorities and other socially disadvantaged groups, the use of multiple methodologies bolsters their credibility and arguments, helping them to be more effective.

Significantly, and perhaps not accidentally, qualitative research also lends itself to investigating the needs of minorities (Liamputtong 2010). Often minorities and other marginalized groups are not appropriately represented in national samples and almost invariably have needs that are hidden or harder to identify. Owing to the flexible nature of such research, it can be structured to focus on questions and aspects of problems that are of particular concern and relevance to minorities. In establishing and implementing policy for diverse populations, the impacts on minorities and the ways in which policy affects them are likely to be different than for mainstream groups (Ray 1994). By creating research that focuses on their needs and contexts, the policy that flows from it is likely to be more effective and better applied by the target groups. Qualitative research can better inform the nuances of policy-making to meet the needs of these groups and to ensure the relevance of the policy for these groups. Such research also highlights and gives space to powerful stories and narratives that may not be heard. This can give a sense of urgency to social problems, thus encouraging action by policy-makers (William and Randall 2011). Indeed, marginalized groups that are outside of the mainstream and consensus have difficulties in getting their narrative recognized within established
realms; however, qualitative research can lend support to their positions and draw important attention to their concerns.

Our in-depth case studies encompassed four centers (Appendix 1). The first one was the South African organization CALS, a research and education institution that pioneered the use of rights-based law in South Africa. CALS also played an important role in educating the public about the rights of black South Africans, as well as in developing the South African constitution and subsequent policy and legislation. We also examined the ERRC, which strives to combat racism and human rights abuses against the Roma people and to achieve equal access to education, employment, healthcare and other public services for them. The third center was the Center for Budget and Policy Priorities (CBPP), one of the most respected policy institutions in the USA, which focuses on federal and state budgets and programs that affect low-income people, regardless of race or ethnicity. CBPP conducts research and budget analysis, publishes timely and credible policy papers, works strategically with the media and engages in training. Importantly, the CBPP is almost universally considered – by law-makers, journalists and other nonprofit organizations – to be one of the most respected policy institutions in the USA. Its success and experience in economic issues led to its selection. The final organization selected was the Irish Traveller Movement (ITM), which fights discrimination against Travellers (a small indigenous nomadic Irish minority) and strives to achieve equal rights for them. Their Legal Unit works to develop the body of Irish law regarding the rights of Travellers and to empower Traveller organizations to engage with the legal framework in order to secure their rights. Additional interviews were conducted with staff members of the Open Society Justice Initiative – a global project of the Open Society Institute (OSI) and the Counseling Centre for Citizenship, Civil and Human Rights in the Czech Republic (Appendix 2).

Best practices
To a remarkable degree, given the diversity of the organizations interviewed, there was a high level of consensus in terms of the most important factors in building an effective public policy initiative. They were also in agreement, for the most part, about how to impact civil rights movements and struggles for social change with the constraints inherent in advocating for marginalized groups. The key factors, as gleaned from the research, are outlined below.

Research, dissemination and media work
All of the public policy centers emphasized the importance of producing high-quality, credible policy research in a timely fashion. Undoubtedly, research and the creation of knowledge are the core of what they do and the basis for the rest of their activities. Indeed, the purpose of creating reliable and credible data is to ensure that it is applied in decision-making. Without such information (and sometimes even with it), governments will still disregard the voices of the marginalized. However, the existence of such data makes it more difficult for government officials to make decisions without basis. Accordingly, the production of knowledge is viewed as widely as possible. As a first step, the centers map existing knowledge and then identify gaps in understanding of an existing topic area. They will then facilitate production of knowledge that is lacking – either by conducting the research
themselves or by commissioning others to do it. The research findings will then undergo an extensive dissemination strategy. In addition to encouraging others to make use of the knowledge, such organizations will also apply findings themselves for the purpose of training and advocacy, and to bolster their own institutional reputations. Indeed, the creation of new knowledge and use of existing knowledge is central to the work of all of the policy institutions interviewed.

