An Examination of the Impact of Government and Non-Profit Organization Relationship on Prisoner Advocacy and Services in Canada

by

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ABSTRACT

Drawing on themes emerging from semi-structured interviews, this study explores the relationship between the Government of Canada (GOC) and non-profit organizations (NPOs) operating in the punishment sector. The impact of this relationship on NPO advocacy is explored. It is argued that the GOC-NPO relationship creates a number of barriers for NPO advocacy, but NPOs manage to maintain this function through various forms of resistance. However, it was found that the majority of participating NPOs were coopted by the state through their extensive relationship with the GOC, and their service provision function in particular. It is therefore suggested that the majority of participating NPOs support the punishment system, making them a part of the Non-Profit Industrial Complex (NPIC).

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GLOSSARY OF ACRONYMS

7SSC	7th Step Society of Canada
ASRSQ	L'Association des services de réhabilitation sociale du Québec
CAEFS	Canadian Association of Elizabeth Fry Societies
CRA	Canada Revenue Agency
CWF	Canada West Foundation
CTS	Charitable Tax Status
DA	Discourse Analysis
ED	Executive Director
GOC	Government of Canada
ITA	Income Tax Act
JHSC	John Howard Society of Canada
NCSA	Native Counselling Services of Alberta
NPIC	Non-Profit Industrial Complex
NPM	New Public Management
NPO	Non-Profit Organization
PAGVS	Panel on Accountability and Governance in the Voluntary Sector
PIC	Prison Industrial Complex
QFJ	Quakers Fostering Justice
SEC	Social Enterprise Canada
SLSC	St. Leonard's Society of Canada
SSJ	Sole Source Justification
VSI	Voluntary Sector Initiative

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CHAPTER 1:
INTRODUCTION

Canadian non-profit organizations (NPOs) operating in the punishment sector emerged in the late 19th century (Duguid, 2000). These organizations focused on improving the conditions of criminalized individuals by providing services, as opposed to taking an active role in advocating for social change (Duguid, 2000). Throughout that period, NPOs were financially supported by the state to a small extent, but they also enjoyed relative freedom from government intervention (Valverde, 1995). After the Second World War, NPOs started to receive more government funding, while remaining relatively autonomous (Shields, Evans & Richmond, 2005). The rise of the human rights movement in the 1960s contributed to an increase in advocacy efforts on behalf of NPOs.

Advocacy is a process by which NPOs attempt to influence public perception or impact social change in the sectors they work in (Shields et al., 2005). Advocacy is aimed at influencing greater social change by altering social policy (macro-level advocacy) or improving the conditions of particular individual(s) by advocating for their rights (micro-level advocacy) (Evans et al., 2005). Advocates employ a variety of methods to advance their positions, ranging from lobbying of government officials, to raising public awareness around relevant issues, to dissemination of empirical research (Evans et al., 2005). The advocacy function of NPOs is particularly important when it comes to enhancing civil society (Eikenberry & Kluver, 2004). Eikenberry and Kluver (2004, p. 133) define civil society as "the sphere of society that is concerned with moral formation and with ends, not simply administration or the maximizing of means". Civil society is the sphere of society that is independent from business and governments.

Neoliberal restructuring in Canada took force in the 1980s and carried serious implications for the non-profit sector (Evans & Shields, 2002). Restructuring was accompanied

by government withdrawal from social service provision, while NPOs were left to cover the gap (Hall & Reed, 1998). With neoliberalism, government spending in the public sphere diminished and NPOs were now required to operate efficiently to secure government resources (Woolford & Curran, 2013).

Presently, NPOs face a number of challenges, as advocacy is often met with hostility from governments, particularly at the federal level. For instance, several politicians from the current Government of Canada (GOC) have strongly suggested that NPOs should avoid taking stance on controversial issues if they want to receive further funding (see, for example, Toronto Star, 2010). In one case, before the 2010 G8 summit, Conservative Senator Nancy Ruth told Canadian women's rights groups to keep quiet on the issue of abortion, warning that further criticism of government policies will result in "political backlash" (CBC News, 2010). This was not empty rhetoric, as several NPOs have lost their funding as a result of their advocacy efforts (Toronto Star, 2010).

Another repercussion related to advocacy involves being ignored by the GOC. The GOC often constructs NPOs that advocate too strenuously as "special interest groups", which leads to their opinions being dismissed as irrelevant to the interest of the general population. As a result, these organizations are no longer invited to provide input on issues related to social policy.

Advocacy is limited through legislative provisions, such as the guidelines related to the Charitable Tax Status (CTS) under the *Income Tax Act* (*ITA*) (1985) (Eakin & Graham, 2009). NPOs that hold the CTS are not allowed to advocate for any political party and cannot spend more than 10 percent of their resources on advocacy (Eakin & Graham, 2009).

The Conservative punishment agenda poses further challenges for NPOs, as it represents an attack on the rights of criminalized individuals (Piché, forthcoming). Up until recently,

incarceration rates in Canada have remained fairly steady since the 1960s (Doob & Webster, 2006). However, the Harper government that came into power in 2006 introduced a number of "tough on crime" policies despite considerable evidence pointing to the ineffectiveness of such measures (Mallea, 2010). Between 2006 and 2011 the federal government presented 61 "tough on crime" bills, some of which were passed by the Parliament of Canada (Doob & Greenspan, 2012). First, a number of sentencing measures were passed, which effectively reduced the use of conditional sentences, kept criminalized individuals in jail longer through the use of mandatory minimum sentences and decreased the use of community supervision (Piché, forthcoming). Second, administrative measures, such as double-bunking, were introduced (Piché, forthcoming). Finally, the Harper government made community reintegration more difficult, notably by raising pardon fees (Piché, forthcoming).

The overview of the current political climate, as well as a review of government regulations shaping the non-profit field, suggest that Canadian NPOs face increasing pressures to limit advocacy (Eikenberry & Kluver, 2004). This development allows the prison industrial complex (PIC) to grow without criticism from NPOs and their complicity through service provision. As the nature of regulation within the Canadian non-profit sector changes, researchers need to study its evolution, considering shifts and continuities in its role in fostering civil society (Eikenberry & Kluver, 2004).

Although some literature discusses the dynamics surrounding Canadian NPOs, constraints on the advocacy role of organizations are largely overlooked. My project critically examines the link between NPOs operating in the punishment sector and the GOC, whereas most literature looks at this issue in the American context (e.g. Brainard & Siplon, 2004; Eikenberry & Kluver, 2004; Weisbrod, 2004). With few exceptions (e.g. Baines, 2010; Evans & Shields, 2002;

Woolford & Curran, 2013), the relationship between Canadian NPOs working in the punishment sector and the Canadian government, as well as the pressures that are brought about by it, have not been the focus of social research. Some Canadian studies deal with constraints imposed on NPOs by the federal government, yet these works focus on the entire non-profit field, as opposed to looking at those operating strictly in the punishment sector.

Research Objectives

The tension between maintaining a relationship with the GOC to ensure survival and being able to criticize the punishment system through advocacy was central to my research. This project was guided by the following research question:

> *What is the nature of the relationship between the Canadian government and NPOs working in the punishment sector, and how does this relationship impact the advocacy function of these organizations?*

The term "relationship" in this context refers to various interactions between the GOC and NPOs. There are several aspects of the relationship between the two entities, which, taken together, constitute a certain type of a relationship.

In order to address the research question, 17 qualitative semi-structured interviews with executive directors (EDs) of Canadian NPOs working in the punishment sector were conducted. Through these interviews I was able to document the perceptions of those responsible and accountable for the operations of NPOs concerning the nature of the relationship between their organizations and the Canadian state, as well as any impacts that this relationship has on their advocacy work.

Upon completing the interviews I was forced to conclude that the majority of participating NPOs were coopted by the state through their extensive relationship with the GOC. Most NPOs supported the punishment system through their service provision function, while

continuing to advocate for social change despite the barriers presented by their relationship with the GOC.

The study contributed to criminological knowledge in a number of ways. First, it examined various aspects of the relationship between Canadian NPOs operating in the punishment sector and the GOC, which had not been done previously. Second, the study filled the knowledge gap with regards to the impact of the GOC-NPO relationship on the advocacy function of organizations working in the punishment sector. Finally, the study brought about practical contributions by analyzing the impact of the changing nature of the relationship on marginalized populations that NPOs claim to be advocating for. The findings showed that the changed nature of the relationship between the government and NPOs resulted in more control of marginalized populations as many organizations were unable to challenge the penal status quo.

Chapter Summaries

This study comprises several chapters. *Chapter 2: Literature Review* provides a more extensive overview of the major academic debates around the relationship between the GOC and Canadian NPOs, as well as its impact on advocacy. The project is situated within the literature and some of the contributions of this study are discussed. *Chapter 3: Theoretical Perspective* discusses Mathiesen's framework that was used to analyze the data in more detail. Mathiesen's concept of "silent silencing" is further explained by making reference to specific techniques that are used to silence individuals who challenge the status quo. *Chapter 4: Methodology* explains how the technique of qualitative semi-structured interviewing was used to collect the data. In addition to that, the method of content analysis that was used to examine the data is detailed, along with the ethical principles that were considered throughout the research process. *Chapter 5: Findings* presents the results of the study. The data processed using the content analysis method is

introduced. *Chapter 6: Discussion* applies Mathiesen's theoretical framework to highlight the dynamics of the relationship between the GOC and NPOs, and how it impacts NPO advocacy. Findings of the study are further discussed in relation to academic literature on the topic. *Chapter 7: Conclusion* summarizes the core aspects of the project. Some of the limitations of the study are acknowledged and directions for future research are suggested.

CHAPTER 2:
LITERATURE REVIEW

This chapter situates this project that examines the relationship between the GOC and NPOs within relevant academic literatures. The chapter begins by tracing back the history of Canadian NPOs operating in the punishment sector with a discussion on their emergence and the relationship to the federal government. The subsequent section of the chapter introduces some of the major changes associated with neoliberal restructuring in the non-profit sector. In particular, the financial relationship between the two is discussed in addition to dealing with some of the legislative obligations imposed on NPOs by the federal government. Second, debates surrounding the business model in the non-profit sector are considered. Third, the concept of PIC and its links to NPOs is introduced. Finally, the tensions between service provision and the advocacy function of NPOs are explored. The last section of this chapter identifies gaps in scholarly knowledge relevant to this study and discusses how the project addresses them.

The Emergence of Canadian NPOs

Today, NPOs working within the punishment sector see their role as multidimensional, where advocacy is viewed as an important function (Woolford & Curran, 2011). Historically, however, the role of NPOs in the Canadian penal system has been less diverse, though constantly evolving (Woolford & Curran, 2013). A detailed look at the history of Canadian NPOs is necessary to understand the roles these organizations have played in the past and how they have changed over time.

Canadian NPOs emerged in the 19th century, which was the era of the "nightwatchman state" (Braithwaite, 2000). This political philosophy involved a laissez-faire approach, where state interference in the public sphere was minimal (Braithwaite, 2000). It is in this context that many Canadian NPOs were formed to help those in need.

The mid-to-late 19th century was characterized by the penitentiary movement in emerging western democracies, which developed alongside the social turmoil stemming from the industrial revolution (Mathiesen, 1980). The transition from serfdom to capitalism created new social problems, as many individuals left the countryside for cities in search of work. This contributed to greater concentrations of working class individuals, who were generally deprived of adequate socio-economic resources. Mathiesen (1980) argues that this development presented a problem for the bourgeoisie, who had to maintain control over the workers.

In the Canadian context, the John Howard Society of Canada (JHSC) (n.d.) emerged as a response to the new form of punishment. Borrowing its name from the 18th century English prison reformer, their original mission focused on promoting more humane treatment of prisoners, which included the abolition of the death penalty (JHSC, n.d.). With that being said, the overall approach employed by many Canadian NPOs had more to do with providing services for marginalized individuals, as opposed to pushing for social change (JHSC, n.d). For instance, the JHSC (n.d.) initially provided spiritual support for prisoners, while the Salvation Army (n.d.) handed out basic necessities of life to the homeless.

The emergence of the modern penitentiary was further influenced by the philosophy of punishment that emphasized the reformation of prisoners (Duguid, 2000). According to this early model, the "offender" was the product of the environment, where various social conditions contributed to deviance (Duguid, 2000). The penitentiary was meant to transform the "offender" into a law-abiding citizen through hard work and moral guidance (Duguid, 2000). Some NPOs working in the punishment sector during this period shared this philosophy. The JHSC (n.d.), for instance, emerged as a religion-based organization, providing prisoners with instructions focused on moral reformation. The emphasis on reformation is further illustrated by the fact that several

Canadian NPOs delivered social services to recently-released prisoners. Among them was the JHSC (n.d.), who began handing out food to ex-prisoners in order to help them with reintegration in 1929.

Keynesianism and the Medical Model

The market crash of 1929 and the Great Depression that followed contributed to the criticism of government policies (Braithwaite, 2000). The laissez-faire approach of the "nightwatchman state" was now seen as flawed (Braithwaite, 2000). The Canadian government responded by shifting to a model based on Keynesian principles (Braithwaite, 2000). Keynes was an economist who argued that moderate government intervention in the market resulted in economic prosperity (Braithwaite, 2000). This philosophy marked a departure from the previous laissez-faire approach, as the government took a central role in all spheres of Canadian society (Braithwaite, 2000).

Although the GOC became more active in the public sphere, the non-profit role in service provision did not diminish (Shields et al., 2005). Instead, this era was marked by non-profit expansion, as the Canadian government began to fund and support NPOs (Shields et al., 2005). For example, the number of Salvation Army (n.d.) organizations increased, whereas the variety of services offered by this organization expanded as well. Victim witness assistance programs and an anti-suicide bureau were also established during this period (Salvation Army, n.d.)

The GOC provided sustainable funding at the time, which granted non-profits autonomy (Woolford & Curran, 2011). The state funded NPOs on a consistent basis, as opposed to sponsoring one-time projects, which allowed them to engage in activities they considered to be beneficial to society (Woolford & Curran, 2011). Threats of defunding were not being made at the time and, therefore, NPOs did not feel the pressure to follow the government's agenda

(Woolford & Curran, 2011).

The Keynesian era is also marked by a changing approach towards incarceration. Duguid (2000) discusses the emergence of the medical model, whereby individuals who commit crimes were thought to have internal problems. “Offenders” were assumed to have mental and/or moral deficiencies, which pushed them towards “crime” (Duguid, 2000). Following this logic, it was possible to “fix” the prisoners through insight and observation (Duguid, 2000). Criminalized individuals were expected to “look within” in order to understand the reasons for engaging in “crime” so that they could then be “transformed” through intervention (Duguid, 2000).

