

**The Scope and Dimensions of U. S. Civil Rights and Civil Liberties Organizations
at the Beginning of the 21st Century**

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Introduction

At the dawn of the 21st Century, civil rights and civil liberties organizations in the United States remain stalwarts of individual rights and minority interests. Buttressed by the Constitution, spurred by social movements, and catalyzed by events, these organizations have advanced legislative and legal action to secure individual rights in the name of liberty and have opened society and majoritarian government to minority interests in the name of justice.

Advancing civil rights and civil liberties can raise difficult and divisive issues for the public and decision-makers. Civil rights and civil liberties organizations are part of the polarized landscape of American public opinion and policy alternatives.

Organizations on both sides of issues such as gun control, abortion rights, censorship, immigration, or affirmative action, are involved in public controversies, policy-making logjams, and election contests that highlight deep divisions in the American public.

Further, civil rights and civil liberties exist in tension in American political culture (Delgado, 2004). Our system of law and politics celebrates the notion of equality in popular democracy characterized by ‘one person, one vote’ and the libertarian notion of individual rights characterized by the reluctance of the courts to hinder individual rights, such as speech or the right to bear arms. Striking a balance among Americans on the scope of rights for certain groups and liberties for individuals can be difficult. Hate

speech and gun control illustrate the dilemma. To control either infringes on individual freedom, but to ignore hate speech or gun violence may cause harm to people who experience the effects of inaction.

The collective action and resources mobilized by nonprofit organizations have advanced the causes of individual freedom, racial and ethnic minorities, women, children, the disabled and others. It is difficult to imagine a vibrant, inclusive civil society in America without civil liberties organizations, such as the American Civil Liberties Union (ACLU) and National Rifle Association (NRA) or without organizations advocating on behalf of underrepresented minority interests.

Understanding civil rights and civil liberties organizations in the United States, however, can prove difficult. Definitions are problematic and complicate the identification and classification of organizations. Civil rights are understood as the establishment of positive rights for specific groups of people while civil liberties are understood as the protection of individual rights against government interference. These distinctions are further complicated because there is no commonly accepted definition of "minority," only a tradition of advocacy on behalf of particular interests. Increasingly, civil rights are construed as a broader concept than minority rights and include, for example, women's rights, children's rights, and human rights. Organizations with diverse agendas fall under the umbrella of civil rights and civil liberties. Amnesty International, for example, represents people facing human rights abuse around the world while the Institute for Justice represents middle class Americans desiring to protect and extend property rights.

Civil rights and civil liberties organizations share similar strategies to leverage change. Many minority rights organizations initially promoted group rights through social movements or other forms of collective action, although some relied on the courts to protect individuals from discrimination, abuse, or other injustices and/or to construct a body of case law that served over time to widen the rights of a specific group. The Bill of Rights, generally strong on liberty and short on equality, has been a tool for expanded civil rights. It protects individual rights, but also grants the right of the people to make constitutional amendments.

No comprehensive directory of civil rights and civil liberties organizations exists, although the National Taxonomy of Exempt Entities (NTEE), an industry wide standard for classifying U.S. nonprofit organizations distinguishes between civil rights and civil liberties in its taxonomy.¹ For example, NTEE classifies the National Rifle Association as a civil liberties' organization safeguarding the right to bear arms, and the NAACP as a civil rights organization fighting for African Americans.

Recognizing the difficulty of clearly distinguishing between these groups this paper covers both civil rights and civil liberties organizations. Organizations include those protecting and advancing the rights of specific groups, such as women and children, immigrants, ethnic and racial minorities, disabled persons, seniors, workers, and gay, lesbian, and bi- and trans-sexual people in the United States. We also include those advancing and protecting individual rights, such as reproductive rights, the rights of the

¹ NTEE defines civil rights groups as those working for the passage and enforcement of laws or other social measures that will more effectively protect the rights of specific groups. Civil liberties organizations are defined as those protecting the rights of people guaranteed by the Constitution and promoting the passage of laws or other social measures that extend individual rights or more effectively protect them.

unborn, the right to bear arms and gun control, free speech rights and censorship, euthanasia and right to die.

Civil rights and civil liberties organizations are in short supply, especially in relation to the explosive growth of organizations providing social services for these same constituencies. Civil rights organizations in the United States today consist of many small groups organized in response to specific oppressions, such as race, ethnicity, disability, and gender. Peak national advocacy organizations often draw together local service providers and advocates to form broad policy networks to address issues and legislation with a unified, popular voice. For example, national lobbies for and against abortion rights link up with the grassroots through local pregnancy service centers.

Large national advocacy organizations may or may not have members and may be structured with several related tax-exempt entities serving different purposes. Such complex organizational structures may have one entity for research, public education and service, another for policy advocacy and others for election-related advocacy. For example, NARAL Pro-Choice America Foundation is the 501(c)(3) charity, but NARAL Pro-Choice, Inc 501(c)(4) is the legislative and political arm of the operation, and NARAL Pro-Choice America PAC is the connected political action committee that supports candidates for public office.

