

Advocacy Impact Evaluation

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Utilization-Focused Evaluation

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Advocacy and policy change evaluations focus on policy as the unit of analysis rather than the more traditional program or project. There is growing interest in this form of evaluation as evidenced by a new American Evaluation Association Topical Interest Group with this focus. (See <http://www.eval.org/aboutus/organization/tigs.asp>.)

Julia Coffman (2007) began her important article “What’s Different About Evaluating Advocacy and Policy Change?” by noting what’s *not* different. I want to reaffirm her perspective. Advocacy evaluation, like all evaluation, is guided by the profession’s Principles and Standards. Advocacy evaluation can be, and I believe should be, *utilization-focused* (Patton, 2007). That means focusing the evaluation on *intended use by intended users*, and evaluating the evaluation by that standard.

First, Do No Harm

The advocacy evaluation example I want to share was commissioned by The Atlantic Philanthropies, a major philanthropic foundation. Several foundations funded a campaign aimed at influencing a Supreme Court decision. The collaboration of foundations committed over \$2 million to a focused advocacy effort within a window of nine months to potentially influence the Court. The evaluation case study examined the following question: *To what extent, if at all, did the final-push campaign influence the Supreme Court’s decision?*

The foundation’s staff and Board wanted to know if funds spent on judicial advocacy made any discernible difference. If so, what lessons were learned that might influence such efforts in the future—and thereby guide foundation grant-making? Here’s what we concluded:

Evaluation Conclusion

Based on a thorough review of the campaign’s activities, interviews with key informants and key knowledgeable, and careful analysis of the Supreme Court decision, we conclude that:

The coordinated final-push campaign contributed significantly to the Court’s decision.

In discussing this evaluation example, it would be easier and clearer if I could report the details. It’s an interesting and, I believe, an impressive exemplar. However, one of the factors that contributed to the campaign’s success was that it was a *stealth campaign*, so designed to avoid arousing strong opposition.

In a meeting with key activists, advocates, and funders to review the evaluation case study, the activists and advocates who had been involved in the campaign expressed strong reservations about making the evaluation report public for fear that it might draw attention to the coalition’s strategy, organization, and funding, thereby arousing opposition to either the ruling or future efforts in this arena. There

is also ongoing advocacy and policy change work at the local, state, and federal levels on related issues. Those involved in these efforts expressed concern that publicizing the details of their successful campaign might jeopardize ongoing work and future campaigns, especially since one of the dimensions of the coalition's effectiveness was its stealth nature, essentially maintaining a low profile and working behind the scenes.

Based on that discussion, all present agreed that for the time being the evaluation report would remain confidential with limited circulation to those involved in executing and funding the campaign. To safeguard that commitment, we agreed that only hardcopies of the report would be produced and shared with that limited group to avoid inadvertent electronic distribution.

We also agreed to an annual check-in with those who participated in this decision to determine if conditions have changed and/or enough time has passed that the report, or some version of it, can be distributed for the broader benefit of activists and funders.

In effect, we adopted the time-honored principle of *First, Do No Harm*. In my nearly 40 years of evaluation practice, this was the first time I had encountered a well-documented and highly successful intervention, carefully evaluated, where those involved did not want the story told. That illuminates, I think, one of the central challenges of doing advocacy evaluation. The stakes can be quite high and sharing the details of success is not a given.

While the details of the case cannot be shared, there is agreement that we can share the overall generic evaluation methods and general lessons from the findings.

GEM Case Study Method

The method we used in evaluating the Supreme Court advocacy campaign is what Scriven (2007) has called GEM: *General Elimination Method*. It is a kind of “inverse epidemiological

method”. Epidemiology begins with an effect and searches for its cause. In this application of GEM, we have both an effect (the Supreme Court decision) and an intervention (the advocacy campaign), and we are searching for connections between the two. In doing so, we conducted a retrospective case study. Using evidence gathered through fieldwork—interviews, document analysis, detailed review of the Court arguments and decision, news analysis, and the documentation of the campaign itself—we aimed to eliminate alternative or rival explanations until the most compelling explanation, supported by the evidence, remained. This is also called the forensic method, or “modus operandi” approach. Scriven brought the concept into evaluation from detective work in which a criminal's MO (modus operandi, or method of operating) is established as a “signature trace” that connects the same criminal to different crimes (Davidson, 2005, p. 75). The modus operandi method works well in tracing the effects of interventions that have highly distinctive patterns of effects.