One of the earliest critiques of the medical model was the 1956 Fauteux Report (Gamberg & Thompson, 1984). The report emphasized prisoner rights and proposed measures that would better serve to reintegrate criminalized individuals (Gamberg & Thompson, 1984). The Parole Board of Canada was established in 1959 as a result of this report (Gamberg & Thompson, 1984).

The prisoner rights movement gained prominence in the 1960s and 1970s, along with other social justice movements. This development was partially a response to poor conditions within prisons at the time (Culhane, 1991). Many facilities were crowded and poorly equipped, while corporal punishment was still in use (Culhane, 1991). In addition to that, many prisoners who were not particularly dangerous were confined in maximum-security facilities (Culhane, 1991).

A lack of an adequate complaint system meant that prisoners were often left unheard (Jackson, 2002). As a result, a number of violent protests occurred in Canadian prisons throughout the 1970s (Jackson, 2002). One of the more well-known incidents was the Kingston Penitentiary Riot of 1971 (Jackson, 2002). The riot lasted 5 days, resulted in 2 prisoner deaths

and made the Canadian government question the state of the prison system (Jackson, 2002).

Canadian NPOs operating in the punishment sector joined the prisoner rights movement, and began advocating for penal reform to a greater extent in the 1960s and 1970s (Duguid, 2000). For example, St Leonard's Society of Canada (SLSC) (n.d.) initially specialized in providing services for those released from prison. In the 1970s, however, those involved in the organization started to focus on lobbying the government to reform the prison system, which was seen as dehumanizing and ineffective (SLSC, n.d.).

Canadian NPOs now had solid empirical support for their advocacy efforts, as a number of reports were produced throughout the 1960s and the 1970s criticizing the Canadian prison system. Among them were the Ouimet Report (Ouimet, Martin, Lemieux, McArton & McGrath, 1969), The Law Reform Commission Report (Hartt, Lamer, Mohr & La Forest, 1976), and the MacGuigan Report (MacGuigan et al., 1977).

These reports presented evidence that prisons were unsuitable for rehabilitating prisoners, and proposed a number of reforms (Ouimet et al., 1969; Hartt et al., 1976; MacGuigan et al., 1977). Specifically, these documents suggested greater use of parole and probation, smaller institutions, more effective complaint systems for the incarcerated, and elected prisoner committees (Ouimet et al., 1969; Hartt et al., 1976; MacGuigan et al., 1977). NPOs operating in the punishment sector used these reports as the primary basis for their advocacy efforts (Duguid, 2000).

Greater engagement in advocacy on behalf of Canadian NPOs at the time is further explained by increasing efforts to foster "civil society". During the Keynesian era the Canadian government was interested in fostering civil society through considerable intervention, including investments in social services and other public projects that occurred at the time (Evans &

Shields, 2002). Many NPOs expanded and diversified their activities. Native Counselling Services of Alberta (NCSA) (n.d.), for instance, was initially concerned with assisting Aboriginals throughout the court process. In the 1970s, however, NCSA (n.d.) began providing therapy and probation services. Moreover, the group started advocating for penal reform by emphasizing the hardships faced by Aboriginals when dealing with the Canadian penal system (NCSA, n.d.). It is known that Aboriginal individuals have experienced oppression and unequal treatment throughout Canadian history (Bracken, Deane & Morrissette, 2009). In this sense, the advocacy activities conducted by the NCSA promoted justice and equality for these marginalized individuals, which played a role in enhancing civil society.

Diversification of activities on behalf of NPOs can be seen as a positive development. However, it can also be argued that the expansion in the scope of service provision is a sign of cooptation of NPOs (Armstrong, 2002). The paradox of NPOs is that they advocate for humane social policies, but also perpetuate state repression by providing services (Armstrong, 2002).

"Nothing Works" and Neoliberalism

The shift towards neoliberal policies beginning in the late 1970s and early 1980s had a tremendous impact on different aspects of Canadian society (Baines, 2004). Neoliberalism is a political philosophy that emphasizes limited government interference in the public sphere accompanied by an increased role for the private sector (Hartnett, 2008). Hartnett (2008) identifies three major types of neoliberal policies. First, there is fiscal austerity, which refers to a decrease in public spending. The second type of neoliberal policy is privatization, which allows private companies to enter the public sphere. The third policy type, market liberation, frees corporations of previously imposed state regulations.

The rise of neoliberalism was accompanied by a philosophical shift in the punishment

sector (Duguid, 2000). In addition to a number of government reports produced throughout the 1970s, the medical model was being questioned in academic circles. Perhaps most influential was Robert Martison's recidivism study in 1974, which concluded that the medical approach was ineffective in treating "offenders" (Duguid, 2000). Likewise, Morris (1973) published a book called *The Future of Imprisonment* that argued that prisons could not rehabilitate, because they were inherently brutalizing.

The "nothing works" penal approach, along with neoliberal policies, carried serious social implications. Decades ago, McMullan and Ratner (1983) noted that Canada was experiencing slightly rising incarceration rates as a result of more stringent penalties. They also observed that since "nothing worked", the penal system became increasingly concerned with incapacitation and managing the risk of recidivism through actuarial means, as well as general and specific deterrence.

The impact of neoliberal restructuring on the Canadian non-profit sector is documented by several scholars (e.g. Baines, 2004; Hall & Reid, 1998; Woolford & Curran, 2013). The most important outcome of neoliberalism was the Canadian government's withdrawal, albeit not complete, from social service provision (Hall & Reid, 1998). As in previous eras where the federal government involvement in social service provision was limited, the non-profit sector was expected to address the gap in providing them (Hall & Reid, 1998). Hall and Reid (1998) argue that this development is problematic, as the non-profit sector was and remains incapable of providing adequate social services considering the scarcity of trained staff and resources (Hall & Reid, 1998).

The Canadian government's withdrawal from social service provision was accompanied by cutbacks in NPO funding. More importantly, the nature of non-profit funding changed in its

entirety (Woolford & Curran, 2013). The funding was no longer sustainable, as NPOs were now required to compete for government contracts (Woolford & Curran, 2013). Several scholars have argued that the new mode of funding required NPOs to restructure themselves according to the business model (Brainard & Siplon, 2004; Dart, 2004; Eikenberry & Kluver, 2004), where sustaining resources became the primary goal at the expense of mission objectives (Baines, 2004).

Neoliberal philosophy represented a significant departure from Keynesian principles in that the focus shifted towards dealing with individuals (Woolford & Curran, 2013). Responsibility for "criminal" behaviour was now attributed to individuals, not society (Woolford & Curran, 2013). According to this philosophy, the problem of "crime" could be approached by focusing on the factors that increase one's likelihood of engagement in "deviant" activities (Woolford & Curran, 2013). This philosophy had a concrete impact on the operation of NPOs, because they are now required to target individuals' risk factors in order to obtain funding. The usefulness of any given program is measured according to the benefit that it could bring to the penal system in terms of reductions in criminalized harms (Woolford & Curran, 2013). As will be discussed in *Chapter 5* and *Chapter 6*, since the current government demonizes criminalized individuals, advocacy for their rights is generally not supported (Doob & Greenspan, 2012).

Neoliberal Restructuring

The non-profit sector in Canada is made up of over 150,000 NPOs with support from 6.5 million volunteers (Steedman & Rabinovicz, 2006). As of eleven years ago, this sector accounted for 8 per cent of all paid jobs in the country (McMullen & Schellenberg, 2003). In addition to being extensive, the non-profit sector is considerably diverse. While some NPOs mainly focus on service provision, other organizations are more oriented towards advocacy (Evans & Shields,

2002). The majority of these organizations are small, with annual revenues of less than $100,000 (McMullen & Schellenberg, 2003).

Despite Canada's non-profit sector being the second largest in the world, academics have largely overlooked the issues surrounding this sphere in the past. In fact, the Canadian non-profit sector has been referred to as "invisible" (Evans & Shields, 2002, p. 305). Issues surrounding the sector have only entered academic debates in the last few decades, mainly due to the sector's changing role in Canadian society, which can be linked to the emergence of neoliberalism (Evans & Shields, 2002).

For that reason, the majority of the literature on Canadian NPOs examines the issues within the sector through the lens of neoliberal restructuring. For the most part, academics agree that the Canadian non-profit sector has undergone considerable changes due to neoliberal policies (e.g. Baines, 2004; Evans & Shields, 2002; Woolford & Curran, 2013). At the same time, some academics are skeptical of this argument, as they suggest that elements of the welfare state remain (Pulkingham & Ternowetsky, 1996).

Pulkingham and Ternowestky (1996) argue that the Canadian government brought back the welfare approach in the 1990s, but did so through neoliberal policies. The authors use the example of unemployment insurance implemented in the early 1990s, which demonstrates the government's active participation in the public sphere despite neoliberal rhetoric.

A more recent article by Evans and Shields (2002) adds nuance to this debate by identifying stages of neoliberalism. Implementation of neoliberal policies took off in the 1980s, which is described as a period of "roll-back neoliberalism" (Evans & Shields, 2002, p.309). Budget cuts in the public sector had a particularly detrimental effect on marginalized populations, who were in need of services (Evans & Shields, 2002). Due to the problems caused

by aggressive neoliberal policies, the GOC employed a different approach in the 1990s, which Evans and Shields (2002, p.309) refer to as the "third way". Even though neoliberal economic policies were preserved, the problems caused by hard neoliberalism were to be offset by investing in public welfare programs (Evans & Shields, 2002).

Elements of this approach can be seen in the non-profit sector by considering the implementation of the Voluntary Sector Initiative (VSI). VSI was an effort in the late 1990s and early 2000s to improve the capacity of NPOs through stronger GOC-NPO partnerships (VSI, n.d.). The first phase of VSI involved open dialogue between members of NPOs and representatives of the GOC. A significant amount of research on how to improve the GOC-NPO relationship was produced as a result of this communication. The second phase of VSI was initiated to implement the recommendations developed in Phase I (VSI, n.d.).

Evans and colleagues (2002) argue that the federal government led by Liberal Prime Minister Jean Chrétien used the "third way" approach. While the VSI was designed to improve the relationship between NPOs and the GOC, and concrete actions were taken in that direction, the VSI was ultimately abandoned and no similar efforts have been made under the federal government led by Conservative Prime Minister Stephen Harper (VSI, n.d.). Consequently, any contemporary study on Canadian NPOs must account for how aggressive neoliberal policies that replaced the "third way" approach have impacted the non-profit sector.

The literature dealing with neoliberal restructuring and its impact on the non-profit field was important for my purposes, because it provided a contextual background for the study. Academic research on this topic indicates that there has been a significant shift in the non-profit sector as a result of aggressive neoliberal policies. My study examined the GOC-NPO relationship and whether the links to the federal government impacted NPO advocacy efforts

under neoliberalism.

The GOC-NPO Relationship

The majority of academic work on NPOs suggests that the relationship between the GOC and NPOs has changed significantly with the emergence of neoliberalism (e.g. Baines, 2004; Evans et al., 2005; Woolford & Curran, 2013). Before neoliberal restructuring, the partnership between the federal government and NPOs could be described as one characterized by a mixed social economy (Valverde, 1995). Valverde (1995) argues that the mixed social economy approach dates back to the late 19th century, when the GOC began supporting charitable organizations. During this period, NPOs that were responsible for moral reform claimed to be privately funded. However, the federal government provided grants to encourage private donations (Valverde, 1995). This arrangement, which involved government support without coercive intervention in the practices of NPOs, constituted a true partnership (Valverde, 1995).

The relationship between the state and NPOs slightly changed during the Keynesian era, but still involved a partnership (Woolford & Curran, 2013). Woolford and Curran (2013) note that, while the state took a central role in providing public services, NPOs filled in any gaps left by the GOC. The GOC supported NPOs through long-term core funding, while allowing these organizations to advocate for social change (Woolford & Curran, 2013).

While some academics suggest that the GOC-NPO relationship constitutes a partnerships under neoliberalism (e.g. Salamon, 1987), the majority of scholars argue that the relationship has become more coercive (e.g. CWF, 1999; Woolford & Curran, 2013). While the GOC plays a lesser service provision role under neoliberalism, the federal government still regulates service provision (Baines, 2004). This is done through pressures for NPOs to adopt business-like practices, backed by threats of funding cuts and/or revocation of their CTS (Baines, 2004).

The pressures that NPOs face under neoliberalism can be understood by considering the relationship between NPOs and the GOC. Academic debates related to this issue focus on the nature of government control of the non-profit field and the inter-dependency between the GOC and NPOs. According to Richmond and Shields (2004), as well as Woolford and Curran (2013), the GOC-NPO relationship has become more coercive under neoliberalism, while Salamon (1987) suggests that the claims of government coercion are exaggerated.

Salamon (1987) argues that NPOs and the state are interdependent. Aggressive neoliberal restructuring resulted in the government's partial withdrawal from service provision in order to cut spending on public services (Hall, 1995). NPOs were expected to address the gap left by the government, which made the GOC dependent on NPOs for service provision (Salomon, 1987). NPOs, on the other hand, were dependent on the federal government for more than half of their financial resources (Shields et al., 2005).

Salamon's (1987) argument becomes problematic when the funding relationship between the GOC and NPOs is considered (Eakin, 2004; Richmond & Shields, 2004; Saunders, 2004). Although NPOs are expected to provide a variety of social services as a result of neoliberal restructuring, the federal government is under no obligation to fund any organization that offers services (CWF, 1999). Instead, the GOC can choose which organizations to fund based on the practices employed by these NPOs (Richmond & Shields, 2004).

Unlike core funding, contract-based funding is short-term and unsustainable (Evans et al., 2005). Evans and colleagues (2005) note that, instead of funding NPOs on a consistent basis, the government now funds short-term programs that are implemented by organizations. NPOs sign contracts which outline the objectives that each program is meant to achieve. NPOs are required to provide a detailed description of each particular program, program objectives and a timeline

for completion of said objectives. The GOC provides funding for the duration of the program and once the program is over NPOs have to apply for renewal (Evans et al., 2005).

The Canada West Foundation (CWF) (1999) report identifies some positive and negative aspects of contract-based funding. It is argued that the current funding regime increases NPO efficiency and contributes to standardization of services (CWF, 1999). At the same time, contract-based funding reduces flexibility and autonomy of NPOs, while complicating their advocacy function (CWF, 1999).

Similarly, Richmond and Shields (2004) argue that work over-load that results from government contracts does not allow NPOs to engage in advocacy to the extent they desire. Evans and colleagues (2005) argue that the current funding regime forces NPOs to change their agenda in order to meet contract requirements. In addition to that, in some cases, NPOs are unable to negotiate contract terms with the federal government (CWF, 1999). Consequently, organizations often have to choose between accepting unrealistic contract requirements or missing out on funding altogether (CWF, 1999).