Research Questions: In this paper, we assess the finances and activities of civil rights and civil liberties organizations in fiscal year 2001. We build on work begun by Boris and Krehely describing civil rights advocacy in *The State of the Nonprofit Sector* (Boris and Krehely, 2003). This research provides a snapshot of the number and finances

of civil rights and civil liberties organizations and explores their strategic responses to the economic and political environment by addressing the following questions:

- **Scope and Dimensions:** How many and what kinds of civil rights and civil liberties organizations are registered as 501(c)(3) charitable organizations? How long have they been operating as charitable organizations and where are they located?
- **Financial Profiles:** How much do they spend on programs, fundraising, and administration? How concentrated or diversified are their sources of revenue? Looking at the bottom line and at assets, which organizations are financially healthy and which are vulnerable? Do they have common characteristics?
- **Strategic Responses to Economic and Political Conditions:** Which civil rights and civil liberties organizations engage in advocacy only and which are hybrid advocacy organizations that provide services? Which ones lobby? Does receipt of government grants impede lobbying? Do certain causes use distinct strategies to create change?

Methods: Data from the National Center for Charitable Statistics-Guidestar National Nonprofit Database at The Urban Institute, Center on Nonprofits and Philanthropy, were used to investigate the civil rights and civil liberties organizations studied in this paper.² These data are based on Form 990 tax returns filed by charitable 501(c)(3) organizations with the Internal Revenue Service for fiscal year 2001 which yielded a sample of 1827 civil rights and civil liberties organizations. The organizations were initially drawn from

² The NCCS-GuideStar National Nonprofit Database contains multiple files for 501(c)(3) public charities filing Forms 990 or 990-EZ with the IRS since July 1998. For this paper, we used the 2001 Digitized Data Files.

nonprofit organizations classified as civil rights and civil liberties organizations in the Civil Rights, Social Action and Advocacy subsector of NTEE. We added organizations by conducting a search for additional civil rights and civil liberties organizations classified throughout the database.

Civil rights and civil liberties organizations in our sample were primarily engaged in advocacy. For this paper, **advocacy** is defined as *legal advocacy* aimed at empowering individuals and groups through courts, *policy advocacy* aimed at legislative reforms, and *social action* designed to alter public behaviors and attitudes through activities, events or public education efforts. Legal initiatives include class action and individual case advocacy to assist victims of discrimination, implement rights of minorities through enabling legislation, and/or create court precedents relevant to future cases. Policy initiatives include local, state and national legislative and administrative reforms.

Several factors limit the size of the sample and the scope of this analysis. The sample includes only 501(c)(3) charitable organizations, drawn from a newly available comprehensive data set compiled by NCCS. This new data set has detailed program and financial information not available in other data sets. In calculations involving sources of revenue and types of expenditures, however, the sample size drops from 1827 to 1397 organizations. The reduction occurs because those organizations with less than \$100,000 in revenue and \$250,000 in assets can opt to file a simplified IRS 990 return (IRS 990 EZ) that does not provide detailed financial information. Small organizations with less than \$25,000 in revenues are also excluded since they are not required to file an annual IRS 990 return.

Additionally, the sample is limited to organizations *primarily* engaged in advocacy, as noted in their purpose and program information. As a result, some nonprofit organizations that are important to the empowerment of minority groups are not included. Those omitted include activist service organizations that conduct advocacy as a secondary activity and public foundations that emphasize human rights and social justice. The data set also has the drawback of not including social welfare 501(c)(4) nonprofit organizations that are well known for the promotion and defense of civil rights and civil liberties.³ For example, the data set does not include the main membership arm of one of the largest women's organizations, the 501(c)(4) National Organization for Women (NOW), but does include the 501(c)(3) NOW Legal Defense and Education Fund.

An Overview of Civil Rights Advocacy Organizations

This section details the size and scope of civil right and civil liberties organizations in FY2001. Civil rights expand and contract in response to different impulses, ideas, and authorities in national life. For example, civil rights expanded during wartime and periods of international competition, such as the Cold War (Skrentny, 2002) when it became necessary to project an inclusive democracy in the international arena. Philanthropic funding also influences the capacity for advocacy through support for civil rights and civil liberties organizations (Jenkins, 2001).

To construct an overview of the institutional infrastructure for civil rights and civil liberties in the United States, we examined organizations with a history of activism on certain contemporary issues. Table 1 describes the organizations, grouped by their causes. The names and purposes of many of subcategories illustrate the gradual expropriation to other interests of nondiscrimination principles articulated by the ideals of

³ Comprehensive data are not yet available for these organizations.

racial, ethnic and gender equity. The ‘general’ category is reserved for multipurpose organizations that could not be captured easily by a more specific category, including large and influential organizations such as the American Civil Liberties Union, B'nai B'rith, and the American Bar Association Fund for Justice and Education, and the Catholic League. It also includes less numerous single purpose organizations, for example, the rights of short and tall people, smokers and non-smokers, patient, gun owners, religious observers, fathers, mothers, the family, juveniles, and men.