The evidence brought to bear in the evaluation of the judicial advocacy campaign was organized and presented as an in-depth case study of the campaign in four sections: the litigation work; the coordinated, targeted state organizing campaigns; the communications and public education strategies; and the overall coalition coordination. The case study involved detailed examination of campaign documents and interviews with 45 people directly involved in and knowledgeable about the campaign and/or the case, including the attorneys who argued both sides of the case before the Supreme Court. Several key people were interviewed more than once. The case also involved examining and analyzing hundreds of documents, including legal briefs, the Court's opinions, more than 30 other court documents, over 20 scholarly publications and books about the Supreme Court, media reports on the case, and confidential campaign files and documents,

including three binders of media clips from campaign files. The case also drew on reports and documents describing related cases, legislative activity, and policy issues. Group discussions with key campaign strategists and advocates were especially helpful in clarifying important issues in the case.

In each section of the case study, the context for the final-push campaign was established by presenting relevant historical facts, events, decisions, and activities. This is especially important in a case study of the judicial system because decisions are grounded in principles of precedent. Understanding the history is critical to the interpretation of the influences of the final-push campaign. Moreover, when conducting interviews with key knowledgeable, the interviewer's credibility with informants is enhanced, as is the quality of the interview itself, when the interviewer is well-prepared with an understanding of history, previous groundwork, and both legal and organizing precedents.

Given the multifaceted and omnibus nature of the total campaign, a particular value of constructing this kind of in-depth case study is that none of the informants completely knew the full story. And, of course, different informants about the same events and processes had varying perspectives about what occurred and what it meant. A case study, then, involves ongoing comparative analysis, sorting out, comparing, and reporting of different perspectives.

The full case doesn't emerge all at once. Indeed, it took time, including follow-up interviews, re-reading documents, and continuous fact-checking, for the full story to emerge. In a retrospective case study of this kind, we are often talking to people about events that they have "moved beyond" in their busy lives. Documentation is useful in returning to the past, but the critical judgments and perceptions stored in the memories of key players often take time and care to reignite. Developing relationships with key players was

critical to this process. We were especially appreciative of the time these key players gave to this process. Ultimately, it was their story and we simply had the privilege of recording it. And some day we hope it sees the light of day.

The Case Study as Evaluation Evidence

Case Study Review and Confidentiality

Part of our commitment from the beginning, both as a matter of ethical engagement and enhanced research validity to get the story right, was to provide key informants opportunities to review and correct the written products and to talk with each other about different perspectives. As noted above, that review process led to an agreement with major coalition partners and funders that the case study would remain confidential for the time-being so as not to jeopardize future work by either revealing important strategies or mobilizing an opposition.

The Case Study as Evidence for Evaluation

This case study constitutes evidence that can be used to make an informed judgment about the extent to which the campaign influenced the Supreme Court's decision in the case under review. The challenge in interpreting the evidence is that Supreme Court deliberations are private. The Court's published legal opinion states the official reasoning and legal arguments used in support of (and against) the decision, but it does not reveal the discussions that occurred in chambers or influences that extend beyond the legal arguments. The scholarly literature on the Supreme Court does attest to the significance of such influences. Justices are part of society and pay attention to what is going on around them politically, socially, culturally, and in the media. The case study draws on this scholarly literature. Nevertheless,

until such time as Justices and/or their clerks are willing to openly discuss what went into this specific decision (and that day will come, as it has for other landmark cases), we are left to speculate.

Standards for Making Evaluative Judgments: Cumulative Evidence and Contribution Analysis. In considering how to make conjectures about what influenced the Court's decision, a useful analogy might be the judicial model itself. In any case before a court, a judge and/or jury hears evidence, often conflicting and confused evidence, and sorts it out as best they can to reach an informed and hopefully fair judgment based on the cumulative evidence. This is the standard we applied and propose applying to advocacy evaluation more generally.