Another consequence of contract-based funding is a lack of sufficient financial resources in the non-profit sector. Scott's (2003) study of 100 organizations reported severe under-funding of NPOs. Eakin's (2004) analysis of 10 Canadian NPOs found that employee benefits, frontline supervision and core organizational functions were the most underfunded areas. In support of these claims, Saunders (2004) found that employees of Canadian NPOs were generally underpaid and many of them did not receive work-related benefits.

In order to overcome the problems associated with underfunding, NPOs are forced to diversify their funding sources (Eakin, 2004). Organizations are expected to solicit for private donations (Steedman & Rabinovicz, 2006), and in some cases, the GOC provides funding if a

private entity matches government contributions (Eakin, 2001; Scott, 2003). In an attempt to diversify their funding sources, many organizations turn to for-profit activities (Cooney, 2006). For instance, some organizations that provide social services for marginalized members of the community also run thrift stores to sustain themselves (Cooney, 2006).

The GOC justifies this funding approach in terms of bringing efficiency and competitiveness to the "previously inefficient" non-profit sector (Richmond & Shields, 2004, p. 56). However, research shows that NPOs often struggle to diversify their funding sources, which ultimately makes these organizations financially unstable and negatively impacts organizational capacity (Scott, 2003).

The notion of "partnership" between the GOC and NPOs becomes even more problematic when the regulatory mechanisms imposed on NPOs by the GOC are taken into account. NPOs that wish to receive tax breaks must acquire the CTS (Eakin & Graham, 2009). Having CTS is also advantageous, because it allows NPOs to provide receipts to donors for their contributions, which is a major advantage for NPOs seeking alternative funding sources (Eakin & Graham, 2009).

NPOs must apply to the Canada Revenue Agency (CRA) in order to obtain the CTS, and organizations can obtain this status if they meet certain requirements, which place considerable limits on advocacy (Eakin & Graham, 2009). For one, advocacy activities must be in line with the charitable objectives of NPOs (PAGVS, 1999). In addition to that, "partisan" advocacy is prohibited and 10 per cent of all resources can be devoted towards advocacy efforts (CRA, 2012). Organizations that do not meet these requirements can be denied CTS during the application process, while entities that violate these conditions can have their CTS revoked (PAGVS, 1999).

By looking at the accreditation process that NPOs have to go through to obtain their CTS, and by considering the financial relationship between NPOs and the GOC, it becomes apparent that this arrangement does not constitute a partnership in the way described by Salamon (1987). Based on the evidence, there is a top-down arrangement between the GOC and NPOs, where the former is in control.

The Business Model

The majority of academic work that deals with Canadian NPOs points to the fact that these organizations are now facing pressures to behave in business-like ways (e.g. Baines, 2004; Carman, 2010; Woolford & Curran, 2013). A number of different arguments have been offered to explain this development. Several scholars argue that neoliberal restructuring has pushed NPOs towards business-like efficiency (Baines, 2004; Cooney, 2006; Eikenberry, 2009).

Baines (2004) argues that neoliberal restructuring has brought forth New Public Management (NPM), which is a model that emphasizes business-like efficiency. With NPM, the focus has shifted towards elimination of error and increase in productivity in the non-profit sector (Baines, 2004). Evans and colleagues (2005) argue that NPM involves two elements: "managerialism" and "modes of control". "Managerialism" can be understood as an increased emphasis on efficiency, which is achieved through the use of business-like practices and more sophisticated technologies (Baines, 2004, p. 7). "Modes of control", on the other hand, are the mechanisms of indirect control over organizational efficiency from a distance (Baines, 2004, p. 7). Through these "modes of control", funders are able to hold NPOs accountable to a greater extent by ensuring that resources are used in an efficient manner (Baines, 2004, p. 7). Carman (2010) advances a different perspective, arguing that pressures to adopt a business-like approach arose as a response to scandals surrounding NPOs in the early 1990s when some organizations

were found to be misusing resources.

There are two schools of thought regarding the use of business principles in the non-profit field (Brainard & Siplon, 2004). Academics who support the "economic model" (e.g. Hoefer, 2000) argue that NPOs are not significantly different from for-profit organizations. Therefore, NPOs must follow business principles in search of greater efficiency (Brainard & Siplon, 2004). Scholars who support the "voluntary spirit model" (e.g. Campbell, 2002; Carman, 2010; Ciancanelli, 2010), on the other hand, suggest that NPOs are inherently different from for-profit organizations due to their values and emphasis on doing "good" in the community (Brainard & Siplon, 2004). Since NPOs and for-profit organizations are built on different principles, the business model cannot be applied to the non-profit field (Brainard & Siplon, 2004).

An overview of the different aspects of the business model is necessary in order to understand the implications of the emergence of business principles in the non-profit sector. Dart (2004) develops an inductive typology of what being "business-like" in the non-profit sector entails, which includes the adoption of corporate rhetoric, service delivery, management, and organizational goals.

With regards to rhetoric, NPOs now refer to the individuals they assist in their work as "clients" (Woolford & Curran, 2011). In addition to that, concepts such as "accountability", "outcome assessment" and "program outputs" have become part of the lexicon of individuals working for NPOs (Woolford & Curran, 2013). Some academics, including Woolford and Curran (2013), are critical of this development, as they argue that business language has no place in the non-profit field. Using business language reproduces the existing socioeconomic system, whereas activists who try to impact real social change have to introduce premises that contradict

current arrangements (Mathiesen, 1974).

Where business-like service delivery is concerned, NPOs have faced pressures to hire professionals who are able to complete the objectives of government contracts (Saunders, 2004). Some academics argue that professionalization of the non-profit field has made the sector more efficient (Hoefer, 2000), while other researchers are more critical. Saunders (2004) argues that the professionals working for NPOs do not always share the values of their organizations and are more concerned with developing successful careers, which undermines the mission objectives of NPOs.

The shift towards the business model has impacted organizational goals, notably as it pertains to for-profit activities. Zimmerman and Dart (1998) argue that NPOs initially started engaging in for-profit activity as a result of financial shortages. For that reason, NPOs had to diversify their income sources in order to sustain themselves (Zimmerman & Dart, 1998). Non-profit involvement in the business sphere has picked up in the last decade in Canada (SEC, n.d.). The term "social enterprise" is now used to describe for-profit organizations that are concerned with improving social conditions, as well as NPOs that engage in for-profit activities (SEC, n.d.). In that sense, the line between NPOs and for-profit organizations is becoming increasingly blurred in Canada (SEC, n.d).

For-profit ventures of NPOs are under academic scrutiny for a number of reasons. Cooney's (2006) study explores the tensions between business objectives of NPOs and their mission goals by looking at NPOs that engage in for-profit activity. Cooney (2006) concludes that business ventures distract NPOs from advocating for social change. This position is supported by Eikenberry (2009), who argues that there is an innate conflict between business goals and the mission objectives of NPOs.

Salamon's (1993) critique of NPO for-profit activity focuses on fees-for-service. In order to generate profit, some NPOs charge individuals for the services they provide. This development is problematic, because many disadvantaged individuals are now unable to receive the services they need (Salamon, 1993).

In addition to business-like rhetoric, goals and service delivery, academics also examine accountability measures that are currently employed (e.g. Brainard & Siplon, 2004; Carman, 2010; Ciancanelli, 2010). Under neoliberalism, NPOs are being held accountable by governments to a greater extent, as they are expected to show that state investment contributes to significant results in the community (Carman, 2010). NPOs must demonstrate that they have made efficient use of government resources by providing detailed information regarding the allocation of funds and program outcomes (Carman, 2010).

Since the objective of my study was to analyze various aspects of the GOC-NPO relationship, some discussion of accountability was important for my purposes. In addition to that, academics have noted that business-like accountability measures are constraining and may take away from some of the functions of NPOs. I was interested in learning how the relationship with the federal government impacted NPO advocacy, which made accountability literature relevant for contextualizing my study.

According to Carman (2010), a program that is funded by governments is typically based on a logic model, which consists of the following four elements: inputs, activities, outputs and outcomes. Inputs are the human and financial resources that are necessary for the program. Activities are the processes that contribute to the program's success, which result in outputs and outcomes. Outputs are the direct results of the activities, such as the services that NPOs provide to particular individuals. Outcomes, on the other hand, have to do with the changes that occur as

a result of the program. NPOs are expected to be transparent in their practices to illustrate how the inputs of a program, along with implemented activities, contribute to their outputs and outcomes.

The increased interest in NPO accountability has been the subject of academic debates regarding whether business-like accountability measures are appropriate for NPOs. Carman (2010) presents a number of theories that support this type of accountability. According to the agency theory, funders and NPOs have different goals, which means that NPOs may deceive the funders in order to obtain resources. This theory suggests that accountability is necessary to prevent misuse of funds. The stewardship theory, on the other hand, suggests that funders and NPOs have similar goals, whereas accountability measures simply improve the efficiency of the sector. The third theory presented by Carman – institutional theory – suggests that accountability practices are necessary for NPOs to obtain legitimacy in the eyes of the public.

Although Hoefer (2000) agrees that accountability is important in the non-profit sector, he argues that current accountability practices are inadequate. For one, NPOs do not always conduct evaluations due to a lack of resources or knowledge (Hoefer, 2000). Furthermore, some NPOs use weak designs for outcome evaluation, which do not consider official statistics or long-term effects of programs (Hoefer, 2000).

The 1999 Panel on Accountability and Governance in the Voluntary Sector (PAGVS) report, which was put together as part of the VSI, supports Hoefer's claims to an extent. The report concludes that current regulations are too stringent, which undermines the "voluntary spirit" of NPOs (PAGVS, 1999, p. 8). Although current accountability measures are constraining, the GOC does not provide clear guidelines to improve efficiency (PAGVS, 1999).

While some academics support accountability in the non-profit sector and try to find

ways of improving current practices, other scholars are critical of the concept. Among them are Evans and Shields (2002) who argue that NPOs are accountable not just to the government, but also to their clients, volunteers, employees and the general public. Evans and Shields (2002) present accountability as a multi-dimensional concept that cannot be reduced to evaluation of performance-based outcomes.

Campbell (2002) also criticizes the concept of accountability in the non-profit field, questioning outcome assessment as a viable way of keeping NPOs in check. For one, outcome evaluation may restructure NPOs according to the bureaucratic model, which would undermine their role as voluntary spirit organizations (Campbell, 2002). Secondly, Campbell (2002) argues that outcome assessment often imposes unrealistic standards on already overworked and underpaid employees of NPOs.

Similarly, Ciancanelli (2010) is not satisfied with business-like accountability practices being imposed on NPOs. In his critique, the author focuses on the underlying economic differences between NPOs and for-profit organizations. In particular, the author argues that, unlike for-profit organizations, NPOs are guided by mission objectives, the outcomes of which are often intangible, while for-profit organizations are concerned with maximizing profit.

It is evident that the emergence of business-like practices in the non-profit sector has had a significant impact on the operation of NPOs. This information was important for my purposes, because I was interested in exploring the GOC-NPO relationship, whereas methods that ensure business-like efficiency constitute one aspect of the interaction between the two entities. Furthermore, the majority of academic work on this topic points to the fact that the shift towards the business model has put new pressures on NPOs. This study explored whether the GOC placed pressures on NPOs to behave in business-like ways and whether these dynamics had an

impact on the advocacy function of Canadian NPOs operating in the punishment sector.

PIC and NPIC

While economic deregulation allowed private corporations to enter the prison sphere in the United States, similar dynamics emerged in Canada, but to a smaller extent (McMullan & Ratner, 1983). Several academics argue that private involvement in the prison sphere led to the rise of the PIC (e.g. Christie, 2001; Davis, 2003; Dyer, 2000; Reiman, 2006). Davis (2003) describes the PIC as a mutually reinforcing relationship between the government, private corporations and the media, which contributes to prison expansion. This relationship makes prison expansion profitable creating vested interests in penal infrastructure construction and high levels of incarceration (Davis, 2003).

Today, American corporations are involved in the prison sphere to a great extent (Herivel, 2007). Christie (2001, p. 117) illustrates this point by analyzing *Corrections Today* and *Correctional News* magazines, where corporations market their products in order to "tap into", what was at the time of his study, "a 65 billion dollar industry". Some corporations specialize in prison construction, which is a multi-billion dollar market in itself (Dyer, 2000), while other companies focus on prison operations (Christie, 2001). Hylton (2003) and Von Zilbauer (2005) note that healthcare and food services are two of the fastest-growing areas in prison services. Lapido (2001) and Jackson (2007) discuss how the American government has contracted out communication services to private firms. In addition to that, private prison security is becoming prevalent, as corporations employ 2.5 times more security personnel than the state in America (Herivel, 2007).

In addition to corporate involvement in prison construction and maintenance, several companies make use of prison labour in the United States (Reutter, 2005; Young, 2000). The

American government does not regulate prisons the same way they regulate workplaces, which allows corporations to cut down on production costs (Thompson, 2012). Companies do not always pay prisoners for their labour, and if they do, the pay is generally between 12 and 15 cents an hour (Thompson, 2012).

Although NPO advocacy within the punishment sector is, on the surface, focused on challenging the current penal system (Armstrong, 2002), the PIC is difficult to confront (Davis, 2003), as it tends to neutralize and absorb any resistance (Mathiesen, 1990) through media and political rhetoric that presents incarceration as a viable solution to "crime" (Christie, 2001). Politicians and the media construct critics of prison expansion as being "soft on crime" (Christie, 2001) and dismiss their ideas as ineffective or unrealistic alternatives (Mathiesen, 1974). This often results in NPOs effectively becoming part of the coercive state apparatus, as they are unable to challenge the PIC through their advocacy efforts, and effectively support it by providing social services (Armstrong, 2002).

Academics, such as Mathiesen (2004), have noted the difficulties associated with challenging the status quo due to structural mechanisms that perpetuate current penal arrangements. Academics and activists have developed the term NPIC in an effort to bring attention to the cooptation of NPOs by the PIC (Incite!, 2009). NPIC is a set of relationships between members of the elite (i.e. politicians, bureaucrats and private corporations) and NPOs that results in control and cooptation of social movements (Incite!, 2009).

According to this argument, the government and corporate funders control the operations of NPOs (Incite!, 2009). NPOs that support the bureaucratic punishment agenda are funded, while those who challenge the current penal system struggle to survive (Incite!, 2009). As a result, NPOs are pressured into perpetuating the punishment system by fulfilling the objectives

set by the elite (Incite!, 2009).