Offering reliable and accurate information to target audiences is central to the effectiveness of these centers. Indeed, while there is no doubt that the public policy centers reviewed were founded to promote the agendas of certain social groups, their reputations hinge on the creation of knowledge that reaches across these special interests and remains true to the highest standards of scholarship and the credibility of the findings. In order to produce knowledge of this nature, they must contract with researchers of the highest standards and ensure that the research undergoes rigorous review by knowledgeable peers. The findings, even in cases where they may be viewed as contrary to the assumptions of the group, must guide the formulation of policy. Research is not meant to support pre-existing policy; rather policy formulation flows from research. The ability of organizations with clear agendas to be open to considering findings contrary to the traditional stances of their own group is a mark of an organization’s credibility and loyalty to best practices.

The strategic research and creation of knowledge is always coupled with strategic policy analysis and publications. Through these publications, centers put the issues on the policy agenda. Marianna Berbac-Rostas of the OSI’s Justice Initiative noted that she places policy analysis on equal if not higher footing than litigation, especially in countries where the vulnerability of the minority population is high and the scope of the problem is not generally acknowledged by the public or by government institutions. Such publications have more impact when issued strategically. All of the centers stressed that, when conceptualizing research, they also take into consideration the long-term goal of the resulting publication. Reports are never intended to be used just once; rather, they become part of an overall “advocacy package” on a particular issue, or are actively used in partnership with other civil society organizations, academics or policy-makers. Furthermore, dissemination plans for a particular publication must begin before the report is researched or written, in part because the intended audience will determine its form.

For each of the groups reviewed, their website was a crucial tool in the dissemination of information, becoming a key resource for practitioners in the respective movements. Thus, the centers posted as much material as possible on the website, in full, and also maintained comprehensive and organized emailing lists, so that publications may be released widely, but in a targeted and strategic fashion. Beyond the website and emailing lists, press conferences or “stakeholder” conferences, other key stakeholders were invited to discuss the findings. All of these strategies were commonly used to promote publications. They found that, when possible, having an expert in the field, a law-maker or even a celebrity promote a publication can enhance effectiveness, as can public discussions, debates and ongoing media outreach about the report in question. Berbac-Rostas suggested that, for community-based public policy centers, investing in at least one full-time communications staff person helps to ensure maximum exposure in the media.

At the same time, some interviewees noted that press coverage is not an end in itself, and all press work should serve a strategic purpose. Indeed, being quoted on areas outside the organization’s expertise can injure its reputation if the information
used is less than impeccable. This in turn can impact its ability to effect change: all of the interviewees described the success of a given publication as dependent on the credibility of the center’s prior work. When a group has established its credentials as an accurate and central source of information, its publications are more likely to receive the respect and attention needed to have an impact.

**Institutional relationships**

All of the centers cited their reliable research, and the legitimacy it afforded them as representatives of their respective communities, as crucial to the development of their relationships – or at least their ability to work cooperatively – with the government and other public institutions. With the exception of CBPP, which never engaged in litigation against the government, the centers all began their work in a political atmosphere completely hostile to their goals, where their relationship to the government was adversarial, and governments often treated their work with contempt. With the passage of time, while the centers often still found themselves in conflict with their respective governments and public officials, they had built personal and professional relationships with government officials, and had become relied-on resources for government training and information-gathering. Of course, once a working relationship has been built with governmental and public bodies, groups must be wary of being co-opted or losing legitimacy in the eyes of their communities. However, for the interviewees, that was a concern for a later phase of organizational life.

**The intersection of law and policy**

When a question is raised about which issues a center should prioritize, the OSI Justice Initiative, which has experience with a range of groups, emphasized the necessity of being responsive to the needs of the community that the policy center serves. In fact, each of the centers studied had some feedback mechanism, whether formal or informal, to ensure that its work is important to the community. This may appear to be commonsensical, yet interviewees noted that there can be tension when the center tends towards more abstract “access to justice” issues, while the community is focused on issues that impact daily life. It is here that the centers found community education and engagement to be most important as this concretized the connection between the struggle for collective justice and individual justice. Unfortunately, collective legislative and policy changes on behalf of marginalized groups often do not translate into concrete changes in daily life. Several groups mentioned the difficulty of ensuring that legal rulings and broad-based policies are effectively implemented, especially in light of the necessarily limited budgets of public policy centers working outside of the consensus.