In this regard it is worth noting the distinction in evaluation between attribution and contribution. Attribution is a research concept that involves proving that *a* causes *b*. In pharmaceutical research, for example, randomized control trials are conducted comparing a drug with a placebo to establish whether the relief of symptoms can be directly attributed to the drug. This straightforward notion of cause-effect works well for simple, bounded, and linear problems, but does not work well for understanding complex systems where a variety of factors and variables interact dynamically within the interconnected and interdependent parts of the open system.

Under such circumstances, we conduct a complex contribution analysis instead of trying to render a simple cause-effect conclusion. Where attribution requires making a cause-effect determination, contribution analysis focuses on identifying *likely influences*. Contribution analysis, like detective work, requires connecting the dots between what was done and what resulted, examining a multitude of interacting variables and factors, and considering alternative explanations and hypotheses, so that in the end, we can reach an independent, reasonable, and evidence-based

judgment based on *the cumulative evidence*. That is what we did in evaluating the judicial advocacy campaign. From a contribution perspective, the question became how much influence the campaign appeared to have had rather than whether the campaign directly produced the observed results.

Some day, readers of the case study can make their own judgments about the contribution of the campaign to the Court's decision because the major facts are presented in the case. The primary intended users of the evaluation—senior foundation staff and trustees—do have access to the full, confidential report to help them decide if funding such judicial advocacy is worthwhile. What is missing from the case, as we noted above, is the discussions the Justices had among themselves and their own reflections on and revelations about what influenced them.

A Model for Effective Judicial Influence

The case study offers rich evidence for identifying, conceptualizing, documenting, and hypothesizing a potential model for effective judicial influence and action. In presenting the model, the caveat with which I opened this presentation must be mentioned yet again. One of the elements of the model is that the coalition designed and implemented an under-the-radar, behind-the-scenes, stealth campaign. Those most deeply involved have some understandable concern about having their work, strategy, and “model” made visible. For that reason, the elements here presented are fairly general and generic. The actual case study presents these elements with considerable specificity.

Model Dimensions and Characteristics

The centerpiece characteristic of the campaign was that it was run by a tight, well-organized,

and committed coalition of advocates and activists who put together an omnibus, coordinated, and integrated strategy. They then effectively and efficiently implemented that strategy under enormous time pressure. The strategy and implementation had six overall dimensions. The hexagon below displays these component elements: coalition partners, funders, a communications campaign, research, targeted state campaigns and grassroots organizing, and a litigation and *amicus* briefs strategy (see Figure 1).



Figure 1. A model for effective judicial influence

The final-push campaign, which this model depicts graphically, built on earlier efforts by activists and advocates. Those earlier efforts provide an essential context and laid the foundation for the final-push campaign.

Ongoing Capacity Building and Support for Those Involved in Justice Reform Efforts. This case study of the final-push campaign includes considerable attention to the importance of the groundwork laid in the five years leading up to the Supreme Court case, and even the longer term organizing efforts and legal challenges that spanned several decades. However, the case reveals considerable frustration among the most dedicated activists that funding was so hard to procure along the way. Those involved in what became the final-push coalition described a time when they were barely able to keep working on the effort. They were frustrated with the lack of support for

building capacity for the day when a final-push opportunity would emerge, as it eventually did, and as many predicted it would. The case provides evidence for the importance of capacity building work and ongoing support for activists and advocates so that when opportunities emerge, they are prepared.

In that regard, this case documents the critical importance of the coalition's ability to mobilize quickly when the Supreme Court granted *cert* (agreed to hear the case). The party brief and *amicus* briefs had to be submitted just six months after *cert* and oral arguments were heard nine months later. This critical window of opportunity was very short.

The case, then, invites funders to review their capacity to move funds quickly when a critical window of opportunity opens in the advocacy arena. The normal foundation processes of proposal submission, proposal review, proposal revision, contract negotiations, contract signing, and check-issuing are not geared to taking urgent action in highly compressed windows of time. Especially in the arenas of policy and judicial change, things can change quickly and the infusion of new resources in a timely manner can make a huge difference, as was ultimately the case in this final-push campaign. Funders committed to making a difference under such conditions need the capacity to act quickly. Where ongoing evaluation is involved, evaluators also need the capacity to intensify their data collection efforts quickly. The evaluation included a review of those elements in the philanthropic funding process that might constitute bottlenecks and barriers for advocacy funding (one of the areas of lessons learned).