The Role of NPOs: The Tension between Advocacy and Service Provision

Due to the changes in the non-profit sector associated with neoliberal restructuring, academic debates have shifted towards the discussion of the current role of Canadian NPOs. Some academics maintain that NPOs play a central role in fostering civil society through their advocacy function (e.g. Baines, 2010; Eikenberry, 2009). On the other hand, some scholars argue that stringent government regulations and heavy workloads undermine the advocacy efforts of NPOs, which reduces the function of these organizations to mere service provision (Van Til, 2000).

Bush (1992, p. 394) argues that NPOs are driven by the "voluntary spirit", which is defined as a "spirit of selfless giving for the benefit of others". Several scholars have argued that the "voluntary spirit" is increasingly hard to maintain due to neoliberal restructuring and pressures towards business-like efficiency (Baines, 2010; Eikenberry, 2009). Bush (1992) argues that, in order to preserve the "voluntary spirit", NPOs must move away from the business-like approach. Likewise, Eikenberry (2009) suggests that NPOs must consider their values when facing emerging neoliberal pressures in order to maintain their role in fostering civil society.

The importance of NPOs in fostering civil society is well-documented (Baines, 2010; Eikenberry & Kluver, 2004; Hunt, 1999). The relationship between the government, NPOs and civil society has been a topic of academic debates. Jenson and Philips (1996) argue that, throughout the 1960s and 1970s, and into the 1980s, the state has been interested in fostering civil society by investing money into the public sphere. According to this argument, the government plays a less significant role in fostering civil society under neoliberalism.

Valverde (1995) offers a distinct argument by tracing back the relationship between the

government and civil society. Valverde presents evidence that the GOC started funding charities in the late 19th century. Therefore, she argues that the government has been historically involved in developing civil society in Canada, and this relationship has not changed to any great extent with the onset of neoliberalism. Although it is recognized that the government has cut back on investments, the overall involvement of the government in fostering civil society is present to this day.

Van Til's (2000) position is slightly different, as he argues that the non-profit sector is heavily dependent on the government and on the business sector. For one, the researcher suggests that the non-profit sector can no longer be considered to be "non-profit" due to the sector's business-like practices and involvement in for-profit activities. In addition to that, it cannot be viewed as a distinct "sector", because it is interlinked with the government and for-profit entities. Van Til (2000, p. 12) refers to the non-profit sector as the "third space", and suggests that NPOs can play a role in fostering civil society through collaboration with the government, the business sector and communities.

A great deal of academic attention has been directed at the ways in which NPOs contribute to civil society. Salamon (1993) argues that NPOs enhance civil society by providing services for disadvantaged individuals. Eikenberry and Kluver (2004) discuss three other ways in which NPOs foster civil society that are not related to service provision. Firstly, NPOs play a role in building social capital, which are the bonds of trust between individuals in the community. Secondly, NPOs play a role as "value guardians", as they protect the public interest by upholding moral values (Eikenberry & Kluver, 2004, p. 136). In addition to that, NPOs play an important advocacy role, which can impact social change.

It has been argued that the advocacy function is particularly important when it comes to

fostering civil society (Evans et al., 2005). For instance, Scott, Deschenes, Hopkins, Newman and McLaughlin (2006) argue that advocacy efforts have the potential to contribute to fundamental reform. Bringing up important social issues in political debates can contribute to long-term social change, as opposed to a mere improvement of conditions. Van Til (2000) argues that advocacy is an important component of a free society, whereas imposing limits on it undermines democracy.

Evans and colleagues (2005) suggest that the advocacy role of Canadian NPOs has been historically significant. NPOs have been able to "give voice to the voiceless" by advocating for the rights of marginalized individuals (Evans et al., 2005, p.76). Jenson and Philips (1996) suggest that the advocacy role of NPOs became more important after WW2 with the changing citizenship regime. Before this conflict, the GOC only recognized male workers as citizens who had a political voice (Jenson & Philips, 1996). After WW2, all Canadians were now being recognized as citizens (Jenson & Philips, 1996). Throughout the 1960s and 1970s, the GOC funded NPOs that advocated for the rights of marginalized individuals in an attempt to mitigate past wrongs by giving minority groups access to policy-making (Jenson & Philips, 1996).

Jensen and Philips (1996) argue that the GOC undermined the advocacy role of NPOs in the 1980s and 1990s with the emergence of neoliberal philosophy. This was done in three ways: 1) removing advocates from within the state by cutting NPO funding; 2) questioning the credibility of advocates by referring to them as "special interest groups"; and 3) reducing their ability to advocate for social change by increasing the demand for NPO service delivery (Jenson & Philips, 1996).

While some academics argue that NPOs still play a significant role in fostering civil society, particularly through their advocacy function, other scholars suggest that the role of

NPOs under the current neoliberal regime has been reduced to service provision (Bush, 1992; Hall & Reed, 1998; Woolford & Curran, 2013). Bush (1992) notes that, with the onset of neoliberal restructuring, NPOs have become a cheap service provision alternative for the government. Likewise, Hall and Reed (1998, p. 1) argue that the government has "shifted the burden" of service provision onto NPOs in recent decades. The majority of the literature that discusses the service provision function of NPOs points out the fact that these organizations have little time or money to engage in advocacy activities due to heavy workloads associated with their service provision function (Bush, 1992; Hall & Reed, 1998; Woolford & Curran, 2013).

The literature that discusses the role of NPOs under neoliberalism was important for my study, because there is a connection between the advocacy role of NPOs in Canadian society and the dynamics of the GOC-NPO relationship. I was interested in how the relationship between NPOs and the GOC facilitated and/or constrained the ability of NPOs to advocate for social change.

Gaps in Knowledge and Study Contributions

It is evident that several knowledge gaps exist when it comes to the GOC-NPO relationship, and the impact of that relationship on NPO advocacy. These gaps must be identified in order to discuss the contributions to knowledge made by this study.

The majority of the literature consulted for the purposes of this study examines the relationship between the GOC and NPOs under the new neoliberal regime with a focus on financial issues and the accreditation process. There is a lack of research that explores other aspects of the relationship between the federal government and NPOs. The aim of my research was to provide a detailed overview of the GOC-NPO relationship in order to uncover how its different aspects impact the advocacy efforts of organizations.

In addition to that, a number of knowledge gaps exist in relation to literature that explores the emergence of the business model in the non-profit field. For one, few academics look at the extent to which business-like practices affect NPO advocacy. Some scholars argue that business-like practices often interfere with other functions of organizations (e.g. Bush, 1992; Cooney, 2006), but little academic attention has been directed at exploring these issues in greater detail, which is a knowledge gap addressed by my study.

Likewise, the role of Canadian NPOs in fostering civil society under neoliberalism has not been studied to any great extent. My research worked towards bridging this gap by analyzing the relationship between the GOC and Canadian NPOs operating in the punishment sector, as well as its impact on NPO advocacy Through my research, I examined whether Canadian NPOs still played a significant role in fostering civil society, primarily through their advocacy function, or if these organizations have become coopted by the state in a manner that contributed to further proliferation of the PIC.

In addition to that, most academic work in this area focuses on the non-profit sector in general, as opposed to dealing with the punishment sector in particular. It is known that there is tremendous diversity within the non-profit sector (Steedman & Rabinovicz, 2006), which may contribute to some variation in the relationship with the federal government, as well as the impact of this relationship on advocacy. This study worked towards addressing this gap by specifically focusing on the relationship between NPOs operating in the punishment sector and the GOC.

To date, no academic literature has explored whether NPOs operating in the punishment sector supported the coercive state apparatus, which would indicate the presence of NPIC dynamics in the Canadian context. The study addressed this gap by focusing on the cooptive

abilities of the Canadian state and the role of NPOs in today's society.

Finally, the majority of the literature on the topic is dated, which means that few academics have explored how the current political climate, accompanied by "tough on crime" rhetoric, has impacted the non-profit sector in Canada. Building on the works of Woolford and Curran (2011; 2013) this study dealt with this literature gap by highlighting how the current political situation shaped NPO activities.

Conclusion

The purpose of this chapter was to present some of the major debates on the topic of this study by discussing relevant academic work. The overview of academic literature suggests that Canadian NPOs have played a significant advocacy role starting in the 1960s. However, the emergence of neoliberal philosophy in the 1980s created new pressures that threatened NPO advocacy. Limited academic attention has been directed at whether Canadian NPOs operating in the punishment sector maintained their role in fostering civil society or became appendages to the state under neoliberalism. The study addresses this knowledge gap by exploring various aspects of the GOC-NPO relationship and their impact on NPO advocacy.

Having situated this study within relevant academic debates, it is necessary to present the theoretical lens that was used to analyze the data. The following chapter describes various aspects of Mathiesen's (2004) theory of "silent silencing". The rationale behind using Mathiesen's theory is discussed, along with the theoretical contributions of this study.

CHAPTER 3:
THEORETICAL PERSPECTIVE

The aim of this chapter is to provide a detailed description of the theoretical perspective employed in this study, beginning with a discussion of some of the main aspects of Mathiesen's (2004) framework of "silent silencing". The precedence of materiality over ideology is presented as the major underlying premise behind Mathiesen's work. This is followed by a discussion of "silent silencing" as a system of structural mechanisms for managing dissent within society, including specific techniques used to this end. The final part of the chapter discusses the theoretical contributions of this study, building on the gaps in knowledge in this area of research.

The Precedence of Materiality

Mathiesen's theory which describes how dissent is controlled in society through the use of "silent silencing" (Mathiesen, 2004) techniques, was used to analyze the data. Before describing Mathiesen's concept of "silent silencing", it is necessary to consider some of the assumptions underlying his theory.

The basic premise behind Mathiesen's (1980) work is that material arrangements within society take precedence over ideology. The author uses the term "superstructure" to describe the totality of ideological tools such as the law, religion and political rhetoric (Mathiesen, 1980). The superstructure adapts to material arrangements, and not the other way around (Mathiesen, 1980).

In order for the modern society to function, material production must occur. In other words, raw materials must be transformed into things necessary for the functioning and progression of modern society, such as technology and infrastructure (Mathiesen, 1980). The need for production creates material conditions – relatively permanent relationships between units of production (Mathiesen, 1980).

According to Mathiesen, "the mode of production" is the relationship between the forces

of production (i.e. tools and manpower), the relations of production, political ideology and theory (1980). The mode of production is fairly permanent, but may change as a result of material conditions, which, in turn, affects the superstructure (Mathiesen, 1980).

While changes in materiality contribute to ideological changes, Mathiesen notes that ideology carries objective and subjective feedback effects, which justify and further material conditions (1980). The objective feedback effect occurs when ideological tools are used to justify certain policies, which carries real social implications (Mathiesen, 1980). These policies, in turn, perpetuate existing material arrangements (Mathiesen, 1980). For example, the GOC may justify further criminalization of marginalized individuals through legislation related to loitering by using rhetoric that links this phenomenon to "deviant" behaviour. Implementation of such legislation furthers material conditions associated with the marginalization of disadvantaged individuals.

On the other hand, the subjective feedback effect of ideology shapes public attitudes in such a way that they support current material arrangements (Mathiesen, 1980). For instance, political rhetoric that presents incarceration as a viable solution to "crime" contributes to public attitudes that support "tough-on-crime" policies. Public opinion that supports increased criminalization preserves and furthers material conditions related to class relations (Mathiesen, 1980). Disadvantaged individuals are further marginalized, which ensures the dominance of the bourgeoisie.

"Silent Silencing"

A brief overview of the underlying assumptions guiding Mathiesen's theory allows one to see how ideological mechanisms can be used to perpetuate material conditions. Mathiesen (2004) further draws on this idea by discussing how ideology that questions material arrangements is

neutralized through the use of "silent silencing" techniques.

Mathiesen (2004, p. 10) uses the term "silent silencing" to describe the process of neutralization of ideas that manages dissent through structural means. He contrasts "silent silencing" with physical coercive mechanisms, since silent means of neutralizing dissent are less obvious, though equally (or perhaps even more) imposing in practice. It is emphasized that "silent silencing" occurs through various means (Mathiesen, 2004). Political rhetoric, legal rules and media information – what Mathiesen refers to as the "superstructure" – all contribute to "silent silencing" in a number of different ways (Mathiesen, 2004).

Mathiesen (2004) identifies five general techniques of "silent silencing". First, the messages that challenge the status quo are often absorbed into the system so that they no longer threaten it. Second, individuals who work within the system and challenge the status quo through their professional work are often silenced due to ongoing pressures to stop criticism. Third, such individuals face a number of pressures associated with professionalization. In other words, these persons are expected to behave in particular ways due to their position within the system, where criticism is seen as unprofessional. Fourth, "silent silencing" occurs through legal mechanisms in two ways. For one, individuals have to use legal language, which reproduces the system. In addition to that, the legal system transforms real conflicts into more neutral legal conflicts, which often have to do with debates around technicalities, as opposed to greater social issues. The fifth mechanism identified by Mathiesen is called "masking" (2004, p.18). This technique involves excluding threatening ideas from public discourse, which renders them invisible.

At times, a particular event makes the public question the system (Mathiesen, 2004). Mathiesen outlines five techniques that are used to preserve the status quo in these circumstances. The first technique – "individualization" – involves constructing the event as an

isolated incident, as opposed to an indication of flaws within the system (Mathiesen, 2004, p.25). The second mechanism – "normalization" – presents the event as normal considering the unique circumstances of the case (Mathiesen, 2004, p.26). The third way of maintaining "silent silencing" is referred to as "co-optation", where it is acknowledged that the mechanisms for handling the incident are inadequate (Mathiesen, 2004, p.27). However, there is no acknowledgement of error in this case. This is the major difference between "co-optation" and the fourth technique called "superficial endorsement" (Mathiesen, 2004, p.27). Here, it is acknowledged that a mistake has been made and that something needs to be done to correct it. The problem with "co-optation" and "superficial endorsement" is that they do not result in any real change while presenting rhetoric that suggests that modifications are being made. The fifth technique for reinforcing "silent silencing" is called "displacement of responsibility", where responsibility for the incident is deflected from the current structural conditions and attributed to other factors or particular individuals (Mathiesen, 2004, p.28).

In addition to that, Mathiesen (2004, p. 38) talks about silencing through "pulverization". "Pulverization" is when the event that makes the public question current arrangements is isolated from its context. This may be done by presenting the event as something unusual, or pulling the event out of its context and presenting it in a different context. In addition to that, certain details of the event may be focused upon, which detracts attention from the totality of the situation. Generally, after the event is isolated from its context, it is "reconstructed" (Mathiesen, 2004, p.46). There is some discussion of how the conditions have changed, and how similar developments are impossible under the new conditions. This is further reaffirmed through political and media rhetoric.