It is at this intersection between individual and collective concerns that the interdependence of the legal and policy work of public policy centers is so apparent. The interviewees all noted that, while legal strategies help individuals obtain justice, policy development can affect the entire community through legislative initiatives and policy reform. At the same time, developing appropriate legislation and policy is dependent upon gathering information through individual cases, and individual “stories” can “prove” to policy-makers and the public that the problem exists. Furthermore, by basing policy work on the concrete needs of individuals, it ensures
that the policy measures sought are grounded in the needs of the community. OSI’s Justice Initiative found that bringing together legal practitioners and policy designers (including analysts, legislative staff and policy-makers) to discuss the ways each group’s work can complement that of the others has proven particularly helpful.

**Capacity-building for the movement**

The review here indicates that social movements should strive to nurture and cultivate human resources and invest in capacity building for the movement itself. Three of the four centers suggested focusing resources on students; students’ activism is often still open to outside influence, and students can serve the civil rights struggle directly or work in government and public bodies, where they can wield influence. Even in private practice, students may choose to continue to contribute to the movement, for example as lawyers who will take on relevant cases, pro bono when possible. Although youth-focused programs typically train small numbers of people at a time, in a relatively intensive and long-term manner, they can have a substantial impact.

For shorter-term training and outreach efforts, on the other hand, all of the organizations focused on other civil society groups, activists and members of the communities they serve, although several interviewees emphasized the need to ensure the efficacy of their trainings. They emphasized that, wherever possible, the trainers should come from the target community, as this will build the center’s legitimacy in the community and present information in a way that is useful and culturally appropriate. They considered scholarships and fellowships for aspiring practitioners a less successful tool for capacity-building.

**Organizational structure and governance**

Organizational structure can also have a large impact in promoting the goals of policy institutes. Among the four centers studied in depth, the basic staffing and organizational structures were similar. Headed by an Executive Director or the equivalent, the centers were organized according to staff function or activity area, such as “research and policy” (with sub-categories by issue), “litigation” and “advocacy and campaigns”. There was usually a separate communications or outreach department responsible for dissemination of publications across all activity areas, and for other events that promote the organization or its work. Each organization also had a “development” (fundraising) department, and increasingly organizations had or planned to have an “information technology” staff person or persons. Although there was less uniformity in the governing structure of the four organizations, they were all strongly staff-driven. Generally speaking, the Board of Directors served to bring legitimacy to the organization through the inclusion of known experts and community activists, and these same people could also potentially provide political support for the work of the organization through their own personal reputations. Overall, the interviewees felt that the governing structure was less important than the extent to which an organization maintains legitimacy among the community it is designed to serve, by faithfully representing it and working on to promote its rights and needs. A noteworthy exception was ITM, whose membership-based, highly democratic model was a high priority within the organization, because it functions as a grassroots organization as well as a policy institute.
Challenges for public policy endeavours: funding, staffing and evaluation

While the four centers had somewhat divergent experiences in terms of funding, those experiences led to the same conclusion. ITM, which was founded without institutional funding, appeared to have the greatest financial difficulties and their activities varied the most according to funding, which made it difficult for them to follow through on a number of promising projects. Staff members of ERRC and CALS also spoke about a tendency among donors in recent years to provide “project-based funding” as opposed to general support. This kind of funding allows less flexibility and both centers were forced to discontinue useful programs and activities as general funding became increasingly difficult to find (Bumiller 2008). However, ERRC, CALS and CBPP were all founded with core funding from major institutional donors that granted them a number of consecutive multiyear grants, giving them the time and flexibility to grow and evolve without having constantly to fundraise in order to ensure core staffing from one year to the next. The interviewees from these organizations felt that a large measure of their success was due to this committed and open-ended support. Centers working on behalf of marginalized groups are unlikely to get sufficient financial support from their constituents owing to their relatively low socio-economic status. However, it is important that at least some of their funding comes from members of the local community as this points to the center’s legitimacy in the eyes of community members while ensuring accountability to the intended beneficiaries.

In addition to funding, another challenge identified by the centers in their quest for policy reform was finding high-quality staff with the right set of skills and attitude toward action-oriented research. One director noted that staff tend to gravitate either to advocacy or to research, but added that, as long as the organization has a combination of people that together possess the necessary skill set, it is adequately staffed. Possible solutions suggested by interviewees include forming relationships with policy departments, law schools and like-minded professors in order to identify potential staff members among the students, as well as instituting a robust internship program. This cooperation between public policy groups and academic institutions is important in meeting the needs in the field.

