

GATHER THE PEOPLE

Community and Faith-Based Organizing and Development Resources

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GTP ORGANIZER TRAINING

Training Guide #46

Principles and Methods of Grassroots Lobbying

“LOBBYING” VERSUS “ORGANIZING”

- The dictionary defines lobbying as acting “to influence the thinking of legislators or other public officials for or against a specific cause”—by which we understand, of course, to influence their *decisions*.
- But that sounds a lot like *organizing*.
- In general, when people speak of *lobbying*, they usually have in mind the process of influencing government or corporate policy, practice, or product through *argumentation based on facts and logic*; when they speak of *organizing*, they usually have in mind the process of exerting influence through *building and exercising power*.
- So is lobbying a tool of organizing or is organizing a tool of lobbying?
- Certainly, lobbying can’t succeed without power and organizing can’t succeed without facts and logic (i.e., a constructive alternative to the existing policy, practice, or product).
- So when we think about lobbying, it’s not exclusive of organizing; it’s just that we’re concentrating more on argumentation than power.
- The practical implication is that when lobbying we’re much more focused on the presentation of our case, i.e., all the facts and arguments that we can make to influence the decision-maker.
- But for present purposes, we’ll look at both dimensions—first at some principles and methods of coalition-building, then how to enhance the various facets of lobbying “argumentation” and giving testimony before legislative committees.

COALITIONS ARE A CRITICAL PART OF SUCCESSFUL LOBBYING

- Coalitions are especially important when lobbying decision-makers in larger arenas, such as state and federal governments.
- One may be tempted in formulating policy to think of oneself as the “brains” of the policy initiative, having done the research and analysis to produce a policy proposal.
- Policy analysts may think and act implicitly as if someone else will organize the coalition or, for all practical purposes, it will somehow organize itself; that is, they may act as if the issue will be so compelling that other groups and organizations will want to jump on board.
- Needless to say, this kind of thinking can be a dangerous self-delusion. —One can easily end up leading a parade with no bands or floats.

- It's possible to alienate others by excluding them from the policy-formation process and, if they don't own it (i.e., if it doesn't represent their interests the way they want them to be represented), they won't invest in it.
- One can seriously miscalculate the reactions to a proposed policy.

WHAT ARE THE BASIC RULES IN CHOOSING LOBBYING COALITION PARTNERS?

- The accepted wisdom on the subject of choosing coalition partners in lobbying is that we can't afford "enemies"? (Whoever supports our position is potentially a partner, notwithstanding that we have other disagreements on values, principles, or policies.)
- But it's still important to understand coalition partners' ideologies and interests. (Because it gives us some idea of their "limits" on any particular issue, i.e., how far we can rely on them, and how other interests may react to our alliances with them.)
- Every choice of a coalition partner, like every issue pick, entails both winning *and* losing support elsewhere.

ATTENTION TO THE ADMINISTRATIVE DETAILS OF MOBILIZING SUPPORT IS A BASIC LOBBYING ASSET.

- Ability to keep detailed and accessible records is critical to mobilizing grassroots support for lobbying.
- It's essential to have a database management system that not only keeps track of all contacts, whether supporters or decision-makers, but one that can easily print out calling lists, reminder notices, turnout letters, etc.
- It's essential to have an e-mail and fax broadcasting capability.
- It's essential to build an inventory of web sites for quick research and reference.

WHAT ARE SOME IMPLICATIONS OF ESTABLISHING PRIORITIES?

- Virtually every policy proposal regarded as constructive also has a destructive effect by someone else's lights.
- Taking a position on a policy proposal automatically means gaining and losing allies.
- Politics is about compromise, so you not only get less than what you want when you "win," you also get some of what someone else wants.
- Much of the bargaining goes on within your own coalition or organization.

WHAT ARE THE PRACTICALITIES OF COALITION COMPROMISE WHEN LOBBYING?

- Whether you lose your constituency or your coalition partners is, of course, important—give away too much and you undermine your credibility with your constituency; give away too little and you lose your coalition partner.
- But hanging on to principle in some cases, when the result of caving would create a sense of outrage among supporters, can stiffen resistance and win new support, ramping up the campaign's energy.
- Giving up something to the preferences of a coalition partner can strengthen the coalition, i.e., help the "builds: while temporarily setting aside the need for "wins."

HOW DO YOU CHOOSE A DECISION-MAKING TARGET?

- One approach, "think about who can have the greatest impact on policy decisions."
- Another criterion: who is the lowest-level decision-maker in the system with the power to give you what you want?
- Why?
 - The higher you go, the more clout you need.