- Are full proposals needed for new infusion of funds when a foundation already knows the key players and organizations that will be involved in an accelerated, intensified, and concentrated initiative, and when all involved understand that rapid action is essential?

- What kinds of discretionary funds can be set aside and available for quick allocation within foundations in anticipation of emergent opportunities that demand rapid action?
- When action is approved, how can the critically needed funds be moved quickly?
- What criteria indicate that a critical window of opportunity has opened that deserves rapid, intense and immediate mobilization and acceleration of funding? The Supreme Court granting *cert* is a clear criterion in this regard. Are there others for other kinds of policy change, e.g., a political change in which desired state legislation has an increased possibility for passage?
- How are accountability and evaluation different for such rapid response initiatives?

Moving Forward: A Systems Perspective. One of the results of the Supreme Court advocacy case study was focusing attention on bringing a systems perspective to bear in articulating the resulting model. We have since had occasion to examine evaluations of other policy change advocacy efforts in a cluster evaluation. Based on our synthesis of the findings from these various evaluations, we have generated a systems model depicting the interdependent elements of an integrated approach to policy reform that makes coalition-building a centerpiece strategy. The model consists of six factors that, together, contribute to strengthening policy reform. The model has significant implications for advocacy evaluation since each element must be documented and interrelated to gain a comprehensive perspective on systems change. The six elements in the generic model are:

1. *Strong high capacity coalitions.* Working through coalitions is a common centerpiece of advocacy strategy.
2. *Strong national-state-grassroots coordination.* Effective policy change coalitions in the United States have to be able to work

bottoms-up and top-down, with national campaigns supporting and coordinating state and grassroots efforts, while state efforts infuse national campaigns with local knowledge and grassroots energy. Strengthening strong national-state coordination is part of coalition development and field building.

3. *Disciplined and focused messages with effective communications.* Effective communications must occur within movements (message discipline) and to target audiences (focused messaging). Strengthening communications has been a key component of advocacy coalition building.
4. *Solid research and knowledge base.* The content of effective messages must be based on solid research and timely knowledge. In the knowledge age, policy coalitions must be able to marry their values with relevant research and real time data to engage the dynamic policy environment.
5. *Timely, opportunistic lobbying and judicial engagement.* The evaluation findings emphasize that effective lobbying requires connections, skill, flexibility, coordination, and strategy.
6. *Collaborating funders engaged in strategic funding.* Effective funding involves not only financial support, but infusion of expertise and strategy as part of field building.

Overall Lesson Learned for Effective Advocacy

In essence, *strong national/state/grassroots coordination* depends on having a *high capacity coalition*. A *solid knowledge and research base* contributes to a *focused message and effective communications*. *Message discipline* depends on a strong coalition and national-state coordination, as *does timely and opportunistic lobbying and judicial engagement*. To build and sustain a high capacity coalition, *funders must use their resources and knowledge to collaborate around shared strategies*. These factors in combination and mutual reinforcement strengthen advocacy efforts. In

classic systems framing, the whole is greater than the sum of parts, and the optimal functioning of each part is dependent on the optimal integration and integrated functioning of the whole.

Bringing a systems perspective to bear on a cluster evaluation synthesis ultimately means emphasizing the dynamic nature of the relationships among these factors. Figure 2, below, presents the system as a set of six overlapping circles. *Each circle is a focus for evaluation, as are the relationships among the domains.*

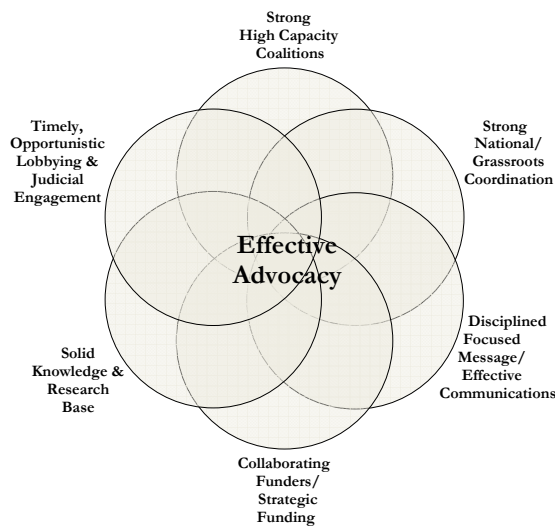


Figure 2. Six interconnected factors, dynamically interacting, that strengthen advocacy

Integrated Systems Theory of Change

The systems model in Figure 2 emphasizes the interconnected nature of these factors by depicting six overlapping domains, where each domain is a circle representing one factor. Together they contribute to strengthening advocacy efforts. An evaluation would track and documents these interconnections.