Table 1. Distribution and Revenue Size of Civil Rights and Civil Liberties Organizations

Categories	N	% of Total	Total Revenues	Total Expenses
General Civil Rights and Liberties	220	12	\$496,988,883	\$393,700,287
Minority & Immigrants Rights	82	4	\$216,221,726	\$189,754,572
Women's Rights	67	4	\$66,893,565	\$58,359,044
Pro-Choice Advocacy	179	10	\$738,521,062	\$697,396,626
Pro-Life Advocacy	652	36	\$124,609,406	\$116,041,501
Children's Rights	301	16	\$100,052,871	\$98,709,501
Lesbian/Gay Rights	99	5	\$50,227,151	\$45,934,741
Disabled Persons' Rights	89	5	\$94,434,260	\$88,752,738
Employee and Workers' Rights	18	1	\$11,905,131	\$12,026,015
Censorship, Freedom of Speech and Press Advocacy	28	2	\$8,259,505	\$7,471,216
Right to Die	3	0	\$3,632,708	\$2,236,831
International Human Rights	89	5	\$257,264,705	\$214,309,368
Total	1827	100	\$2,169,010,973	\$1,924,692,440
Less than \$100,000	684	37		
\$100,000 - \$499,999	679	37		
\$500,000 - \$999,999	150	8		
\$1,000,000 and above	314	17		
Total	1827	100		

Source: National Center for Charitable Statistics/GuideStar National Nonprofit Database, 2001.

Note: Percentages may not add to 100% due to rounding.

In 2001, civil rights and civil liberties organizations were few in number and had modest financial resources compared to other categories of organizations, such as human services, health, or education, in the U.S. nonprofit sector. Of the 1827 identified, 37 percent had revenues of less than \$100,000 and 82 percent had revenues of less than \$1

million. Given the strong tradition of minority rights in U.S. political culture, it is surprising minority and immigrant rights in particular were so few in number and resources. In contrast, there were many more organizations advocating for pro-life causes than for any other constituency or cause. The difference in the number of groups serving various constituencies may be related to their respective traditions of civil rights advocacy. For example, children's rights groups are numerous due to the growth of court appointed special advocates (CASA), a national movement of associations formed to provide representation for children *vis-a-vis* their parents or the state in cases involving child abuse and other matters. The number of organizations and total revenues for pro-choice and pro-life organizations illustrate the vastly different infrastructures of these two policy communities. For example, pro-choice organizations tend to be larger and affiliated with Planned Parenthood, while pro-life organizations tend to be small and independent. Nevertheless, pro-life and pro-choice organizations both include many local pregnancy centers that combine advocacy with client services.

Geography: The geographic distribution of civil rights and civil liberties organizations shows that 37 percent of all civil rights organizations were registered with addresses in California, New York, and Texas, and Washington, D.C. The predominance of groups in Washington, D.C. reflects the proximity of national organizations to the Federal government, particularly for those with well-developed lobbying operations, and is consistent with the trend among other interest groups to locate near the federal government. Also, large states with dense minority populations are prime locations for member-based activities and for advocacy at the state level.

Age: The formation of civil rights organizations as tax-exempt entities occurred as groups evolved from social movements or loose networks to more institutional forms. In some cases, legislation or court decisions, such as federal disabilities legislation or the Supreme Court *Roe v. Wade* decision spurred growth among groups. As a proxy for age of the organization, the authors used a variable in the NCCS data that indicates the year in which the IRS approved the charitable status of the organization.

The oldest groups on average were those advocating for minorities, disabled, women, and pro-choice and pro-life. The civil rights and civil liberties organizations operating in FY2001 averaged 16 years old. Minority and immigrant rights groups averaged 17 years, but many of the traditional civil rights organizations now active were formed in the period just after minority rights revolution (1965-1975). Organizations fostering the rights of children, gays and lesbians, employees, international human rights, and the right to die are generally younger and blossomed in the late 80's and early 90's after the minority rights organizations became more integrated into politics and society.

The Financial Structure of Civil Rights and Civil Liberties Organizations

Assessing the financial structure of civil rights organizations is a critical component of understanding the capacity of these groups to fulfill their missions. In this section we examine sources of revenue to assess revenue diversification, program and administrative expenses to assess the allocation of resources, and year-end balance and net assets to describe financial health and financial flexibility in FY2001.

