

Legislative Advocacy and Consensus Building

Maritime Legislative Summit House of Representatives National Assembly

Legislative Advocacy and Consensus Building

- **Meaning of Advocacy**
 - Act of pleading for, supporting or recommending active espousal (Black's law Dictionary);
 - Pursuit of influencing outcomes
 - Public policy, resource allocation decisions that directly affect people's lives.

Meaning of Legislative Advocacy

- Act of influencing the law making process to get desired result
- Seeks to highlight political, economic, social issues and influence public attitude to enact and implement policies on "what should be"
- Of interest to Legislators, Legal Consultants and Lobbyists

What Legislative Advocacy consists of?

- Requires building trust and relationships over time
- Personalized and encourages collaborative processes
- Involves meeting decision makers where they are
- Requires carefully devised influence activities and solid planning
- Builds in periodic assessment and follow up.

Meaning of Consensus Building

- Process of getting people to agree on a thing, idea etc
- Focus is on participatory decision making process
- Attempts to obtain the consent of citizens where possible
- Interactive, discursive and collaborative approach between stakeholders, government and lawmakers.
- Departure from the force-based, top down process of law making

Types of Legislative Advocacy and Consensus Building

- Traditional approach
 - Public pasting, invitation for comments, hearings, reviews, polls and surveys, adversarial force-based

- Generally a one way communication
- Detached and scientific
- Low response from the public
- Modern Approach (three-pronged approach)
 - Persuasion
 - Negotiation
 - Collaborative
 - Participatory decision making
 - Higher degree of citizen participation and decision making process widely perceived as transparent and fair
 - Well managed face to face problem solving sessions among a wide range of stakeholders

Effective Legislative Advocacy and Consensus

- Combination of Traditional and Modern approach.
- Emphasis on involving a wide range of stakeholders
 - Interactive collaborative methods of discourse
 - participants directly in conversation with one another and with decision makers
 - Allows learning and change to take place on all sides
 - Contributes to the legitimacy of public decisions

Consensus Building Planning Process

- Identify target group
- Organize stakeholders workshop (small and large groups)
- Facilitate establishment of ad hoc task force or committees made of representatives of government and major interests to make recommendations on controversial issues

Consensus Building (Benefits)

- Benefits of inclusion of a full range of stakeholders and technical experts
 - Ensure that important factors are considered
 - Both groups are knowledge providers
 - Facilitates necessary synthesis of information
 - Guarantees support for policy or law

The Process of Actual law making

- The Consultants or draftsmen drafts a bill which reflects the synthesis of opinion from the consultative process
- Public interest should be uppermost consideration in drafting the Bill
- The Sponsor(s) files the Bill in the legislative list for First Reading
- First Reading – Clerk mentions the Bill's title, number and sponsor in the full House

- Referral to Committee – technical sessions could include public hearings. Committee votes on Bill
- Second reading – Bill debated by full House and possible amendments
- Referral to Committee of whole – more amendments if necessary
- Third Reading – Bill with amendments put to a vote where it must be passed by a majority of members present. If passed Bill is sent to the second Chamber for concurrence.
- Second Chamber- Bill goes through the same process
- Conference Committees – Where amendments introduced by the Second Chamber, a committee of Legislators from both Houses is set up to harmonize the Bill.
- President signs Bill into law if passed by both Houses
- Legislative advocacy at all stages until passage

How a Bill really becomes law

- Coalition
 - Identify your friends because there is strength in numbers
- Consensus Building
 - Open discussions
 - Know your friend, know your enemies
 - Learn to compromise except on highly technical bills
 - Identify a single spokesman for consistency
- Identify Philosophical Similarities
 - Occupation, religious affiliations, political party affiliation, region of origin, hobbies etc
- Friendship – strong motivator
 - Many vote based on recommendations from friends, family members, lobbyist who are considered trusted friends
 - Must know as many legislators as possible
- Influence of money
 - Legislators remember where their campaign money came from
 - Campaign contributions translate into access
- Fear
 - Fear of how they will be perceived by their constituency
 - Fear of defeat at election time
 - Perception by the news media

Effective Advocacy (for Advocates)

- Know your legislators – background, committee assignments, voting records
- Develop a relationship
- Do not overdo your lobbying
- Set priorities
- Do not forget the media
- Thank each legislator for a job well done

- Always design an advocacy plan i.e. objective, target group, strategies, communication tools and evaluation

Effective Advocacy (for Legislators)

- Identify legislators who will support your Bill based on their past voting records and alliances
- Meet with supportive law makers in small groups
- Identify floor leaders
- If leadership supports your Bill, let them know what you are doing
- Meet with opposition legislators in an effort to change their position
- Do not twist the truth