The lack of rigorous evaluation processes in any of the organizations was one of the more surprising findings. All interviewees considered evaluation both a challenge and a problem for the same reasons: it is hard to measure outcomes, especially of training and capacity-building, and in policy work it is hard to tease out an organization’s exact role in a given success or failure, because so many factors contribute to that outcome. Each center distinguished between quantifiable “outputs” – such as the number of papers published or the number participants in a seminar – and the less quantifiable fulfillment of the center’s goals. While they all tracked outputs, they recognized that these numbers were incomplete. This is so despite ongoing attempts to evaluate their comprehensive effectiveness. Nevertheless, all of the organizations had internal review processes and were keenly aware of the areas in which they were succeeding or not, even if it was hard to quantify. As the director of CALS said, “I can construct an argument about the impact I think we have had, but it is hard to prove”.

Y.T. Jabareen and R. Vilkomerson
Conclusion

Overall, the study confirmed the key role played by groups that offer policy analysis, policy recommendations, education, training and networking in the building of effective civil rights movements. What is more, the findings suggested that the existence of a public policy center or group that focuses on building the strength and resources of the movement will have a notable impact on the movement’s success over the long run. This is especially true in societies where previously existing civil rights organizations already focus on litigation and advocacy, and where the volume of court cases and the need to react to developments on the ground make it difficult to focus on building the skills and resources needed for sustainable social change. Furthermore, public policy institutes can and should prioritize their work strategically, according to the long-term needs of marginalized communities, rather than according to the likelihood that a given court case can be won.

For a developing policy institute, the most critical lessons learned from the study and the best practices outlined above were three-fold. First, producing accessible, credible and timely research on issues that are a priority to the community is essential in helping them to achieve their goals. Research of this nature is the building block upon which the credibility and legitimacy of a policy center rests, and it could be designated as a top priority for policy centers. Further, the study made it clear that research should never be undertaken for its own sake; rather, it must be a part of a long-term strategy for achieving a specific goal. To this end, investing in staff who can focus on a communications strategy and on building the technological infrastructure of the organization (including its website) is necessary in order to maximize the utilization of all publications. Finally, securing medium- to long-term support from core funders who are willing to partner with the policy institute and to invest in its long-term vision gives the organization a secure financial base that enables it to build its core staff and to grow organically and flexibly.

In conjunction with the analysis presented in this paper, Dirasat has drawn its own conclusions regarding how public policy centers working on behalf of minorities can shape their work and advance the community’s quest for systemic change. Dirasat’s experience is particularly relevant for those working on behalf of significantly marginalized groups in deeply divided societies. Among the most salient lessons learned are three primary strategies: the importance of specificity when articulating organizational goals (specificity); the need to dedicate sufficient time and energy to selecting and committing to areas of focus (perseverance); and the necessity of maintaining high professional standards (professionalism).

For an organization to make an impact, the essential first step is to achieve clarity regarding its goals and spheres of influence. A desire to increase the organization’s scope, to be “all things to all people”, or to take advantage of any funding opportunity that arises can blur the organizational mandate and result in diluted outcomes. Policy organizations, ideally, should have a well-defined mission and clear organizational mandate that allows them both the flexibility to select activities within their area of expertise and the ability to be as specific as possible regarding which aspect of any given problem they aim to address. This enables long-term commitment to strategically selected issues and the development of extensive and specialized partnerships to promote them.

Often, this kind of social justice work can feel slow, with results that are hard to identify and quantify. Frustrated by the pace of the progress they are making,
organizations may be tempted to try out different topic areas or implement new strategies, without fully examining those already in use. However, organizations will be more likely to have an impact if they maintain focus on specific subject areas for an extended period of time. For this reason, the process of selecting a topic of study or an area of change should be in-depth and thorough. Once the selection has been made, it is recommended that organizations make a commitment to see the process through to its completion, allotting a given project sufficient time for its full implementation and evaluation. The ability to do this depends on strong partnerships with funding bodies and other relevant partners who can help ensure the project’s financial sustainability and establish institutional structures to maintain the changes sought. Thus, when choosing an area of focus, the potential for these partnerships must be a central consideration, and policy groups should invest effort into persuading funders of the importance of persevering within a focused and specific remit.