Income: To study organizational revenues, we examined four types of income. *Direct public support* includes contributions received directly from individuals and foundations. *Indirect public support* includes contributions received through federated fundraising campaigns such as the United Way or the Combined Federal Campaign and

monies received from affiliated organizations (parent, subordinate, or supporting organizations). *Government grants* are contributions from federal, state or local governments that provide a direct benefit to the general public. These contributions are distinct from monies received from government contracts or fees for services, although the distinction is often blurred in practice. *Program service revenues* are fees received by an organization for the services it provides. Examples include tuition received by schools, admission fees received by an art museum, patient/client payments for services, as well as revenues from government contracts for services.

Table 2. Sources of Revenue as a Percentage of Total Revenue for Subcategories of Civil Rights Nonprofit Organizations

Categories	N*	Percentage			
		Direct Contributions	Indirect Contributions	Government Grants	Program Services
General Civil Rights and Liberties	190	65	5	15	6
Minority & Immigrants Rights	82	59	1	17	15
Women's Rights	54	72	1	8	6
Pro-Choice Advocacy	169	30	2	16	49
Pro-Life Advocacy	404	81	4	2	4
Children's Rights	233	44	6	36	5
Lesbian/Gay Rights	76	65	2	9	14
Disabled Persons' Rights	82	10	1	65	21
Employee and Workers' Rights	15	85	0	6	3
Censorship, Freedom of Speech & Press Advocacy	22	85	1	1	10
Right to Die	3	94	0	0	3
International Human Rights	77	74	2	16	2
Total	1407	45	3	16	31
Total for all Nonprofits ?	191,065	12	2	9	68

Source: National Center for Charitable Statistics/GuideStar National Nonprofit Database, 2001.

Note: Percentages do not sum across to 100 because the table does not include minor revenue categories such as membership dues, interest, rental income, etc.

*The number of cases is reduced because 990 EZ filers are not included (990 EZ forms do not provide information on specific sources of revenue).

Table 2 indicates the percent of total revenue derived from each of these sources. Overall, civil rights and civil liberties organizations depend more on direct contributions (average 45% of all revenues) than on government grants (16%), or program service fees (31%). Indirect contributions were a small fraction of support (3%). Each type of organization

relies on a somewhat different revenue mix. Most organizations receive little government funding, and were overwhelmingly reliant on private contributions. Some organizations have combined their advocacy with significant program services, and derive income either by administering government grants and/or assessing program service fees to clients. Organizations representing disabled persons received a preponderance of their revenues from government and program service fees. Program service fees were highest for pro-choice organizations.

It may be tempting to view revenue patterns as associated with a conservative Congress and administration, but this is only a snapshot of revenue in FY2001 so is not likely to reflect the magnitude of recent conservative shifts in policy preferences. For example, pro-choice groups indicate a fairly high level of government funding, likely associated with teen pregnancy and other reproductive health programs. In subsequent years, these data may show a shift of funding to pro-life organizations and abstinence approaches to birth control. Other factors are undoubtedly at work, such as the choice by some groups to avoid government funding.

Expenses: We examined three types of organizational expenses: *program expenses*, *administrative expenses*, and *fundraising expenses*.⁴ *Program services* expenses are the direct and indirect expenses incurred by an organization while performing its tax-exempt charitable activities. *Administrative expenses* are management and general expenses related to the day-to-day operation of an organization. Included are items such as accounting, and legal services, general insurance, and office management.

⁴ See NCCS Fundraising and Administrative Costs Project for information on how to use and interpret IRS data on financial and administrative costs at www.coststudy.org

Fundraising expenses are the costs of soliciting the contributions and grants reported as revenue.

Examination of the expenses of civil rights and civil liberties organizations shows a generally acceptable proportion of program, administrative, and fundraising expenses. Overall civil rights and civil liberties organizations report 82 percent program expenses, 11 percent administrative expenses and 7 percent fundraising costs. Combined administrative and fundraising expenses for all civil rights and civil liberties organizations do not exceed 25 percent of expenditures, a U.S. nonprofit standard established by the Financial and Accounting Standards Board (FASB). In times of financial crisis, organizations may try to pare administrative costs to offset declines in revenue, but organizations that are already operating with low administrative overhead have less room for maneuvering and may undermine their ability to be effective (Tuckman and Chang 1991; Hager 2001).

Some types of organizations had higher overhead costs. Less popular or emerging causes may have higher fundraising costs in search of new donors. Fundraising costs were highest among employee/worker rights (34%). And several categories of organizations slightly exceeded the 25 percent FASB guidelines, including those advocating right to life, the right to die, and free speech. Organizations highly reliant on government grants, like those serving disabled people had virtually no fundraising costs. Of course, there are costs associated with raising government grants, but research at the Urban Institute shows that nonprofit organizations tend not to report those fundraising costs as they should (Hager, 2002).