In contrast to the overlapping circles of Figure 2, the spider web depiction in Figure 3 is aimed at capturing the dynamic interplay and interactions among the six factors.

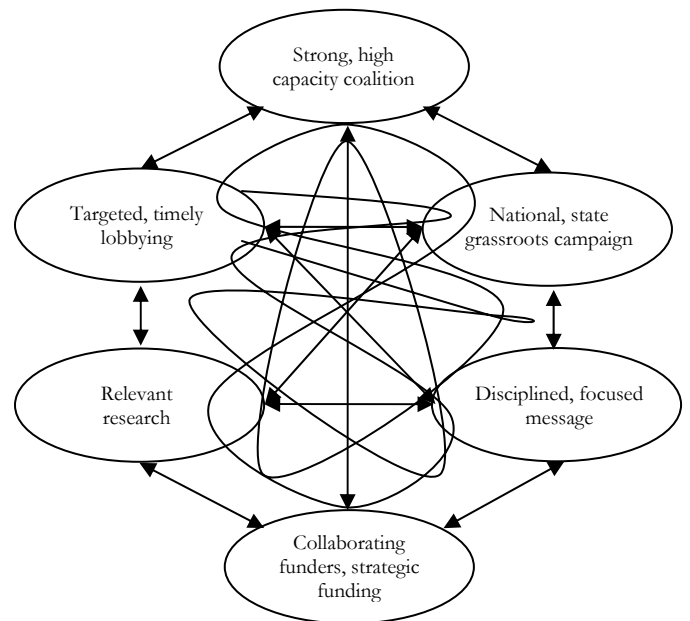


Figure 3. The interdependent system of factors that contribute to effective advocacy and change

Figure 4, below, offers a systems dynamics framing that emphasizes how one factor contributes to another, even as feedback loops provide reinforcement.

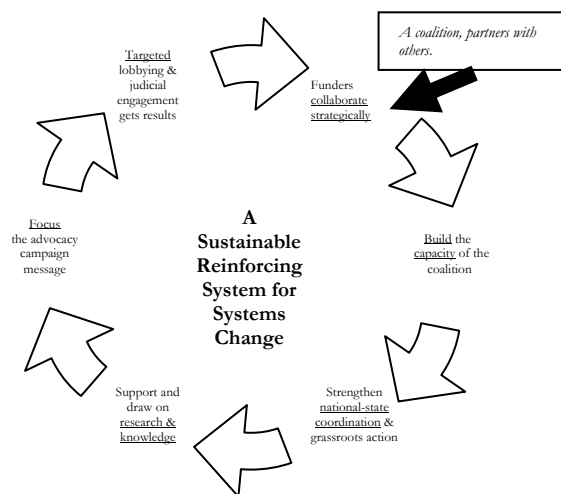


Figure 4. Sustainable systems change: Ongoing capacity development

A more complicated model adds feedback loops to the model as depicted in Figure 5.

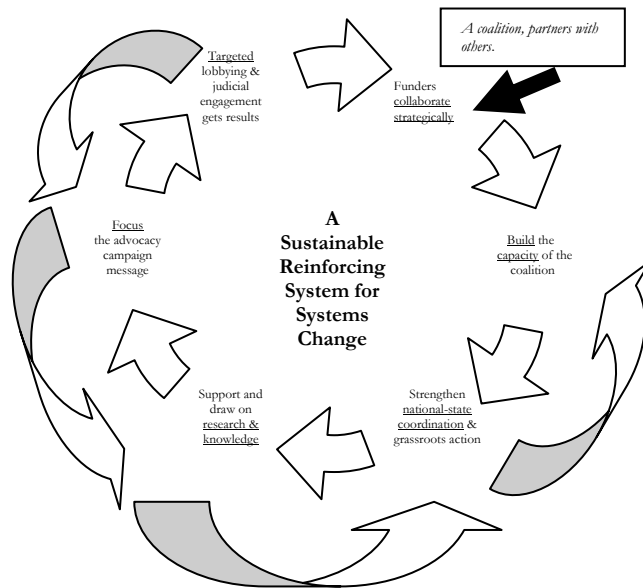


Figure 5. Sustainable systems change: Ongoing capacity development with feedback loops

Model Development and Evaluation

One task of advocacy cluster evaluations going forward will be to experiment with various depictions of the interrelationship among system factors based on feedback from advocates and evaluators to create models that capture the dynamic relationships in a meaningful and useful way.