- When you start high, invariably you're asked if you tried low.
- Learn on the less important targets.

THERE ARE THREE KINDS OF LOBBYING TARGETS: DIRECT, INTERMEDIATE, AND INDIRECT.

- “Direct” targets are the actual decision-makers;
- “Intermediate” targets “transmit the message” to the real or direct target.
- “Indirect” targets are individuals and organizations that can influence direct targets:
 - For example, well-known business contributors to a representative’s campaign.
 - The contributor, unused to and uncomfortable with pressure, gets the representative’s attention to the issue and our group.

WHAT ARE SOME OF THE QUESTIONS TO ASK WHEN DEVELOPING A STRATEGY FOR A LOBBYING CAMPAIGN?

- Who are our potential allies?
 - What are their potential stakes?
 - What resources can they bring to the effort?
 - How will this campaign affect our traditional allies?
- Who are our potential adversaries?
 - What are their potential stakes?
 - What resources can they bring to oppose us?
 - How will this campaign affect our traditional adversaries?
- Who are the third-party players, such as independent public-interest research organizations, print and electronic media, and nonpartisan voters’ leagues?
 - How will they cut the issue?
 - Do they have a biased track record on this issue?
 - Do we have any friends among them?
- What’s the potential gain or loss in organizational mileage?
 - How will this affect our membership?
 - Will it build the leadership?
 - Does it give us a fundraising handle?
- What’s our assessment of the strategic resources required to win?
 - People
 - Allies
 - Handles
 - Intelligence and information
- What’s our assessment of *our* current and potential strategic resources for this issue?
 - People
 - Allies
 - Handles
 - Intelligence and information
- Is the timing right?
- What other options do we have to achieve our goals and objectives?

THERE IS SOME OPINION THAT BUREAUCRATS ARE RELATIVELY FREE TO IGNORE OUTSIDE PRESSURE.

- The basic rule of pressuring targets is that politicians react to publicity that reflects on their character, bureaucrats react to disrupting their provision of services and programs, and corporations react to loss of their product’s reputation.
- How might it be possible to pressure bureaucrats?

- Go after their elected bosses on related character issues.
- Disrupt their delivery of services; for example: pressure a tax assessor to keep some of his offices open during evening hours for the convenience of working people by organizing a large number of people to file assessment challenges and stop up his operation, with high-exposure media coverage.
- Make them *fully* live up to their own bureaucratic rules.

WHEN PLANNING TO LOBBY ON AN ISSUE OR POLICY, IT'S ESSENTIAL TO KNOW THE OFFICIAL'S VIEWS *BEFORE* THE MEETING, WHICH CAN BE LEARNED FROM SEVERAL SOURCES.

- Archives of the major daily newspaper in the district (often available online)
- Internet search on the representative's name
- County clerk/secretary of state for campaign contribution reports
- Usual legislative voting and speech-making records

HOW DO YOU BUILD A RELATIONSHIP WITH THE DECISION-MAKER YOU WANT TO LOBBY?

- Spend less time talking and trying to persuade, especially at the outset.
- Ask penetrating and challenging questions, the answers to which foster insight and are gauged to your solution strategy.
- Give direct testimony about the human pain of the problem.
- Always treat the target with kindness and respect, and, if you can manage it, graciousness—it's the ethos of the legislature, despite your momentary disappointment or annoyance (which is easier to say than do, but made more possible by pre-meeting role-plays).
- Always present your credential clearly and don't brag or be falsely modest about your support in the district.

HOW DO YOU EXERT DISPROPORTIONATE INFLUENCE ON THE MEDIA SO THAT THEY WILL INFLUENCE THE DECISION-MAKER?

- Use all your usual media know-how.
- Form a citizens' commission, take quotable testimony, prepare a report, and deliver it with lots of fanfare.
- Do a major newsworthy action that involves action from the perspective of the electronic media.
- Tie your story to other major news events and, at a minimum, get a front-page or page-two sidebar.

HOW DO WE KNOW WHAT ARE THE MOST IMPORTANT INFLUENCES ON LEGISLATORS' DECISIONS?

- We have a number of self-reporting studies.
- But these studies are subjective and rely on the honesty of the subject.
- We shouldn't expect anyone to admit, "I was bought by big business."

WHAT *REALLY* MOTIVATES DECISION-MAKERS?