Fiscal Health: Government agencies contracting with nonprofits, contributors to nonprofits, and clients who depend on nonprofit services all have a stake in the financial wellbeing of nonprofit organizations. Financial trustees, board members and staff need ways to assess the financial vulnerability of their organizations. End-of-year balances provide a measure of short-term stress and net assets provide a measure of organizational flexibility (table 3). Organizations with negative net balances and negative net assets face the gravest difficulties, especially if those persist for more than two years. Unfortunately, these data present a single year snapshot, thus preventing assessment of whether financial health is improving or worsening.

Table 3. Fiscal Health of Civil Rights Nonprofit Organizations by Subcategory

Subcategories of Civil Rights Groups	N	Net Balance		Net Assets	
		% with negative net balance	\$ average net balance**	% with negative net assets*	\$ average net assets**
General Civil Rights and Liberties	192	35	538	6	2,805
Minority & Immigrants Rights	70	44	376	9	2,251
Women's Rights	54	37	160	6	1,541
Pro-Choice Advocacy	169	36	243	2	3,750
Pro-Life Advocacy	404	46	18	3	170
Children's Rights	233	27	5	2	421
Lesbian/Gay Rights	76	38	56	7	1,541
Disabled Persons' Rights	82	35	69	4	341
Employee and Workers' Rights	15	47	-11	7	731
Censorship, Freedom of Speech & Press Advocacy	22	45	35	14	592
Right to Die	3	67	465	0	954
International Human Rights	77	44	559	9	5,102
Total	1397	39	173,407	4	1,476,956

Source: National Center for Charitable Statistics/GuideStar National Nonprofit Database, 2001.

*N excludes 990 EZ filers and is further reduced by four organizations that did not provide net asset information on their 990 form.

**In thousands of dollars.

Many civil rights and civil liberties organizations were in a tenuous financial position at the end of 2001 with 39 percent reporting expenses in excess of revenues, a

negative financial balance. Right to die, worker rights, and pro-life organizations appear to be the most tenuous. Size may play a role in financial health. With few exceptions, smaller organizations in each of the categories were much more vulnerable than larger ones. Overall, large organizations were somewhat stronger financially; fewer had negative end of the year balances and they accounted for a disproportionate share of the assets. A downturn in the economy magnified by the impact of the terrorist attacks of September 2001 may have taken a toll on civil rights and civil liberties organizations in FY2001. While better economic conditions in subsequent years may improve the financial picture somewhat, if the financial vulnerability of the smaller civil rights organizations continues, they may find it difficult to aggressively engage in and sustain rights-based advocacy efforts. A subsequent paper will explore more recent years.

Strategic Responses to the Broader Environment

In this section of the paper, we examine several dimensions of civil rights and civil liberties organizations including the diversity of heritages represented by minority rights organizations, advocacy strategies to leverage change, and the number and resources of social service and advocacy organizations associated with children's rights and disability rights.

From Minority Rights to Human Rights: Minority rights in the United States from 1965 to 1975 were characterized by an expansion of federal legislation, agency rulings, and court decisions establishing nondiscrimination rights. Title VII of Civil Rights Act of 1964 ended employment discrimination and the Immigration Act of 1965 ended national origin discrimination in immigration. These Acts laid the groundwork for other reforms, such as bilingual education, equal rights for women, and rights for disabled persons. The culmination of the black civil rights movement in 1965 provided

inspiration to Asian Americans, American Indians, Latinos, women, and disabled persons who created organizations and diversified advocacy strategies beyond the mass mobilizations for black civil rights and the earlier women's movement of the 1920's.

The emergence of the U.S. welfare state and the politics of social services provision parallel the upswing in minority rights. Unlike the European welfare state model of comprehensive social services including pensions, healthcare, and unemployment insurance, the U.S. experience was characterized by social services often administered through nonprofit organizations, incremental policy reforms, competition and fragmentation of client politics, and politicians using rhetoric to garner minority votes. Nonprofit organizations not only lobbied for reforms, but insured through their legal action and social services that constituencies were able to exercise their rights in society and avail themselves of public services.

After 1980, spearheaded by President Ronald Reagan, a rhetorical counterrevolution to minority rights, welfare dependency, and affirmative action led to a critique of minority rights. These sentiments culminated in a middle class tax revolt in reaction to publicly funded benefits of particular interest to poor minority populations. Through the 1990's, President Clinton and centrist Democrats continued to avoid aggressive expansion of minority rights. What remained in the shadow of earlier minority reforms were deep public divisions around welfare and affirmative action. Minority issues shifted focus to new initiatives against hate crimes, help for minority capitalists, disability rights, children's rights, and an increasing awareness of international human rights.

Minority Rights and Immigrant Organizations: We examined representation of minorities and immigrants by heritage to determine the density of their organizational infrastructure and their financial vulnerability. Minority rights and immigrant organizations in this study include organizations that represent specific minority heritages (Black/African, Latinos/Hispanic, Asian/Pacific Islander, American Indian), and organizations that represent multiple heritages (general/unspecified). Three Middle Eastern heritage civil rights organizations were omitted from the study because no financial data was available on them. Historically dominant in American political culture, Euro Americans are omitted from our study.