Finally, in order to garner credibility and establish legitimacy – both among constituents and externally – public policy groups, and particularly minority groups, which often come under particularly intense scrutiny, must maintain impeccable standards of professionalism. A high degree of professionalism encourages consensus among diverse stakeholders and this can contribute to the adoption of sustainable and high-impact change. To the greatest extent possible, policy centers should contract highly regarded experts who have proven track records in the areas in which they specialize. Only through credible and high-quality research will public policy groups – which are generally regarded to be outside of the consensus – have any chance of bringing their interests, and the interests of their constituents, into the prevailing political discourse and having an impact (COWI Consortium 2010).

In societies where public and national institutions deprive disadvantaged populations of their rights and seek to keep them marginalized, public policy organizations face an uphill battle in the struggle for ensuring meaningful participation and creating social change. In Charles Lawrence’s words, this long march for social transformation, when it occurs, makes society as a whole, “more fully human” (Lawrence 1995). Just as there is no easy recipe for building an influential social movement, there is no guaranteed action plan for meaningful participation for marginalized groups. As every veteran of civil rights movements will agree, social struggles of this nature tend to be multigenerational, and need to be continuously nurtured in order to grow and flourish. What is clear, however, is that change on the highest levels will only take place in response to the demands and perseverance of the people (Edelman 2001). Although the marginalized can appear powerless, they do have power, and public policy centers have an important role to play in cultivating this power, and in painstakingly nurturing the movement. Hopefully, the ideas presented in this paper will be useful to civil rights activists and practitioners as they work to turn this latent power into concrete steps toward genuine social change.

Acknowledgment
The authors would like to acknowledge the contributions of Emily Schaeffer, Lisa Richlen and Antonia House in preparing this article and to thank Dr Aaron Back for reviewing the original report and sharing his insights.
Notes
1. This dynamic has been described as “symbolic violence”. See, generally, Bourdieu and Wacquant (1992).
3. Inglis argues that the term “multiculturalism” has emerged in recent decades to refer to (1) the existence of ethnically/racially diverse groups in a society or state; (2) policies and programs designed to respond to and manage ethnic diversity; or (3) a slogan and model for political action based on sociological theorizing and ethical-philosophical consideration about the place of those with culturally distinct identities in contemporary society. This third use of the term “multiculturalism” acknowledges that the existence of ethnic diversity and ensuring the rights of individuals to retain their culture should go hand in hand with enjoying full access to, participation in and adherence to, constitutional principles and commonly shared values prevailing in the society. Advocates of this kind of multiculturalism maintain that it benefits both individuals and the larger society by reducing pressures that could lead to social conflict based on disadvantage and inequality (Inglis 1996).
4. The organizations define themselves in a number of ways, including consultative bodies, policy organizations, think tanks and more. For the purpose of this article, we will call them public policy centers while recognizing that this is a broad term that encompasses many different kinds of groups.
5. The research was carried out by the authors who were contracted by the Nazareth-based Dirasat, the Arab Center for Law and Policy, to complete this project. The work was supported by the Ford Foundation.
6. Dirasat (‘studies’ in Arabic), established in 2006, is a nonprofit, nongovernmental and nonpartisan organization. Founded by a group of young Arab policy leaders, academics and social activists, Dirasat endeavors to improve the socio-economic status of the Arab-Palestinian minority in Israel, currently comprising some 20% of the State’s population, and works to achieve substantive equality for this indigenous linguistic, cultural and national group. Dirasat, a “think-and-do-tank”, emphasizes applied research as the basis for development of innovative and pro-active policy reform and recommendations. Dirasat then promotes these policy recommendations through advocacy campaigns and capacity-building. More information about Dirasat’s work is available at: http://www.dirasat-aclp.org/index.asp
7. We realize that that many different minority groups were not covered in the research, such as sexual minorities, refugees and, in some cases, immigrant groups. While this may make the sample less representative, it enabled us to place special emphasis on groups that are most similar to our own.
8. Today, Arab-Palestinian citizens in Israel consistently rank at the bottom of all major national socio-economic indicators and discrimination is a regular occurrence in resource allocations in nearly every field. Furthermore, Arab-Palestinian citizens continue to be excluded from centers of power, underrepresented in public institutions and nearly invisible in the public sphere. For a broader discussion on the status of Palestinian-Arab minority in Israel, see Jabareen (2008a); International Crisis Group (2004); Amara (2003); Ghanem (1998).
9. For a comparative discussions of challenges facing minority groups, see, for example, Kook (2002); Harel-Shalev (2006). See, generally, Kymlick (2007).
10. Full quote: “a movement cannot succeed without substantial mass sentiment to support it, its precise level of success is shaped by the strength and effectiveness of its infrastructure [and the] right’s strategists, funders, organizers and activists have modeled the creation of an effective movement infrastructure”.
11. Ibid.
12. There is a present need within the policy community to ascertain what tools work best in which circumstances and for which target populations. Very little systematic work has been done in this area – which frequently leaves policy-makers essentially to guess as to the trade-offs between the choice of one tool and another (Ray 1994).
13. “Studies on the social construction of problems, on the differing interpretations of social conditions, on the building and sustaining of coalitions for change, on previous program initiatives and their impacts, on community and organizational receptivity to programs,
on organizational stability and cohesion during the formulation stage, and on the changing nature of social conditions are all germane to the questions posed here.” From Ray (1994).