- Be very cautious about *generalizations* in this area, but use the following list to sensitize yourself to each individual's possible motivations.
- Possible motivations include:
 - Anything that advances one's career
 - Avoiding pain and punishment (e.g., bad publicity)

- Engendering “good will,” especially with big contributors and the majority-constituency
- Satisfying outstanding political IOUs and acquiring IOUs
- Acquiring and conserving electoral resources
- What fits the target’s definition of the “public interest”
- What fits someone else’s definition of the “public interest”
- Decision-makers also have overall styles of operating and areas of interest:
 - Ideas (especially those that are innovative or on the cutting edge)
 - Impacts on constituents
 - Policy action (movement and passage of legislation)
 - People and relationships

NOTWITHSTANDING THE DIFFICULTIES OF ANSWERING THESE QUESTIONS, WE STILL HAVE TO PREPARE OUR ARGUMENTS.

- The basic job is to argue so convincingly that we get the target to modify his or her definition of the situation.
- The argument is always audience-centered, i.e., the test of the argument is whether it persuades a particular audience, not whether we think it’s valid.
- To generate such an argument we have to ask ourselves several questions:
 - What’s the target’s present focus and what do I want it to be?
 - What are the target’s definitions of reality and how might they be changed?
 - What are the target’s related value preferences and how can I argue them?
- In answering these questions we have to determine the overall position of the target, whether:
 - An *active ally*, whose interest we need to maintain with attention and information.
 - A *committed opponent*, who for the most part we’re not interested in reaching because debate with this individual tends to harden his or her position.
 - An *uninvolved target*, who we want to get involved with a limited commitment that, in time, can be built into a larger commitment.
 - An *ambivalent target*, who may initially appear as an opponent or apathetic, and who we avoid debating but instead agree to disagree with, while keeping up a steady barrage of facts on conditions that support our point of view.

WHAT ARE THE ESSENTIALS OF THE POLICY BRIEF?

- A “brief,” which is a term taken from legal practice, is a formal outline listing main contentions along with supporting evidence and documentation.
- A policy brief is a detailed set of arguments and supporting evidence on *both* sides of a policy proposal (for reasons that will become clear momentarily).
- The brief is organized around a set of issues that cover all the essentials of the policy proposal.
- These are not “issues” in the precise way we think of them in the organizing arena but rather potential points of contention in an argument.
- The brief is a resource you use in a variety of ways, but it’s not given to the press or the policy-maker in its raw form.
- The brief can include three kinds of arguments:
 - Arguments based on definition*, for example: “community mental health services are a good investment” depends on the definition of what regards as “a good investment.”

- Arguments based on cause and effect*, for example: “toxic chemicals in the soil cause an upsurge in cancer rates” depends on whether we can prove (i.e., argue effectively) the causal relationship.
- Arguments for action* have to answer four basic questions: Is there a need for change that justifies the action? Will the proposed action meet the need? Is the proposed action feasible? Will the benefits of the proposed action outweigh any harmful consequences?
- The basic outline of the brief includes:
 - Need for a change
 - The proposed plan for change
 - The feasibility of the proposed plan
 - The potential positive and negative consequences of the proposed change
 - The rebuttal to the arguments against the proposed change

PREPARING TO MEET AND MEETING WITH A DECISION-MAKER AND IN THE MEETING ITSELF, FOCUS ON THE TARGET'S INTERESTS, NOT YOUR OWN—AND PRE-TEST EVERYTHING FROM BEHIND THE TARGET'S EYEBALLS

- Pre-test everything from behind the target's eyeballs.
- Stay focused on the decision-maker's interests.
- Review all the points of your policy presentation from the target's perspective.
- Show that the position on the policy you're promoting will, from the decision-maker's perspective, be welcomed and appreciated by the target's constituents.
- Remember, especially, that in addition to your policy proposal, *you* are being sized up—so be sure to pay attention to how you will be perceived by the target.

GROUP MEETINGS WITH TARGETS WILL MAKE MORE OF AN IMPRESSION THAN MEETING AS AN INDIVIDUAL

- Three levels of preparation:
 - One-to-one preps with leaders* build essential understanding about your issue, agenda, process, and discipline.
 - A *planning meeting* in which the agenda and process are set, including the questions to the target and who's going to ask them, introductions and credentials and who's going to give them, etc.
 - A *role-play rehearsal* in which the target's possible reactions and how to handle them are explored.
- Many of the basic rules of research actions apply here, including a post-meeting debriefing.
- The best group meeting is when you invite the target to a meeting with hundreds of your organization's members.
 - Such actions have their own rules and structure, which are covered in other training materials.
 - One basic rule, however, is that the agenda explicitly states in large print, “No questions or comments will be taken from the floor.”