Minority and immigrant rights organizations serving multiple ethnicities are the most numerous. Among those serving single constituencies, Hispanic/Latinos, Black/Africans, and American Indians outpace the Asian/Pacific Islanders. Over the years, minority rights organizations that formed or were strengthened through social and political struggles increasingly turned to service delivery to address the needs of constituencies they once mobilized for change. In FY2001, Hispanic/Latinos and American Indians reported significant government grants to administer immigrant services and job training and placement programs.

Table 4 provides a snapshot of the fiscal health of organizations representing different heritages.

Table 4. Fiscal Health of Civil Rights Nonprofit Organizations by Subcategory

Categories	N	Net Balance		Net Assets	
		% with negative net balance	\$ average net balance**	% with negative net assets*	\$ average net assets**
General / Unspecified	18	56	-22	11	1,029
Asian / Pacific Islander Heritage	10	60	-65	20	303
Black Non-Hispanic / African Heritage	14	43	531	7	5,832

Hispanic Heritage	16	38	1060	6	2,113
Middle Easterner Heritage	2	50	104	0	290
American Indian Heritage	12	33	220	0	1,702
Total	72	46	364	8	2,194

Source: National Center for Charitable Statistics/GuideStar National Nonprofit Database, 2001.

*N for net assets is reduced by four organizations that did not provide this information on their 990 form.

**In thousands of dollars.

Organizations representing Asian/Pacific Islanders are most vulnerable financially, as are those in the general category serving multiple constituencies. Hispanic heritage organizations appear to be in stronger financial shape than other minority rights organizations. Their stronger assets and smaller negative balances are driven mostly by the older large, stable organizations. Interestingly, Black/African organizations and American Indian organizations are comparable in number and show strong end of the year balances, but Black/African organizations have a much higher level of assets.

Asian and Pacific Islander heritage organizations are younger organizations, fewer in number, and smaller than their counterparts. They have a striking lack of reliance on government grants. A wave of the Asian-American civil rights movement began in 1968 when many Asian-American college students came together to advocate for Asian-American studies programs. This led to the creation of a number of Asian-American advocacy groups, including the Chinese for Affirmative Action (1969), the Organization of Chinese Americans (1974), Asian Americans for Equality (1974) and the Asian American Legal Defense and Education Fund (1974). In 1983, the murder of Vincent Chin by two white autoworkers in Detroit mobilized Asian Americans around the country to protest the light sentencing.

Asian Americans have continued to gain political clout since then, leading to less fragmentation among ethnic groups and more unity and comfort with being identified as

Asian-Americans. Notable legislation includes the 1988 law granting reparations to Japanese interned during World War II known as the Civil Liberties Act of 1988. Asian Americans also joined other minorities in pressing for the passage of the 1992 Voting Rights Act, resulting in a broad expansion of bilingual voting materials in heavily Asian populated communities.

Minority organizations representing multiple heritages were more numerous compared to the generally older groups for specific populations created during and shortly after the minority rights revolution. International human rights organizations represented 5 percent of our overall sample. New groups such as the National Center for Human Rights bridge gaps among social justice movements and define people more by their commonalities than by their differences. Whether this trend toward representation of all minorities in one organization represents a change born of economic necessity or is a strategic choice by minority organizations to move away from single identity politics and toward more unified action is not clear. What is clear, however, is that many advocates are trying to address polarization and fragmentation by stressing inclusive values embodied in the international human rights framework. Whether American politics will be framed as minority rights, human rights, individual rights or property rights will in part depend on how civil rights and civil liberties organizations respond to the challenges of the 21st Century.

Advocacy Strategies: Civil rights and civil liberties organizations use different combinations of social action, policy advocacy, and legal advocacy strategies. As noted earlier, we defined advocacy as policy advocacy for legislative reforms, legal advocacy on behalf of individuals and classes of people, and social action as events, mobilizations,

public education and media efforts. We used NCCS organizational purpose, program, and lobbying expenditure data to assess advocacy strategies.

Lobbying expenditures by civil rights and civil liberties organizations indicate to some degree the extent that organizations are involved in policy advocacy. Table 5 shows the lobbying expenses reported to the IRS by civil rights and civil liberties organizations for direct and grassroots lobbying on specific federal, state, and local legislation.