14. Liamputtong (2010). The interpretive and flexible approach is necessary for cross-cultural research because the focus of qualitative research is on meaning and interpretation (Liamputtong 2007, 2009, 2010; Denzin and Lincoln 2008).
17. For more on how funding sources can influence the work of an organization, and some conflicts this presents, see Bumiller (2008).

References


### Appendix 1: List of organizations

<table>
<thead>
<tr>
<th>Name</th>
<th>Country</th>
<th>Mission</th>
<th>Website</th>
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<tbody>
<tr>
<td>Center for Budget and Policy Priorities*</td>
<td>USA</td>
<td>The Center on Budget and Policy Priorities is one of the nation’s premier policy organizations working at the federal and state levels on fiscal policy and public programs that affect low- and moderate-income families and individuals</td>
<td><a href="http://www.cbpp.org">www.cbpp.org</a></td>
</tr>
<tr>
<td>National Association for the Advancement of Colored People</td>
<td>USA</td>
<td>Founded in 1909, the NAACP is the nation’s oldest and largest civil rights organization. From the ballot box to the classroom, the thousands of dedicated workers, organizers, leaders and members who make up the NAACP continue to fight for social justice for all Americans</td>
<td><a href="http://www.naacp.org/">http://www.naacp.org/</a></td>
</tr>
<tr>
<td>National Council of La Raza</td>
<td>USA</td>
<td>The National Council of La Raza (NCLR) – the largest national Hispanic civil rights and advocacy organization in the USA – works to improve opportunities for Hispanic Americans. To achieve its mission, NCLR conducts applied research, policy analysis and advocacy, providing a Latino perspective in five key areas – assets/investments, civil rights/immigration, education, employment and economic status, and health. In addition, it provides capacity-building assistance to its Affiliates</td>
<td><a href="http://www.nclr.org">www.nclr.org</a></td>
</tr>
<tr>
<td>Applied Research Center</td>
<td>USA</td>
<td>The Applied Research Center (ARC) is a racial justice think tank and home for media and activism. ARC is built on rigorous research and creative use of new technology. Our goal is to popularize the need for racial justice and prepare people to fight for it. By telling the stories of everyday people, ARC is a voice for unity and fairness in the structures that affect our lives</td>
<td><a href="http://www.arc.org">www.arc.org</a></td>
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<tr>
<td>National Employment Law Project</td>
<td>USA</td>
<td>The National Employment Law Project (NELP) works to restore the promise of economic opportunity in the twenty-first-century economy. In partnership with national, state and local allies, NELP promotes policies and programs that create good jobs, strengthen upward mobility, enforce hard-won worker rights, and help unemployed workers regain their economic footing through improved benefits and services</td>
<td><a href="http://www.nelp.org">www.nelp.org</a></td>
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<tr>
<td>Name</td>
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<tr>
<td>National Immigration Law Center</td>
<td>USA</td>
<td>The National Immigration Law Center envisions a society in which all people – regardless of race, gender, immigration or economic status – are treated fairly and humanely. NILC engages in policy analysis, litigation, education and advocacy, to achieve this vision. NILC plays a critical role within the movement for racial, economic and social justice for low-income immigrants</td>
<td><a href="http://www.nilc.org">www.nilc.org</a></td>
</tr>
<tr>
<td>European Roma Rights Center*</td>
<td>Hungary</td>
<td>The European Roma Rights Centre (ERRC) is an international public interest law organization working to combat anti-Romani racism and human rights abuse of Roma through strategic litigation, research and policy development, advocacy and human rights education</td>
<td><a href="http://www.errc.org">www.errc.org</a></td>
</tr>
<tr>
<td>Irish Travellers’ Movement*</td>
<td>Ireland</td>
<td>Through litigation, advocacy, research, and technical assistance, the Open Society Justice Initiative promotes human rights and builds legal capacity for open societies</td>
<td><a href="http://www.opensocietyfoundations.org/about/programs/open-society-justice-initiative">http://www.opensocietyfoundations.org/about/programs/open-society-justice-initiative</a></td>
</tr>
<tr>
<td>Open Society Justice Initiative*</td>
<td>Hungary/global</td>
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<tr>
<td>Albanian Training and Resource Center</td>
<td>Kosovo</td>
<td>The Advocacy Training and Resource Center (ATRC) is based on the belief that an informed citizenry is the key to a democratic society, such as Kosovo is striving to become. Based in Prishtina, ATRC trains and assists nongovernmental organizations in Kosovo to professionalize their work, articulate their demands and press government structures for change.</td>
<td><a href="http://www.advocacy-center.org">www.advocacy-center.org</a></td>
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Appendix 1 (Continued)