“Defining in” and “Defining out”

Mathiesen (1990) provides a framework for how fully-formed alternatives to current arrangements are neutralized. For one, the alternative may be constructed as impossible to implement. When the alternative cannot be constructed as impossible, its implementation is instead presented as difficult due to the risks and costs associated with it. In addition to that, an alternative may be presented as undesirable due to its perceived contradiction with the social values of the system and the broader society within which it operates. Furthermore, the idea may be met with enthusiasm, whereas nothing is practically done about it. Another method of neutralizing alternatives involves implementation of some new principles alongside old ones with a goal of showing that the alternatives do not work. Finally, the alternative may be absorbed into the system. In this case, the idea is implemented, but in a way that serves existing interests.

These specific neutralization techniques that are used to deal with fully-formed alternatives can be placed into two broad categories: “defining in” and “defining out” (Mathiesen, 2004). “Defining in” is a process that involves neutralizing threatening ideas by absorbing them into the system (Mathiesen, 2004). Through this process, ideas are incorporated into the system, but in a way that does not challenge broader social structures (Mathiesen, 2004). Ideas that are “defined in” are “competing agreements”, because they are based on premises that offer viable alternatives to the old system (Mathiesen, 1974: 60). At the same time, these ideas do not contradict the existing system, because they are based on old premises (Mathiesen, 1974). Since these ideas do not offer a contradiction to the status quo, incorporating them into the system does not affect broader social arrangements (Mathiesen, 1974).

Ideas that are “defined out”, on the other hand, are “non-competing contradictions”, as they are based on premises that challenge the system (Mathiesen, 2004: 60). The problem with

these ideas, however, is that they do not compete with current arrangements (Mathiesen, 2004). These ideas are not seen as viable alternatives, which is why they are dismissed as unrealistic or inefficient (Mathiesen, 1978).

"Unfinished" ideas, on the other hand, are "competing contradictions", because they present alternatives to the current system in addition to being based on distinct premises (Mathiesen, 1974: 60). Unlike "competing agreements" and "non-competing contradictions", "unfinished" ideas are not fully-formed, which makes cooptation impossible (Mathiesen, 1974)

System Mechanisms of "Silent Silencing"

It is important to recognize that abovementioned "silent silencing" techniques are employed when an extraordinary event that makes the public question the system occurs, or when fully-formed alternatives to current arrangements are presented. On the other hand, this study aimed to explore "silent silencing" mechanisms that affected NPO advocacy on a routine basis. System mechanisms of "silent silencing" were most appropriate for this purpose, as these mechanisms impacted the daily work of individuals working towards social change from within the system. While these mechanisms affected individuals, they were deemed appropriate for the analysis of organizations, because individuals who were responsible for the operations of their NPOs were interviewed for the purposes of the study. EDs and board members had significant control over the activities conducted by their NPOs, and therefore, the system mechanisms that impacted these individuals in their work also impacted organizations as a whole.

Mathiesen identifies several system mechanisms of "silent silencing". First, individuals working towards social change from within the system may be silenced when they refuse to participate in marginal benefits as a matter of principle. For instance, someone working within the punishment sector may not want to provide social services for the criminalized due to the fact

that service provision perpetuates the existing system. In this case, the person may be told that this kind of activism is detrimental to prisoners who need services. Moreover, one person's protest against these policies is unlikely to impact real change. As a result, many activists give in and end up providing services, which silences their political opposition.

Second, when someone working within the system speaks out against certain practices, there is often a paradoxical effect, where bringing attention to the issue perpetuates and magnifies the problem (Mathiesen, 2004). For example, speaking out against police violence towards criminalized individuals may cause more violence as it puts them into the public spotlight. This may contribute to further demonization of the criminalized through political and media rhetoric, which perpetuates and increases police mistreatment of these individuals.

Furthermore, professionals who seek to achieve social change are often isolated when it comes to the decision-making body (Mathiesen, 2004). If their opinions conflict with those of the political majority and the perceived interests of the public, these ideas are generally dismissed or "defined out". This is often the case for the so-called "special interest groups", whose ideas are usually ignored, because they do not coincide with those of the majority.

Another system mechanism that silences activists is referred to as "side-tracking" (Mathiesen, 2004, p.53). This occurs when someone raises a pressing social issue within an organization and their advocacy efforts are neutralized by de-politicizing or reframing the issue at hand. As a result, the inquiry is side-tracked away from the real problem into a debate over small details unrelated to the political stance, which does not produce any real change within the system.

In addition to that, working for an institution may change the activist's perspective (Mathiesen, 2004). This individual starts seeing things from the inside, which may change

his/her opinion on certain issues. Furthermore, that person enters into professional relationships with other individuals, who may hold different opinions on social issues. This often changes the activist's opinion or pressures that person into staying quiet on controversial topics.

Mathiesen's concept of "silent silencing" was important for my purposes, because this study explored whether NPOs experienced any pressures to limit their advocacy efforts. Many NPOs operating in the punishment sector attempt to challenge the status quo by advancing ideas that contradict the current system, but are subject to structural mechanisms of managing dissent.

Mathiesen's (2004) work on "silent silencing" mainly focuses on the means for controlling dissent within society, while resistance to such mechanisms is mostly overlooked. With that being said, Mathiesen (2004) notes that, in order to challenge "silent silencing" mechanisms individuals working towards social change need to stay away from the media, must support grassroots movements and encourage research that looks at issues from the perspective of underprivileged individuals. As this study uncovered, resistance to "silent silencing" occurs in various ways.

Theoretical Contributions

There is currently a theoretical gap in Canadian literature on the topic. The majority of academic work on the non-profit sector employs Marxist theories in discussing the impact of NPO cooptation on marginalized populations (e.g. Jenson & Philips, 1996; Richmond & Shields, 2004). Some academic work uses feminist perspectives to uncover the effect of this development on women in particular (e.g. Cohen, 1997). On the other hand, some literature on Canadian NPOs offers a critique of the non-profit sector by using Bourdieu's work (Woolford & Curran, 2013). However, no Canadian literature, to my knowledge, uses Mathiesen's work on "silent silencing" in studying the relationship between Canadian NPOs and the state in relation to the

advocacy role of these organizations.

My project contributed to theory by applying Mathiesen's framework of "silent silencing" to the Canadian non-profit sector. Mathiesen (1974) developed his framework by studying the Norwegian state, while my research made use of his theory in the Canadian penal context. In that sense, my work shed more light on the Canadian state's ability to co-opt social movements that challenge the status quo.

Conclusion

The aim of this chapter was to provide an overview of the theoretical approach that was used to interpret the data gathered as part of this study. Mathiesen (2004) developed the concept of "silent silencing" to explain how dissent is controlled through subtle, non-physical techniques within given societies. While Mathiesen (2004) presents a number of specific techniques of "silent silencing", his "system mechanisms" that emphasize more routine ways that individuals and organizations are silenced by hegemonic forces were used for data analysis.

Chapter 4: Methodology presents the techniques that were used to obtain and analyze the data. The ontological and epistemological positioning of the study, as well as some of the ethical principles that were considered throughout the research process, are also dealt with in this chapter.

CHAPTER 4:
METHODOLOGY

This chapter begins by explaining the positioning of the research. Research design is presented next by describing the target population and the setting of the project. The discussion then shifts to dealing with ethical precautions employed throughout the research process. Several principles of procedural ethics and ethics-in-practice are detailed. The sampling technique used in the study is the next subject of discussion. Purposive and snowball sampling are presented as the two methods for recruiting research participants. The next section of the chapter deals with data collection in more detail. The different steps involved in conducting semi-structured interviews are presented. The last section of this chapter offers a detailed overview of the data analysis method, where the content analysis technique is described.

Positioning

This research was approached from a traditional critical perspective, which is compatible with Mathiesen's work that is informed by Marxism. Most Marxist theorists believe in the existence of absolute truth that is obscured by ideology (Guba & Lincoln, 1994). For that reason, perfect reflection of the truth is impossible, while a close approximation of reality is attainable (Guba & Lincoln, 1994).

The ontological position of the traditional critical paradigm is historic realism, which holds that the truth is obscured by hegemony (Guba & Lincoln, 1994). Reality exists outside of one's understanding of it, and what society regards as the truth has been shaped by political, cultural, economic and ideological factors over time (Rigakos & Frauley, 2011). Research participants are often blind to the forces that shape hegemony. On the other hand, the researcher is an expert who is able to challenge what is taken for granted as reality through critical thinking (Guba & Lincoln, 1994).

The epistemological position of the traditional critical paradigm recognizes the subjectivities involved in the research process (Rigakos & Frauley, 2011). Getting to the truth is a difficult task, as research participants bring in their subjective interpretations of phenomena (Rigakos & Frauley, 2011). The researcher is an expert who is able to reconcile this problem through critical analysis (Guba & Lincoln, 1994). Researchers working from a traditional critical perspective often use triangulation, reflexivity, reference to literature and theory to deconstruct hegemonic notions (Guba & Lincoln, 1994). Triangulation is the practice of using mixed methods to gain a better understanding of the phenomena of interest (Guba & Lincoln, 1994). Reflexivity, on the other hand, involves self-awareness on behalf of the researcher, where biases are acknowledged and scrutinized throughout the study (Alcoff, 2009).

The traditional critical paradigm was appropriate for the study, because I was interested in challenging hegemonic notions. The study dealt with Canadian NPOs operating in the punishment sector, which are commonly regarded as advocates for the humane treatment of prisoners. While these organizations officially strive to help criminalized individuals, it is possible that certain factors make it difficult, if not impossible, for them to achieve this task in practice. Specifically, I was trying to learn whether the constraints stemming from their relationship with the federal government made it more difficult for NPOs to advocate for the criminalized.

In addition to that, traditional critical perspective was compatible with the methodological approach employed in the study. While many researchers working from a traditional critical perspective use triangulation, this approach can also work with semi-structured interviews alone (Guba & Lincoln, 1994). With that being said, I had to be careful in accepting the statements made by the participants as the truth (Guba & Lincoln, 1994). For one,

it was important that the interviewees provided honest answers (Guba & Lincoln, 1994). Establishing rapport with the participants made it more likely that they were truthful in answering the questions. Introductory questions were designed to build rapport with the participants. These questions asked the participants to comment on how they got involved in non-profit work. Interviewees were pleased that I was interested to hear about their career paths leading up to non-profit work.

Throughout the interview process, I had to recognize that the participants were bringing in their subjective interpretations of the phenomena, and therefore, critical reflection was required when dealing with interview data (Guba & Lincoln, 1994). I was able to recognize when I was being deceived by constantly referring to the academic literature on the topic as I conducted this study. For instance, one of the interviewees noted that the government valued empirical evidence produced by her organization. There was reason to be sceptical of this statement, as the literature on the topic (e.g. Mallea, 2010) notes that the current federal government does not follow an evidence-based approach where criminalization and punishment is concerned.

It was also important to recognize that the EDs and board members of NPOs work in a politically-charged environment where they claim to challenge hegemony through their work. There was reason to believe that these individuals were critical of commonly held assumptions, and were, therefore, able to provide the answers that would get me closer to the truth. While there was bound to be some variation, it was anticipated that many NPOs operating in the punishment sector experienced similar dynamics in terms of their relationship with the government, as well as its impacts on their advocacy function. For that reason, comparing responses provided by different participants allowed me to remain reflexive throughout the

interview process, which served as a way of approximating the truth.

It was necessary for me to understand some of my biases before beginning the project. I have learned a great deal about the penal system from a critical perspective. I chose this research topic because I wanted to examine whether the connection between the non-profit sector and the PIC at work in the United States, referred to as the NPIC (see Incite!, 2009), was at work in the Canadian context. While NPOs operating in the punishment sector are often viewed as independent advocates for the rights of the criminalized, some research suggests that these organizations are appendages to the state (Armstrong, 2002). Some literature goes even further by linking NPOs to the PIC, which means that NPOs perpetuate prison expansion and criminalization instead of advocating against it (Incite!, 2009).

Therefore, I may have approached the material with certain biases against the current arrangements within the non-profit sector. Since much of the literature on the topic pointed to the fact that NPOs were constrained by their relationship with the government, which affected the operations of these organizations, I suspected that there may be a link between the non-profit sector and the PIC in the Canadian punishment sector.

With the background knowledge I developed, the interview questions were shaped by literature that suggested that the operation of NPOs is affected by their relationship with the GOC. While the questions were open-ended and neutral, they forced the participants to focus on specific issues, which channelled their answers in certain directions. For instance, participants were asked about whether there was any pressure coming from the government to adopt a business-like approach, and, if so, whether that pressure affected the advocacy function of their organizations. In addition to that, the way I viewed and analyzed the data was shaped by my theoretical approach and previous studies on the topic.

All of the relevant data was incorporated into the study with one exception. One of the interviews was excluded from the study for a number of reasons. The participant demonstrated resistance throughout the interview. Any questions that could lead to potential criticism of federal government policies were either unanswered or answered in a way that did not address the actual question. The participant only said positive things about the GOC, even when such statements contradicted everything that is known about the current administration. The answers given by the participant were drastically different from those provided by 16 other individuals interviewed for the purposes of the study. In addition to that, there was clear distrust towards the researcher, as the participant asked to stay anonymous despite offering zero criticism of the GOC. I suspected that the participant was intimidated and feared negative repercussions from the GOC. Based on these factors, it was concluded that incorporating this interview into the study would have distorted the data.

Research Design

Seventeen EDs and board members of Canadian NPOs operating in the punishment sector were interviewed for this study. I specifically chose this population to answer the following research question:

> *What is the nature of the relationship between the Canadian government and NPOs working in the punishment sector, and how does this relationship impact the advocacy function of these organizations?*

In order to answer this research question I interviewed individuals who possessed specialized knowledge on these issues. EDs and board members of NPOs are held accountable by the government, and hold other employees of their organizations accountable. They deal with the government on a regular basis and are therefore aware of the nature of the relationship between their organizations and the GOC. In addition to that, these individuals have control over the

operations of their NPOs, which means that they are knowledgeable about the advocacy function of their organizations and whether that function is impacted by their relationship with the federal government.

Frontline workers, on the other hand, could not provide detailed and accurate answers to my questions. These employees deal with marginalized "clients" in their work, as opposed to managing their organizations. Their direct communication with the federal government is less frequent, and therefore, they are less likely to know many of the technical aspects related to the GOC-NPO relationship that EDs and board members of NPOs are aware of. Furthermore, these individuals are not usually involved in the advocacy work of their organizations and are therefore unaware of how the relationship with the GOC impacts advocacy.