Table 5. Lobbying Expenditures of Civil Rights and Civil Liberties

Categories	N	Total Lobbying Expenses	Mean	Median
General Civil Rights and Liberties	31	\$1,806,983	\$58,290	\$10,036
Minority & Immigrants Rights	8	\$1,044,599	\$130,575	\$89,658
Women's Rights	6	\$409,942	\$68,324	\$54,983
Pro-Choice Advocacy	70	\$4,304,592	\$61,494	\$19,667
Pro-Life Advocacy	3	\$126,497	\$42,166	\$9,887
Children's Rights	10	\$286,094	\$28,609	\$9,182
Lesbian/Gay Rights	69	\$47,312	\$11,828	\$10,247
Disabled Persons' Rights	7	\$159,262	\$22,752	\$1,980
Employee and Workers' Rights	2	\$651	\$326	\$326
Censorship, Freedom of Speech & Press Advocacy	1	\$148,773	\$148,773	\$148,773
Right to Die	2	\$29,350	\$14,675	\$14,675
International Human Rights	8	\$555,381	\$69,478	\$71,044
Total	152	\$8,919,886	\$58,683	\$16,744

Source: National Center for Charitable Statistics/GuideStar National Nonprofit Database, 2001.

Among the 1397 organizations in the sample, only 152 or just over one percent report lobbying expenses, below the norm of just over two percent for the nonprofit sector. Total lobbying expenditures were a small proportion of the overall expenses of civil rights and civil liberties organizations and fall well short of the benchmark permissible by law.⁵ Pro-choice organizations spent the most on lobbying, followed by minority and immigrant rights organizations.

⁵ The benchmark is up to 20% of expenditures.

Table 6 indicates that sixty percent of the money spent on lobbying came from twenty national organizations. Top lobbying organizations in FY 2001 were primarily Planned Parenthood affiliates, accounting for 30 percent of the dollars spent on lobbying by the top twenty. With the election of a conservative administration in Washington, D.C., reproductive rights organizations fought hard to preserve birth control education and abortion rights. Pro-life organizations spent comparatively little on lobbying, likely reflecting their preference to organize at the grassroots level through community and church networks. Other top lobbying organizations were peak national organizations that lobby on behalf of a wide network of organizations comprised of many smaller organizations without the financial resources or staff capacity to engage in regular lobbying.

Table 6. Top 20 Civil Rights Nonprofit Organizations with Highest Lobbying Expenditures

Organization Name	Amount	% of Total Lobbying Expenditures
National Abortion and Reproductive Rights Action League Foundation, Inc - DC	\$674,803	8
National Association for the Advancement of Colored People - MD	\$454,538	5
American Civil Liberties Union Foundation, Inc. - NY	\$437,551	5
Planned Parenthood of Minnesota/South Dakota - MN	\$407,599	5
Planned Parenthood Federation of America, Inc - NY	\$353,776	4
ACLU Foundation of Northern California - CA	\$304,023	3
Alliance for Justice - DC	\$292,769	3
Planned Parenthood of San Diego and Riverside Counties - CA	\$239,532	3
Planned Parenthood of Central & Northern Arizona - AZ	\$220,317	2
Planned Parenthood of Orange & San Bernardino Counties - CA	\$219,717	2
The Center for Reproductive Law and Policy - NY	\$218,518	2
National Council of La Raza, Inc. - DC	\$210,127	2
Anti-Defamation League of B'nai B'rith - NY	\$193,691	2
NAACP Legal Defense and Education Fund, Inc. - NY	\$177,010	2
National Partnership for Women and Families - DC	\$174,936	2
The American Jewish Committee - NY	\$162,804	2
Children's Defense Fund - DC	\$160,000	2
Mexican American Legal Defense and Education Fund (MALDEF) - CA	\$156,334	2
Planned Parenthood of Kansas and Mid-Missouri - KS	\$151,558	2
Citizens for Community Values - OH	\$148,773	2

Total	\$5,358,376	60
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Source: National Center for Charitable Statistics/GuideStar National Nonprofit Database, 2001.

Most charities use public education strategies to influence others and refrain from lobbying and other policy advocacy. In part this is due to complex regulations and government agency rules that discourage charities from lobbying (Berry, 2003). Recent studies have sought to understand the relationship of government funding to political voice. Mark Chaves and his colleagues found no measurable impact of government funding on advocacy (Chaves, 2004). This held true for civil rights and civil liberties organizations: 53 percent of lobbying organizations received government grants.