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<th>Name</th>
<th>Country</th>
<th>Mission</th>
<th>Website</th>
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<tr>
<td>Counselling Centre for Citizenship, Civil and Human Rights*</td>
<td>Czech Republic</td>
<td>The CCCCRR is a nongovernmental and nonprofit organization, registered as a citizens’ assembly that monitors compliance of the Czech domestic laws with ratified international treaties on human rights and freedoms and legislative activities of governmental institutions with regard to the obligations arising from international conventions on human rights, and works for the creation of conditions for the cooperation between the nongovernmental sector and state institutions, with a special regard to human rights in the Czech Republic</td>
<td><a href="http://www.poradna-prava.cz/">http://www.poradna-prava.cz/</a></td>
</tr>
<tr>
<td>National Labour and Economic Development Institute</td>
<td>South Africa</td>
<td>NALEDI was formed in 1993 and carries out labor and economic research. NALEDI’s mission is to conduct policy-relevant research aimed at building the capacity of the labor movement to effectively engage with the challenges of the new South African society. Besides research, NALEDI’s work also includes managing multi-institutional projects at national and international levels</td>
<td><a href="http://www.naledi.org.za/">http://www.naledi.org.za/</a></td>
</tr>
<tr>
<td>Centre for Applied Legal Studies*</td>
<td>South Africa</td>
<td>The mission of CALS is to use the law to implement and protect the human rights of individuals; to facilitate the speedy development of a politically and economically just and sustainable society; through a combination of litigation, advocacy and research, to challenge systems of power and act on behalf of the vulnerable, and to act with courage against impunity</td>
<td><a href="http://www.wits.ac.za/cals/11037/centre_for_applied_legal_studies.html">http://www.wits.ac.za/cals/11037/centre_for_applied_legal_studies.html</a></td>
</tr>
<tr>
<td>International Labour Research and Information Group</td>
<td>South Africa</td>
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<tr>
<td>The Foundation for Aboriginal and Islander Research Action</td>
<td>Australia</td>
<td></td>
<td><a href="http://www.faira.org.au">www.faira.org.au</a></td>
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Note: Please note that all of these organizations are nonprofit civil society organizations.
*These organizations were interviewed. See Appendix 2 for further details.
Appendix 2: Interviews conducted

Pavla Bouckova Paradna, Program Coordinator, Extending Capacity of Public Administration and Legal Professionals Project, Counseling Centre for Citizenship, Civil and Human Rights, Prague, 18 June 2007.

Tara Bedard, Special Projects Director, European Roma Rights Centre, Hungary, 19 June 2007.

Iris Lav, Deputy Director, Center for Budget and Policy Priorities, Washington, DC, USA, 19 June 2007.


Damien Peelo, Executive Director, Irish Travellers Movement, Ireland, 27 June 2007.

Kathi Albertyn, Director and Professor of Law, Centre for Applied Legal Studies, South Africa, 2 July 2007.