A total of seventeen interviews took place as part of this study, with nine conducted in-person and eight done over the phone. Seven of the in-person interviews took place in the offices of EDs and board members of NPOs, while one of the interviews was conducted in a coffee shop.

Phone interviews were slightly more challenging due to the absence of non-verbal cues, as noted by Stephens (2007). It was impossible to make note of body language, so the focus shifted towards verbal elements of the interview, such as the tone of voice, duration of responses and the language used by the participants. These elements were used to judge whether rapport had been established. Establishing rapport over the phone was not a problem in most cases, as introductory questions were designed for that purpose. Based on abovementioned verbal elements, rapport had been established with the majority of the participants, with the exception of the interview that was excluded from the study for various reasons.

Ethical Considerations

Since my study involved human participants, a number of ethical principles needed to be considered. This project carried a risk of negative consequences for the participants, as several NPOs have lost funding as a result of government criticism (Woolford & Curran, 2013). Organizations that have been defunded by the federal government have often struggled to survive due to their inability to find alternative funding sources (Baines, 2004). Defunding has often resulted in program cuts and layoffs, which explains why many employees of NPOs have been reluctant to criticize the GOC in public (Woolford & Curran, 2013). For these reasons, a number of procedural precautions were incorporated into the study to protect the research participants.

First, ethics board approval was necessary to proceed with the recruitment. The importance of university review boards in protecting research participants from harm has been documented by several academics (e.g. Guillemin & Gillam, 2004). The ethics application consisted of a detailed description of different aspects of the study, as well as some of the potential risks to the participants. The ethics application was put together in the summer of 2013 and promptly sent out for review. Ethics approval was obtained in September 2013.

In addition to that, anonymity of the participants was maximized in a number of different ways. For one, the names of the participants were withheld, unless participants agreed to have their names published or were indifferent to the disclosure. Five of the participants agreed to the disclosure: Catherine Latimer (ED of JHSC), George Myette (ED of 7SSC), Philip Smith (Chair of QFJ), Kim Pate (ED of CAEFS) and Craig Jones (a former ED for the JHSC). In addition to that, one of the participants – Patrick Altimas (ED of ASRSQ) – was indifferent to the disclosure. The other participants were concerned about anonymity and did not consent to the

disclosure. After having read the information letter describing the study and the risks associated with participating in it (see Appendix A), the consent forms (see Appendix B) allowed the participants to choose whether they agreed to having their names and those of their organization published. This allowed the participants to make an informed decision regarding anonymity.

Another way of ensuring anonymity involved withholding the locations of organizations involved in the study. Participants from three Canadian provinces and six different cities were interviewed. In cases where participants chose to anonymize their names and those of their organizations, the locations of participating NPOs were withheld.

To ensure that participants had an option of remaining anonymous, the consent of each interviewee was obtained prior to the interview. The importance of informed consent in protecting research participants from deception has been noted in academic literature (e.g. Haggerty, 2004). Informed consent took two different forms – verbal or written – depending on the type of interview (over-the-phone or in-person).

In the case of face-to-face interviews, participants were presented with a consent form before the interview. The consent form asked the participants whether they agreed to participate in the study having read the information letter and having understood the risks. Furthermore, the participants were informed that they could withdraw from the study at any time. The consent form also asked interviewees whether they agreed to have their names, the names of their organizations, and the locations of their organizations published. In addition to that, participants were asked whether they agreed to be audio recorded. Consent forms were signed by the participant and the researcher and dated, and each party kept a copy. Consent forms were stored in the researcher's office under lock and key. They will be preserved for a period of 5 years and destroyed afterwards.

In addition to employing a number of procedural ethical precautions, some ethics-in-practice principles were considered throughout the study. It has been argued that ethics is not only a procedural matter, as ethical principles extend to the research process itself (Guillemin & Gillam, 2004). My research did not directly deal with vulnerable populations, but it was nonetheless necessary to acknowledge that my work could have harmed the participants, which justified the application of some principles of ethics-in-practice.

First, the principle of "non-maleficence" (causing no harm) (Kitchener & Anderson, 2011) was important throughout the research process. Some participants revealed information that they deemed to be too critical of the GOC. Some of these participants had initially agreed to have their personal information published, but subsequently asked to withhold their personal information after making these statements. I had to respect their decisions in these circumstances, because disclosing their personal information carried a risk of serious harm.

The principle of "beneficience" was further relevant for my project. According to this principle, the researcher must strive to do good by generating knowledge around certain issues (Kitchener & Anderson, 2011). The aim of my study was to shed some light on how the GOC-NPO relationship affected NPO advocacy. It was hoped that my research would create more critical awareness of these issues, which may have positive effects in terms of social change.

Sampling

Upon gaining ethics approval, my supervisor Dr. Justin Piché and I sent out emails to EDs and board members of Canadian NPOs operating in the punishment sector describing the details of the study. Due to the qualitative and specific nature of the study, purposive sampling was employed as suggested by Marshall (1996). Since my aim was to interview individuals with specialized knowledge on the inner workings of NPOs, participants who were more likely to

possess this type of information were contacted to participate in the study. As noted previously, EDs and board members of NPOs were selected over clerks and frontline workers who responded to the emails.

In addition to purposive sampling, snowball sampling was used in several cases. Some of the participants suggested interviewing their colleagues, who were either board members of their organization or EDs of NPOs operating in different cities. These individuals were then recruited in order to maximize the number of knowledgeable participants and the volume of data.

Recruitment proved to be a difficult process. Understandably, most EDs and board members of NPOs were extremely busy. In some cases, interviews were scheduled months ahead. In other cases, I had to follow up with a phone call to get a response from potential participants. In addition to that, several individuals refused to participate in the study altogether without providing reasons.

The sample consisted of 17 Canadian NPOs operating in the punishment sector from 3 Canadian provinces and 6 different cities. 14 of the participating NPOs were Ontario-based, while 2 organizations operated in Quebec and 1 NPO was based in a prairie province. 10 of the participating NPOs have been around for over 50 years, while 8 organizations emerged in the 1960s and the 1970s. 3 of the organizations were large stratified groups with considerable resources, while the remainder of participating NPOs were small in size. 11 organizations provided social services and advocated for criminalized individuals in the context of assisting them to complete their court mandate sentences, while 3 NPOs specialized in only advocacy and 2 organizations engaged in knowledge building and research that was distinct from advocacy.

Data Collection

To address the research question, 17 employees of NPOs were interviewed. Each semi-structured

interview lasted between 60 and 90 minutes. Participants were asked about the relationship between their NPOs and the GOC, as well as the impact of this relationship on the advocacy function of their organizations.

The method of semi-structured interviewing was selected for a number of reasons. Most importantly, semi-structured interviews are well-suited for uncovering beliefs, values, and perceptions of the participants (Barriball & While, 1994). This method allowed me to explore the perceptions of NPO employees in great depth, which was necessary, as I was interested in obtaining rich descriptive data due to the qualitative nature of my study (Labuschagne, 2003).

The semi-structured interviewing technique also allowed for some flexibility in terms of digging deeper into the material (Bariball & While, 1994). This methodology enabled me to ask additional questions, and therefore, did not confine me within the parameters of my expectations. Whenever a participant brought up an interesting point that may have been relevant to my study, a follow-up question was asked to obtain more information on the issue.

In addition to that, semi-structured interviewing required that all participants were asked the same set of initial questions, which allowed for comparison (Barribal & While, 1994). Throughout the study, all of the participants answered the same twenty-eight basic questions (see Appendix C). This enabled me to compare their responses, and to note the similarities and the differences.

The Interview Process

Conducting semi-structured interviews involved a number of steps. Before proceeding, questions were put together that were geared towards addressing the research question. Questions needed to be tailored to address the main issues surrounding the phenomenon of interest, as suggested by Barriball and While (1994). In my case, the questions were designed to uncover the complexities

of the GOC-NPO relationship. Furthermore, the questions focused on the advocacy function of NPOs and how their relationship with the federal government impacted advocacy.

The threats to validity outlined by Hutchmson and Skodol-Wilson (1992) were considered when designing interview questions. It was important to ensure that the questions were not too general, as this would have introduced irrelevant data into the study (Hutchmson & Skodol-Wilson, 1992). In the event that a participant trailed off, I made sure to bring the interview back on topic. For example, when asked about NPO funding, one of the interviewees began to talk about the Canada's Economic Action Plan and the housing crisis. I rephrased the question to get more information on the issue that was relevant for my study.

As suggested by Hutchmson and Skodol-Wilson (1992) I left the questions neutral, as opposed to asking leading questions. Any unexpected data that complexified my argument beyond what was originally anticipated was incorporated into the study, as opposed to ignoring or discarding it.

The questions produced for the interviews were largely guided by the literature on the topic. The interviews consisted of 28 questions, which were divided into six major sections: 1) general introduction; 2) the role of the NPO; 3) the CTS; 4) the GOC-NPO relationship; 5) the business model in the non-profit sector; and 6) the current political climate.

The introductory part of the interview was used to build rapport with the participants, and allowed the interviewees to ease their way into the discussion by talking about how and why they got involved in non-profit work. These questions were included, in part, because of the importance of rapport between the interviewer and the participant, which is emphasized by Hutchmson and Skodol-Wilson (1992). In addition to that, the participants' motivations behind engaging in non-profit work were uncovered by asking introductory questions.

The second section of the interview dealt with the role of the participants' NPOs in Canadian society. The interviewees were asked whether their organizations played a role in service provision, advocacy and/or performed any other functions. The advocacy function was the focal point of the inquiry, as efforts were made to obtain knowledge on the importance of advocacy, as well as the forms that it took in different organizations.

The third part of the interview addressed issues related to the CTS. The interviewees were asked about whether their organizations had received the CTS, the nature of advocacy limits that came with the CTS and whether their NPOs had experienced those limits in practice. In addition to that, the participants were asked to comment on whether the restrictions were reasonable. The purpose of these questions was to understand how CTS limits affected NPO advocacy.

The fourth section was quite extensive, as it dealt with the GOC-NPO relationship. Participants were first asked to comment on the nature of the relationship in general, which was followed by questions about the financial relationship with the federal government. In particular, interviewees were asked whether their organizations received government funding, as well as the nature of the funding (i.e. core funding versus contract-based). Furthermore, the participants were asked to comment on whether accepting funding created any pressures to operate in particular ways. The next set of questions asked to discuss any other aspects of the relationship with the GOC. The last set of questions inquired about whether the relationship constituted a partnership or if their arrangements were more hierarchical, with the GOC in a more powerful position.

The fifth part of the interview focused around the business model, which has been gaining prominence in the non-profit sector. The participants were asked if they had to employ

business principles in their work. Furthermore, the interviewees were asked to comment on whether the business-like approach had a place in the non-profit sector. These questions were designed to discover whether there was any pressure for NPOs to employ business-like principles, and how this approach impacted NPO advocacy.

The final part of the interview dealt with the current political climate. The participants were asked to comment on recent penal policy changes introduced by the Harper government. In addition to that, the questions asked about whether the nature of the relationship with the federal government had changed with the new administration and whether the advocacy function of NPOs had been affected as a result. These questions were used to gain an understanding of some of the potential changes in the relationship with the current GOC and some of the challenges facing NPOs when it comes to their advocacy efforts in the present political climate.

At the end of each interview, the participants were asked if they had anything to add with respect to the GOC-NPO interaction in relation to the advocacy function of their organizations. This was done in order to obtain as much information as possible.

Transcription

Upon completion, each interview was transcribed within days, as suggested by McLellan, MacQueen and Neidig (2003). Interviews were transcribed word-for-word, even in cases where the interviewee stuttered or used run-on sentences. Poland's (1995) critique was also taken into account by making note of any body language, as well as any sounds, pauses and instances of incoherence. Participants had the option of reviewing their transcripts, although only one of them took this opportunity.

Interviewees who chose to withhold their names and the names of their organizations were given pseudonyms, while the names of their organizations were left blank in the transcripts.

Pseudonyms were also used when presenting the data, as suggested by Palys and Atchison (2008). Upon completion, transcripts were stored on a password-protected computer in a locked office. The transcripts will be destroyed after 5 years of secure storage.

Data Analysis

The inductive content analysis method was used to interpret the data. Content analysis is a technique of making sense of written material by identifying themes within text through the use of codes (Huckin, 2004). The inductive version of content analysis is generally used in cases where the phenomenon of inquiry has not been studied to any great degree in the past (Huckin, 2004). Since few scholars have explored the dynamics behind the GOC-NPO relationship, I chose to let the themes emerge from text instead of constructing themes prior to analysis.

The initial reading of the transcripts was used to identify the main themes within text. Since the aim of my research was to uncover various aspects of the GOC-NPO interaction and their impacts on NPO advocacy, I identified the main themes related to these research objectives. Each aspect of the relationship and its impact on advocacy was given a code. The inductive nature of analysis allowed unexpected themes to emerge from text. For instance, "other" aspects of the GOC relationship (i.e. rapport with bureaucrats, collaboration with the GOC and negotiation for prison access) were the three unexpected elements of the relationship that were uncovered upon analyzing the data.

The second reading was used to collapse some of the categories together. For example, three aspects of the GOC-NPO relationship (GOC funding of NPO research, GOC consultation of NPOs and GOC informing of NPOs on issues related to upcoming legislation) were grouped into one category (information exchange). This was done because presenting these themes together was logical.

The last step of analysis involved integrating themes from different transcripts into one document, where the themes were grouped according to the aspect of the relationship and its impact on advocacy. This allowed for a full understanding of different aspects of the GOC-NPO relationship and their impacts on NPO advocacy.

Conclusion

This chapter provided a detailed overview of the methodology that was used for the study. Research was approached from a traditional critical perspective, which is consistent with Mathiesen's (2004) theoretical framework used for analysis. Seventeen EDs and board members of Canadian NPOs operating in the punishment sector were interviewed for the purposes of the study. The semi-structured interview method was employed to obtain rich descriptive information regarding the GOC-NPO relationship and its impact on advocacy. Inductive content analysis was subsequently used to analyze the interview data.

Chapter 5: Findings presents the data that was obtained using content analysis. Using this method allowed me to describe aspects of the GOC-NPO relationship and made it possible to conclude how the relationship with the GOC had any impact on NPO advocacy.

CHAPTER 5:
THE RELATIONSHIP BETWEEN THE GOVERNMENT OF CANADA AND NON-PROFITS WORKING IN THE PUNISHMENT SECTOR

The aim of this chapter is to answer the research question by presenting the main themes that were gained from interviews with NPO executives and staff, which were analyzed using content analysis. Content analysis involved identifying themes within text and using codes to reduce the volume of data. As noted previously, the study aimed to uncover various aspects of the GOC-NPO relationship and to discuss their impacts on NPO advocacy.