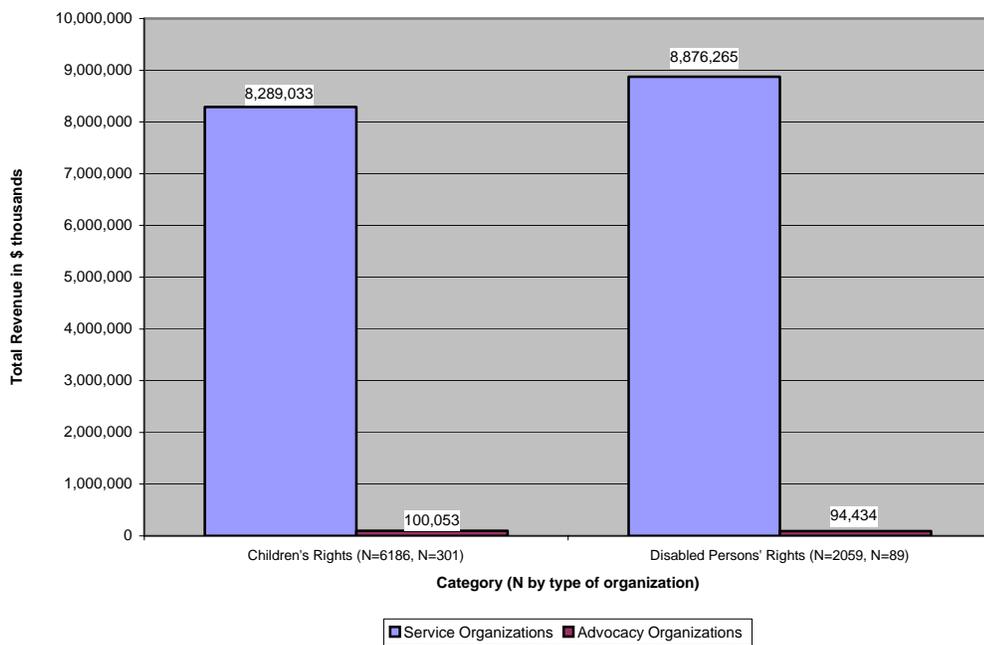
To gain another perspective on advocacy activities, we coded information on the IRS Form 990 about the purposes and programs of civil rights organizations to assess preferences for advocacy strategies. All groups employed a high portion of social action strategies, characteristic of charitable organizations' efforts to educate the public on the plight of their constituencies (Berry, 2003). Yet each constituency group seemed to have a unique tradition of advocacy, with one or a combination of advocacy strategies predominating. As noted earlier, pro-choice organizations were highly engaged in the policy advocacy indicated by their high lobbying expenditures. Gay, lesbian, bi- and trans-sexual rights groups rely heavily on social action, exemplified by the large number of small organizations participating in Gay Pride days. Children in the United States lack basic rights, so children's organizations turned to legal advocacy through court appointed special advocates to protect children against abuse and to social action to educate the public on the needs and rights of children. Disabled persons combined budget and policy

advocacy to promote important laws for access to facilities and funding for basic services with aggressive court action to secure their implementation.

From Advocacy to Service: The expansion of the government’s commitment to social service provision caused a sharp rise over the last twenty years in the number of social service public charities. Earlier reforms promoted by civil rights and civil liberties organizations have matured into a wide range of social policy and service provisioning.

In Table 7, we compare the number and revenues of social service organizations providing services for the constituencies represented by civil rights organizations to the civil rights advocacy organizations. For children, we compared children and youth services, such as adoption, foster care, and day care, with civil rights organizations. For disabled persons, we compared disability centers and services with civil rights organizations.

Table 7: Total Revenue Comparison of Service and Advocacy Organizations in Select Categories



In sheer numbers, social service organizations eclipse civil rights and civil liberties advocacy organizations. These large service provider networks are often players in state and local policy reforms, but they also have a policy impact when they muster grassroots support for national policy. Nowhere is this more evident than among organizations representing children and the disabled.

Conclusion

This study provides a snapshot of the scope and dimensions of civil rights and civil liberties organizations in the U.S. nonprofit sector at the turn of this century, thirty years after the minority rights revolution launched reforms that altered the legal and social framework to end discrimination for minorities and other underrepresented groups in American political culture. Large organizations emerged with a national presence and command over resources to insure their future. The development of a social service economy was stimulated by civil rights and civil liberties advocacy. The service organizations subsequently helped to reinforce national organizations through their work at the grassroots.

Further research needs to provide perspective over time and to look within each subgroup for organizational adaptations that signal new strategies of action for rights-based organizations.⁶ We need to examine in greater detail smaller organizations and the plight of Asian American and Middle Eastern organizations to determine whether they can sustain their work in states and localities and provide grassroots support for national reforms.

⁶ A comprehensive report on the NTEE Civil Rights, Social Action, and Civil Liberties subsector for FY 1998-2001 will be available in July 2005 from The Urban Institute, Center on Nonprofits and Philanthropy, Washington, D.C.

In general, civil rights and civil liberties organizations that primarily engage in advocacy are in short supply, especially when viewed in relation to the explosive growth of organizations providing social services for these same constituencies. Despite their limited size and scope, these organizations remain an important voice for those who face discrimination and limited opportunity. They also remain steadfast defenders of individual liberties on all sides of issues like reproductive rights, free speech, and gun regulation and offer citizens a mechanism to prevent erosion of basic liberties. American history gives ample evidence of their contributions to the realization of democratic ideals.

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