YOUR BASIC AGENDA FOR THE MEETING

- Credential
- Your interest/stake in the policy
- Your reasons for favoring the policy
- Arguments against your proposal and your rebuttals to them

- Closing questions (asking for commitments)

ASKING FOR A COMMITMENT

- Always ask and be direct: “Will you vote for our bill in committee and if it gets to the floor?”
- If it’s too early to expect a commitment, ask for a commitment on *when* a commitment will be made: “Our members would like to know when you’ll commit yourself on this issue—for or against.”
- After your meeting with the decision-maker, maintain follow-up whenever you have new information, developments, added coalition partners, etc., and keep posing the commitment question.
- Never make threats or slam the door.
- Always be thorough, accurate, and honest in presenting information.
- Let the decision-maker take the credit in his or her press release and media interviews; you take the credit in yours.
- You don’t win the policy debate with good information alone, but you may win the good will and appreciation of the target (if a legislator) for providing it—you may lose the issue but win the relationship.
- Remember, your information and arguments don’t prove that you’re right, only that your position is sensible and defensible and in the interests of many voters.
- The hardball side of this process is your power base.

TESTIFYING IN LEGISLATIVE HEARINGS IS A COMMON ASPECT OF LOBBYING.

- Although the ostensible purpose of legislative hearings is to gather information, legislators are usually well-informed through the work of their own staff and information provided to them directly through a wide range of public, private, and nonprofit lobbying organizations.
- The legislative hearing, however, gives the lawmakers the opportunity to hear all sides of an issue and to ask questions and challenge witnesses in a relatively brief span of time.
- It also gives them an opportunity to pose as wise and statesmanlike in front of the media.
- Basic rules for testifying in legislative hearings:
 - Decide first whether it’s useful to testify at a particular hearing, which it may not be if you’re only going to be used as a punching bag by an overtly hostile legislator (unless this fact offers a good likelihood for sympathetic press coverage).
 - Try to find out why the hearing is being held at this particular time, which you may be able to learn from friendly lobbyists and advocacy groups.
 - Check to see if your representative is on the committee, which increases your chances for getting to testify.
 - If you’re not allowed to testify, submit written testimony—which can also be given to the press, and which may be just as valuable as testifying.
 - Keep focused on your purpose, which is to get your side of the issue out, and on your audience (whether the legislators, the news media, friendly committee members who need ammunition to support your position, etc.).
 - Make sure you know who else is testifying at the hearing (the committee chairperson’s staff director is usually willing to share that information), so you know what arguments your opposition will be making.

- Never engage in arguments with committee members; they always have the last word, and you look like a teenager arguing with a cop.
- Make sure you maintain your own dignity and allow the legislators to maintain theirs.
- Have enough copies of your written material for all the members of the committee, your own representatives (who may not be on the committee), the news media, and other friendly advocacy groups.

WHEN YOU TESTIFY BEFORE A LEGISLATIVE COMMITTEE, IT'S A VIRTUAL CERTAINTY THAT YOU'LL BE ASKED QUESTIONS BY MEMBERS OF THE COMMITTEE.

- Some members of the committee may attempt to engage you in debate,
 - Always treat this response to your presentation as legitimate questioning.
 - Answer it from your prepared responses to common criticisms of your argument.
- In some cases, members of the committee may attack not your arguments but you, attempting to make you look bad personally.
 - Make sure it's a personal attack and not a misunderstanding.
 - Calmly restate your position, possibly adding an illustration.
 - If the legislator is trying to make you look bad, treat him or her with respect and maintain your own dignity.
 - Don't get into an argument.
- Committee members will occasionally raise issues entirely extraneous to your testimony.
 - Answer briefly.
 - Then get the subject back on track.
- You may get questions that are friendly, neutral, or hostile, but in any event which you can't answer.
 - Never fake it.
 - Say that you don't have the information at hand but you will try to get it.
 - Follow through promptly and thoroughly.

GENERAL GUIDELINES

- Know all the players, rules, procedures, and deadlines, inside and out.
- Know the target's position on your proposed policy *before* the meeting.
- If possible, meet with decision-makers on your turf (which *is* possible if you can manage a significant membership turnout).
- If you have press clippings, bring copies as part of your credential.
- Plan and role-play meetings ahead of time.
- Petitions are a waste of time, unless they bolster your membership credential, in which case you can drop them on the decision-maker's desk.

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