The first sub-section of the chapter considers the funding aspect of the relationship between the two entities, where several modes of NPO funding are presented. Accountability measures and other aspects of the business model are presented as the second dimension of the GOC-NPO relationship. The third element of the relationship involved the service provision function of NPOs. The fourth relationship aspect dealt with advocacy and lobbying on behalf of NPOs and CTS regulations under the *ITA* (1985). Information exchange between the two entities is presented as the fifth dimension of the relationship. The sixth sub-section considers some of the unexpected ("other") elements of the relationship between NPOs and the GOC that were not discussed in academic literature on the topic. Rapports with individuals within government, collaboration, as well as negotiation for prison access are the three aspects of the relationship discussed in this section. The last section considers the impact of the current political climate on advocacy.

Government Funding of NPOs

Government funding of NPOs came in two forms (core and contract-based), where core funding was disappearing in favour of contract-based funding. Funding was mainly designed to facilitate the NPO ability to provide social services, while the research and knowledge-building function

of few organizations was supported as well. As will be elaborated upon below, dependency on government funding complicated the advocacy function of the majority of NPOs involved in the study. These dynamics did not silence most participating organizations,[1] but presented barriers that were dealt with in various ways. Government funding was limited, as it covered basic overhead or program costs, as opposed to funding research and advocacy. In addition to that, the process of contract application was lengthy and draining for some participating organizations,[2] which distracted these NPOs from their advocacy work. Furthermore, accepting government money resulted in the loss of identity and grassroots nature of some organizations.[3] In some cases, NPOs changed their entire approach, which involved staying away from advocacy in favour of collaboration.[4] In addition to that, the GOC often cut contracts, which contributed to layoffs, followed by subsequent rehiring and retraining, which further drained NPO ability to advocate. On the other hand, financially autonomous organizations such as QFJ were able to advocate without the fear of repercussions.

Most participating NPOs received government funding, which took two forms: core and contract-based.[5] Most participating NPOs received core funding from the government in the form of sustaining grants.[6] For these organizations, sustaining grants represented over half of their budget, which made these funds important for maintaining organizational capacity. Sustaining grants were fairly small, which meant that they only allowed for maintenance of infrastructure and basic operations of NPOs. For example, Craig Jones (former ED of JHSC)

[1] With the exceptions of NPOs run by Julie, Kaitlyn and Miranda.

[2] Julie's NPO and Roberta's organization.

[3] As noted by Brandon.

[4] Kaitlyn's NPO.

[5] Exceptions included QFJ and anonymous NPOs managed by Brandon and Renée.

[6] These organizations included ASRSQ, JHSC at the national level, 7SSC at the National level, CAEFS, as well as NPOs run by Julie, Eric, Kaitlyn, Maria and Miranda.

noted that core funding received by his former organization supported the advocacy arm of his NPO, while other John Howard societies were dependent on contract-based funding at the local level.

In many cases, core funding that was provided to NPOs only covered minimum costs, as discussed by George Myette (ED of 7SSC):

> …the money that we get is really just core support funding for our maintaining of the structure of the national organization. It's a pretty limited amount of money. I work for free, so…

This was also the case for Kaitlyn's NPO, since the GOC provided enough money to cover the basic overhead costs, as opposed to funding research.

Results indicated that there had been an overall shift in the non-profit sector, where core funding that was previously used to support NPOs was disappearing in favour of contract-based funding. The prominence of contract-based funding was evident, as the majority of participating NPOs received some contracts. In fact, more organizations received contract funding than those that received core funding, with significant overlap between the two groups.[7]

Contract funding took various forms depending on the type and the size of an organization. Some of the bigger and more established participating NPOs received more contracts, because they specialized in various areas of working with criminalized individuals. For instance, one of the participants – Calvin – discussed per diem rate contracts his organization received for running halfway houses. This organization was fairly large, well-established and had the capacity to run halfway houses, which is why the GOC considered it an expert in this area. Organizations that did not have the same capacity provided other services, such as support for

[7] NPOs that received contract-based funding included JHSC at the national level, 7SSC at the national level, QFJ, ASRSQ and anonymous NPOs run by Julie, Calvin, Eric, Brandon, Renée, Maria, Adam, Roberta and Miranda.

the criminalized, reintegration services for "high-risk offenders" and staff training programs.

It is important to note that abovementioned organizations provided direct services, while some participating NPOs were primarily knowledge-building groups that focused on research,[8] or provided a forum for discussion for other organizations. Some of these organizations also received contracts from the GOC to share knowledge and present evidence. For example, Eric's organization was often invited to participate in workshops and presentations that were funded on a contractual basis.

One of the main problems associated with contract-based funding was the insufficient amount of resources in the non-profit sector. Calvin's organization, for instance, received enough money to cover the basic program costs, which limited their ability to engage in research. Calvin voiced his concerns regarding the current nature of government funding:

> …last year we hired a group from [reducted to protect anonymity] to do a correctional program assessment inventory to look specifically at what our workers were doing with our residents to improve their outcome…and we had paid for that...and other than us no one seems that interested in it. For instance, they are not investing. They are investing on a basic minimum service.

Regardless of the type of government funding received by participating NPOs, some of them struggled with having enough resources for research.[9] Since advocacy efforts of most organizations were based on empirical evidence, the lack of resources for research increased the challenge in relation to their advocacy function.

Furthermore, the switch to contract funding affected dependent NPOs in several ways. The current funding regime required constant applications for renewal of contracts. Roberta (ED of a large service-oriented NPO) noted the problems associated with this on-going process:

[8] These NPOs were: 7SSC at the national level, JHSC at the national level, QFJ, ASRSQ and NPOs managed by Calvin, Eric, Kaitlyn, Maria and Miranda.

[9] NPOs operated by Calvin, Kaitlyn and Maria.

> I do three to four funding applications per month to survive as an agency. An enormous amount of my time that could be going into strategic development of the organization is put into survival financing.

The process of contract application distracted some participting NPOs[10] from doing their work. This was the case for Julie (ED of a small research-oriented NPO), who had put in a lot of work applying for a specific research contract only to have it shopped out to free competition. Julie expressed her discontent with the process through the following anecdote:

> …we put in additional hours…to meet all of their criteria and we've scrambled to get it done...but the point is it was originally our idea and then we weren't even invited to participate and then we finally managed to pull it off. To me, that's incredibly inefficient, because, if you remember what I said in the first point, we had the Sole Source Justification to do this project in the first place.

In this case, Julie's NPO had the Sole Source Justification (SSJ) for a contract, which meant that her organization was considered an expert in the area and they should have received the contract without having to compete with other organizations. Despite having SSJ, the process of contract application required drafting a lengthy proposal. The GOC repackaged Julie's proposal, which contained her original ideas, and sent it out to open competition. Julie was informed that the contract was up for competition and that she had to redo and resubmit the 32-page proposal. As a result, Julie put in additional hours applying for a contract instead of focusing on other work.

The process of contract application was further problematic due to increased competition for government funding. Brandon (ED of a service-oriented NPO) voiced his concerns regarding contract competition:

> There used to not be [much competition for contracts], because our organization is one of the larger players. Now we are being told that we are going to have to bid on things…it sort of seems that the track record now is worth a lot less versus "can you be the cheapest person on paper to do this?"

[10] ASRSQ, Julie's NPO and Roberta's organization.

Growing competition for contracts has created a race to the bottom, where the government was looking for the cheapest way of delivering services. This development was problematic, because many NPOs started to repackage their proposals in order to gain funding from other departments. This process was draining for some participating organizations, because efforts to obtain resources reduced organizational capacity and distracted NPOs from their advocacy work.

Obtaining government funding was an increasingly difficult task, especially for smaller participating NPOs with few human and financial resources. However, new challenges arose once the funding was granted. Accepting government finances undermined organizational autonomy of some of the NPOs involved in the study,[11] as noted by Brandon:

> At times, I think it's good for us when we have less government funding, because we remember who we are. There are strings attached and the reporting has changed so much in the last 5 years. If we get lazy and used to cozying up to the government money, I think we lose our identity and our grassroots nature.

Likewise, Craig Jones (former ED of the JHSC) noted that government funding came with "subtle and indirect" pressure to limit advocacy. For these reasons, some NPOs involved in the study made a purposeful decision to stay away from government contracts in order to maintain their autonomy.[12]

All of the NPOs involved in the study were aware of the fact that contracts could be cut because of advocacy. Patrick Altimas (ED of ASRSQ) described the "advocacy chill" effect in the following way:

> …we live in the fear that the government will stop funding a lot of our organizations, because they don't want to fund people who disagree with them. It started with women's groups, I think, in the early years of this government…and they eliminated a whole court program for the Francophones in Canada.

[11] CAEFS and NPOs run by Brandon, Miranda and Roberta.

[12] CAEFS and QFJ and an anonymous organization operated by Brandon.

Roberta also brought up a recent example of KAIROS, which was a human rights group that lost its funding in 2009 due to their criticism of Israel in the ongoing GAZA Strip conflict.

Many NPOs were aware of the fact that limiting advocacy gave them a better chance of obtaining funding.[13] Roberta (ED of a large service-oriented NPO) also noted that there was a secret list of organizations that the government did not fund because of advocacy.

> …there's some list of organizations that the ministers had that they were basically told not to fund. There's this kind of paranoia for organizations that if they don't tow the line and if they advocate too strenuously on any one issue that it will come back to bite them.

Despite the risk of repercussions, most participating NPOs continued to advocate for social change, as noted by Patrick Altimas of the ASRSQ. This position was echoed by Kim Pate of CAEFS who suggested that, paradoxically, NPOs that were not speaking out were the ones being cut.

At the same time, few organizations included in the study were fearful of potential funding cuts,[14] which had an effect on their advocacy efforts. For example, the advocacy chill impacted Kaitlyn's NPO the following way:

> We had to...review ourselves about how we wanted to approach certain issues, because we were really feeling like it was dangerous to be debating the issues right now with this present government…we chose not to approach in a debate fashion anymore. We chose to approach in a positive forward-looking…this is what we think will work….no matter how the system is changing.

Kaitlyn's NPO changed its approach to a less confrontational one. It can therefore be concluded that the fear of defunding silenced some organizations, while most participating NPOs continued to advocate.

The fact that uncertainty around funding created an advocacy chill effect was further

[13] ASRSQ and NPOs managed by Adam, Calvin, Eric and Roberta.

[14] NPOs run by Julie, Kaitlyn and Miranda.

supported by the fact that financially autonomous organizations could advocate to a greater extent. For instance, QFJ received no government funding, which allowed them to speak out without the fear of repercussions. Similarly, one prominent organization that partook in this study advocated freely, as they diversified their funding sources and had the capacity to sustain themselves for three years if the funding was cut.

In summary, government funding of NPOs came in two forms: core and contract-based. Core funding was minimal, as it was slowly disappearing in favour of contract-based funding. Contract funding was designed to facilitate the ability of NPOs to provide social services that were no longer provided by the government. Contracts were offered for a variety of services, ranging from direct assistance for criminalized individuals to knowledge-building and research.

The funding relationship with the GOC created barriers for the advocacy efforts of financially dependent participating NPOs for three reasons. First, there was not enough government money given to some participating NPOs for research and advocacy. Second, the process of contract application distracted some participating NPOs from their advocacy work. Third, subtle threats of defunding created an advocacy chill effect that silenced a few organizations. While the funding relationship with the GOC made advocacy more difficult, most participating NPOs continued to advocate despite possible repercussions.

Accountability and the Business Model

NPOs that accepted government funding were subject to various accountability measures that were supposedly designed to improve efficiency. In reality, extensive, unclear, and retroactive accountability requirements drained time and energy from some of the smaller participating organizations.[15] As a result, the advocacy function of these organizations became the last

[15] NPOs run by Adam, Brandon, Maria and Miranda.

priority, while most participating NPOs continued to advocate. In addition to that, other aspects of the business model (i.e. business language, goals, values and professionalization) could theoretically interfere with the advocacy function of NPOs (Frumkin & Andre-Clark, 2000), but this effect did not materialize to any great extent in practice. Even though the emergence of various aspects of the business model in the non-profit sector made advocacy more difficult, few participating organizations let these pressures silence them.[16] These dynamics are elaborated upon below.

Accountability measures took different forms depending on the type (i.e. core versus contract-based versus both) and the amount of government funding received by an NPO, as well as the extensiveness of the service provision function of an organization. Annual financial auditing was one of the main measures of accountability. Organizations that received a mix of contract and core funding, as well as NPOs that only received core funding from the government, were subject to annual audits. These NPOs were required to present their financial statements at the end of the year, along with other documents that detailed spending.

NPOs that received contract funding were subject to outcome assessment as a form of accountability. These NPOs were required to demonstrate how the resources provided by the GOC contributed to positive changes in the community. Logic models were used to show how tangible resources were to be converted into results in terms of improving social conditions.

Most participating NPOs were constrained by accountability requirements, although there were a few notable exceptions. For Julie's organizations, accountability measures were "not a big deal", as they did not get in the way of other organizational functions. Similarly, accountability measures were not a problem for a large service-oriented NPO managed by

[16] With the exceptions of Kaitlyn's organization.

Calvin. On the contrary, Calvin suggested that accountability requirements were too lenient, as the government was not putting enough resources into outcome assessment and research around best practice.

On the other hand, the advocacy efforts of smaller NPOs were affected by tight accountability measures. Miranda (former ED of a research-oriented NPO) described the problems associated with current accountability requirements:

> The problem is that it drains a lot of energy for a small organization that can only afford a small staff…so part of the energy that is mainly needed for the creativity of the work and the power of the advocacy…it's the last priority.

Accountability measures for smaller NPOs were often as strict as those imposed on larger organizations despite resource disparity. As a result, smaller NPOs spent more time accounting for themselves and less time engaging in advocacy.

Accountability requirements were also distracting due to their unclear and sometimes retroactive nature. There was pressure to convert intangible services, such as "public education" into measurable outcomes without clear guidelines detailing the process. This type of work drained time and energy that could have been used for advocacy purposes. In addition to that, some participating organizations were required to retroactively report on previous years,[17] which took up a great deal of time and distracted these NPOs from their advocacy work.

Other aspects of the business model were also present in the non-profit field. For one, it is important to note that all of the particpating organizations used business-like language. Referring to the individuals they dealt with as "clients" was common. Terms such as "outcome assessment", "inputs/outputs" and "deliverables" were used as well.