Figure 6, following the references, provides another way of depicting the model.

Concluding Comments

Issues We Faced in Conducting this Retrospective Case Study Evaluation

What are the criteria for determining when the evaluator has enough information?

In case study analysis, saturation, triangulation, and redundancy are the guiding principles for determining the sufficiency of

information. When different sources provide the same evidence and additional sources are not turning up any new evidence, the evaluator can conclude that sufficient evidence has been collected to draw conclusions.

How Does One Know When to Look for a Competing Explanation?

One is always looking for competing explanations. *Occam's razor* provides guidance for choosing among competing explanations: The principle states that one should not make more assumptions than the minimum needed to arrive at a conclusion. Occam's principle is sometimes referred to as *the principle of parsimony*. It is a foundation of much scientific modeling and theory building. It provides guidance in choosing from a set of competing or even otherwise equivalent models that possibly explain a phenomenon by giving preference to the simplest one. The principle of Occam's razor helps us to eliminate those concepts, elements or constructs that are not really needed to interpret the preponderance of evidence. In this way, the model becomes much more focused.

Where Does One Look for Completing Explanations, Especially in a Complex System?

Competing explanations take the form of alternative narratives that can explain the interrelationships and results with a different storyline. In the case in question, primary competing explanations included (1) that Supreme Court justices make their decisions entirely on the basis of the law and their prior dispositions rather than being influenced by external influences, or (2) that external influences other than the final-push campaign had more impact. The preponderance of evidence supports neither of these alternative conclusions.

What Role Does the Temporal Ordering of Events Play in Assessing and Tracing an Advocacy Effort?

Temporal ordering is one way of organizing the storyline. Shorter, more direct connections carry greater weight in sorting through alternative explanations and contributions. In the case in question, the final-push campaign took place over less than a year, which makes it easier to identify the primary contributing factors operating within that time frame and the temporal sequence of those contributing factors.

How Does One Assess or Evaluate the Receptivity of the Political, Economic, Social Context Within Which the Advocacy Effort Took Place, in Order to Evaluate the Effectiveness of the Advocacy Effort?

One examines the evidence. The full case study provides detailed reporting on the political, economic, and social context, and reflections from key informants and key knowledgeable about the interplay between the campaign and the context within which it occurred. The model in Figure 6 (following the references) explicitly includes contextual factors.

Qualitative analysis of this sort does not follow some recipe or formula, like determining statistical significance. It is a matter of reasoned judgment, weighing the evidence, examining reasonable connections, and presenting the facts of the case so that key decision-makers, in this case philanthropic funders of the campaign, can determine the likely value of having funded the campaign.

Were There Any Alternative Approaches that Might Have Worked for Less Money, Less Effort? And, How Would You Know That?

This is a question that was put to the key informants and key knowledgeable who were interviewed for the case; their responses and reflections are part of the case. We concluded that the model worked as a coherent and effective *whole*; removing any of those elements would have significantly changed the campaign and might have put the desired outcome in jeopardy. Of course, short of an experiment conducted in parallel universes, there is no way of arriving at a definitive answer.

Were There Any False Steps or Efforts That Didn't Help the Effort, But That Were Included in the Advocacy Campaign?

This is a reasonable question for a funder or strategist to ask. The answer reiterates the previous point and goes to the core of the systems perspective. The point of the systems model that emerged from the case study is that the parts are interrelated in such a way that you can't simply take out pieces and disaggregate parts. A component analysis that looked at each component but not the interconnections would not do. The campaign operated as a whole and the model is presented as a whole. To take out parts and separate out pieces is to change the model in unknown ways

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Figure 6. Judicial influence theory of change