In addition to that, the non-profit field was becoming professionalized. Board members

[17] NPOs managed by Kaitlyn and Maria.

and EDs of NPOs interviewed for the purposes of the study were competent professionals with considerable education and experience, who had the knowledge and the skills to conduct research and provide social services.

Some of the younger NPO employees did not share the values and goals of their organizations, while being ideologically open to Harper's "tough on crime" rhetoric. These individuals were less likely to engage in advocacy work, while being more likely to cave into the pressures stemming from various aspects of GOC-NPO interactions.

With that being said, all of the individuals interviewed for the purposes of the study shared the values and the goals of their NPOs despite having extensive professional backgrounds. Since these individuals were responsible for the operations of their organizations, professionalization of the field did not have a significant silencing effect in practice.

There was evidence to suggest that business-like values and goals were entering the non-profit sector. There was no conflict between business values and organizational values for some particpating NPOs. In addition to that, running an NPO in the current atmosphere required some degree of financial planning, whereas complete disregard for the bottom line was detrimental to organizational capacity. At the same time, emphasis on profit maximization and the adoption of business values was inappropriate for many NPOs involved in the study, because their focus was on challenging the system.[18] These organizations rejected the business model in favour of the traditional value-based approach.

Business values and goals interfered with advocacy-oriented mission objectives of most particpating organizations, yet some NPOs did not experience a tension between business values and mission objectives. For instance, Eric (ED of a research-oriented NPO) argued that business

[18] Namely ASRSQ, CAEFS, QFJ and NPOs run by Adam and Maria.

values and NPO values could co-exist:

> …to me the business approach is balancing your needs with your resources; thinking how it's going to impact you tomorrow, the next day, the next year and so forth so you can continue your operations. That has to be based on what is the mission of your organization. What are the values? But I don't see business approach and values being in contradiction with each other.

Likewise, there was no conflict between business values and organizational values for Brandon's NPO, while George Myette (ED of 7SSC) suggested that advocacy efforts could benefit from business-like planning.

On the other hand, most NPOs involved in the study noted the problems associated with the application of business principles in the non-profit sector. This point was illustrated by Brandon (ED of a service-oriented NPO):

> …to make money is not my style. I think it's just the...understanding the field you are working in, and knowing that the answer to the big quandary about crime and punishment is not in buying into a capitalist system. This is why a lot of people are in jail – because we live in an economic system that is unfair to many. You don't want to add another level of business-like management of clientele.

Since advocacy efforts of NPOs were driven by their values and mission objectives, business values had the potential to interfere with the advocacy function of some of these organizations. This would explain why many participating NPOs stayed away from a business-like approach in favour of a principle-based one.[19] In practice, however, the advocacy function of few organizations was undermined by various aspects of the business model.

Overall, there was evidence to suggest that various aspects of the business model were entering the non-profit sector. Tightening accountability measures was the most obvious aspect of this development, but the use of corporate language, professionalization of the field and the

[19] Namely ASRSQ, CAEFS, QFJ and NPOs run by Adam and Maria.

adoption of business values and goals further indicated the change of approach in the non-profit field Different aspects of the business model complicated advocacy work of NPOs, but did not fully silence them. Problematic accountability requirements drained resources and energy from some participating organizations. The use of business language and the professionalization of the non-profit field were potentially problematic, but these aspects of the business model did not appear to have a significant negative effect on the advocacy function of NPOs in practice. Furthermore, business-like goals and values had the potential to interfere with organizational values that shaped the advocacy work of NPOs. In practice, however, few NPOs involved in the project were silenced by these aspects of the business model.[20]

Service Provision

With sustaining funding being cut in favour of contracts, NPOs operating in the punishment sector were increasingly expected to provide social services for the criminalized. The service provision function of NPOs represented the third GOC-NPO relationship. The majority of NPOs included in the study provided direct services, while some of the organizations supported other NPOs that provided services.[21] The nature of service provision varied depending on the size and the emphasis of an organization. The majority of NPOs focused on providing "reintegrative services" that were meant to support "offenders" upon release into the community.

The majority of NPOs involved in the study saw tensions between their service provision role and their advocacy function.[22] To deal with these tensions, some participating NPOs stratified themselves to maintain their advocacy function at the provincial and/or national

[20] NPOs managed by Miranda and Kaitlyn.

[21] ASRSQ, QFJ and organization managed by Maria.

[22] This was true for all non-stratified organizations that provided direct services.

levels,[23] while adopting a service provision role locally. In addition to that, some participating NPOs limited the number of contracts they took on and only accepted the contracts that did not undermine their autonomy.[24] On the other hand, few smaller organizations with limited resources were left in a position where the demand for service provision complicated their advocacy efforts.[25] Each of these impacts are discussed in more detail in the following paragraphs.

Some of the larger NPOs involved in the study specialized in four or five different areas of working with criminalized individuals, which included: addictions, mental health, education, employment and housing. Smaller NPOs were less diverse in terms of their service provision function, with emphasis on specific services or services for certain types of "offenders". Brandon's organization, for instance, specialized in restorative justice-related services for "high-risk offenders". This group held meetings with recently-released "high-risk offenders" that were aimed at challenging individual attitudes linked to "reoffending" and supporting criminalized individuals in their reintegration into the community. On the other hand, Renée's NPO offered help in finding housing and employment to criminalized individuals who shared their religious beliefs.

Several participating NPOs did not provide direct services, but still provided social services in a sense. This dynamic was explained by Maria (ED of a small NPO):

> Social service? Not to whom you think. Not to people in conflict with the law or at-risk, but I would say providing that service to the members, who are a constituency of the community so that they can, in turn, share with their networks, which, in turn, represents other community members, which are those who are directly implicated. That's a little indirect, but yeah...I fight for that claim.

This unconventional example of service provision illustrates how some NPOs provided social

[23] 7SSC, JHSC, CAEFS and an NPO run by Roberta.

[24] CAEFS, QFJ and NPO managed by Brandon.

[25] Namely NPOs run by Adam, Eric, Maria and an NPO formerly managed by Miranda.

services without directly dealing with criminalized individuals, which further demonstrates the scope of the service provision function of NPOs operating in this sphere.

Most participating NPOs experienced a tension between their service provision role and their advocacy function. Maria's organization dealt with this problem on a daily basis, as her NPO was required to demonstrate the "value" of their programs to the community. Advocacy was not viewed as "valuable", which is why the GOC often viewed it as a waste of resources.

As noted previously, some of the larger participating NPOs were able to deal with tensions between their service provision and advocacy roles by stratifying their organizations. The national and provincial levels of these NPOs were responsible for advocacy and research, while the service provision role was prioritized at the local level. Catherine Latimer (ED of JHSC at the national level) described the structure of her organization in following terms:

> …there are maybe 60 offices that provide frontline services to people who are in conflict with the law or coming out of prisons or in prisons. There's a provincial structure and it leads up to a federal structure. The federal office provides some sort of guidelines around...what some of the priorities are. We are generally the ones that are invited to speak to committees that are looking at legislative reforms to provide the information about what the implications of those reforms would be on the justice and corrections system. Our office also deals more with media calls and raising concerns…

While larger organizations stratified themselves to maintain their advocacy function, financially independent NPOs dealt with tensions between their advocacy and service provision functions differently. These NPOs did not need government funding to sustain themselves, which is why they only accepted contracts that did not undermine their autonomy. This approach was described by Phillip Smith of QFJ:

> Again, because we are in the wonderful position to decide whether to engage in the contract or not engage in the contract, those that we do engage in would not be a conflict for us.

On the other hand, the advocacy efforts of non-stratified NPOs that were financially dependent on the GOC were complicated by strict contractual obligations and heavy workloads resulting from increased demand for service provision. To illustrate, the tension between contract requirements and individual advocacy were noted by Adam (ED of a small service-oriented NPO):

> Sometimes we find there's a bit of a lack of unity between what we feel is right for the client and what we are allowed to do under the terms of an agreement. For example, if we have an agreement with corrections for a certain supervision, we have to report a person's breach on something despite the reasons why we think it occurred.

In addition to that, the advocacy function of some participating organizations was negatively affected by growing workloads associated with increased demand for service provision. For instance, Miranda (ED of a small NPO) noted that recent service provision contracts drained energy from other organizational functions, including advocacy.

In summary, the service provision function of participating NPOs operating in the punishment sector was growing as organizations expanded into different areas of dealing with criminalized individuals: from employment and housing to mental health and addictions. While most NPOs involved in the study provided direct services for criminalized individuals, some organizations supported service-oriented NPOs or provided a forum for discussion for other groups. There was evidence to suggest that increased demand for service provision had the potential to interfere with the advocacy function of NPOs. To deal with this problem, larger organizations with sufficient resources stratified themselves to maintain advocacy at the national and provincial levels, while providing services locally. Financially independent NPOs rejected contracts that undermined their autonomy and only accepted the ones that were in line with their values. Smaller organizations did not have the capacity to stratify themselves or reject

government contracts, which is why their advocacy efforts were complicated by the demand for service provision. It is important to note that the advocacy function of the majority of these organizations was not fully undermined by the demand for service provision, as most of them continued to advocate for penal reform.[26]

Advocacy and CTS Restrictions

Despite the emphasis on service provision in recent years, most participating NPOs operating in the punishment sector still played an advocacy role. The majority of participating organizations advocated for social change in one way or another[27], while these efforts were subject to CTS regulations under the *ITA* (1985). While all of the organizations involved in the study were aware of CTS restrictions, none of the NPOs were fully silenced by them. The silencing potential of CTS regulations was present, because the partisan advocacy limit and the 10 percent rule were ambiguous and open to interpretation, which potentially put NPOs under scrutiny. To avoid the limits, some participating NPOs reframed their advocacy efforts as other activities when accounting for themselves.[28] On the other hand, one larger organization with considerable resources made a decision to deregister its CTS to protect its advocacy function.[29] This GOC-NPO relationship and its impact on NPO advocacy is discussed in detail in the subsequent section.

Advocacy took different forms depending on the size and the type of an organization. Larger stratified NPOs practiced individual-level advocacy locally, while lobbying for legislative reform at the provincial and federal levels. Service-oriented NPOs were more concerned with

[26] With the exception of Julie's and Miranda's organizations.

[27] Eric's organization was the only exception.

[28] Anonymous NPOs that Maria dealt with in her work.

[29] NPO run by Roberta.

advocating for their "clients", while organizations that did not provide direct services focused on changing social policies.

Small-picture advocacy involved taking a stance on what was best for the individual. Roberta (ED of a large stratified NPO), described what individual-level advocacy entailed in her organization:

> …if we report a woman's breach on something, we will also advocate for…reasons why we think it occurred that may inspire leniency in her parole officer.

While individual advocacy focused on what was best for the "client", "big-picture" advocacy was meant to affect greater change within the system. Macro-level advocacy took various forms depending on the emphasis of a particular organization. Adam's (ED of a small NPO) quote can be used to understand one of the forms of systemic advocacy:

> …[we] do a lot of public awareness kind of activities without necessarily going after people who work within the system. It's more like trying to describe the contradictions in the criminal justice system.

This less aggressive approach to advocacy can be illustrated by considering the work conducted by JHSC. This organization did research on bail provisions, which exposed some of the problems associated with this piece of punishment legislation. As a result, Minister McKay agreed to review bail provisions.

Other organizations took a more aggressive approach by directly lobbying the government, as discussed by Brandon (ED of a service-oriented NPO):

> We might respond to the recent Throne speech around things like "true life sentences".

Lobbying the government often involved writing letters to members of Parliamentary committees describing the problems associated with particular social policies or legislative

changes. For instance, George Myette (ED of 7SSC) wrote a letter to the Parliament criticizing the raise in Pardon fees incorporated into the Bill C-10.

Lobbying the government took other forms as well, such as speaking at Parliamentary committees and trying to affect social change through inter-personal interactions with people within the federal government. For example, Miranda spoke in front of a Parliamentary committee following media attention that resulted from her letter criticizing various aspects of Bill C-10.

The aims of advocacy work differed between organizations. George Myette's organization (7SSC), for instance, concentrated on improving the system by providing the "voice of the offender". Organizations that dealt with criminalized women, on the other hand, were looking to improve the treatment of female "offenders" (e.g. Renée's NPO). In contrast, QFJ was concerned with abolishing the penal system altogether.

Despite the differences between the types and the aims of advocacy efforts, most of the participating NPOs argued for an evidence-based approach to dealing with "offenders". A former ED of a small service-oriented NPO – Miranda – offered this description of the evidence-based approach:

> We've learned over the years that it was important to move away from the punishment model… towards a more reparative, restorative reconciliation model

The advocacy efforts of Miranda's NPO were informed by the body of research on the effective ways of dealing with "crime", whereas the punitive approach had been discredited through research, which is why none of the evidence-based NPOs were advocating for it.

All of the organizations involved in the study were aware of the new barriers to their advocacy function. For instance, it was dangerous for Kaitlyn's NPO to advocate for social change under the current GOC due to the risk of repercussions, which is why her organization

adopted a different approach:

> Well, you are really not supposed to be advocating anymore. It's now become a political term instead of a healthy term. I would say we voice our concerns on behalf of others. We educate the public on the concerns we have about legislation. We engage in collaborative work that works towards positive results. We try not to be in adversarial position as advocacy might be understood and passed.

Kaitlyn distinguished between advocacy and a more collaborative approach that involved doing similar work without being directly oppositional to the government.

This example illustrates how the line between advocacy and similar activities was blurring. The distinction between advocacy and similar activities was particularly relevant in the context of CTS regulations under the *ITA* (1985). All of the organizations involved in the study were registered charities under the Act, which made them subject to advocacy limits. NPOs were required to restrict their advocacy spending to 10 percent of their overall resources, as well as to avoid advocating for any political party.

The problem associated with CTS guidelines had to do with their ambiguity, which allowed for considerable discretion in their enforcement. The ambiguity of the partisan politics limit presented a problem for many organizations, as it was up to the federal government to decide whether advocacy initiatives of any particular NPO were political in nature. This concern was raised by Craig Jones (former ED of JHSC):

> …[partisan politics limit] is kind of a form of handcuffs, because, you know, what is political in one context is not necessarily political in another, and it is up to the listener to decide whether a particular piece of advocacy is political. In the current environment (i.e. under the Harper regime), criticism is per se and of necessity political, because they define what constitutes political commentary.

In addition to that, the 10 percent limit that restricted advocacy was criticized throughout the study. Catherine Latimer (current ED of JHSC) noted that her organization had not run into any problems with the 10 percent limit in the past, yet the ambiguity of the rule was noted as follows:

> …I would submit that how they calculate [the 10 percent] is not entirely clear ….does it include all of our volunteers? Does it include, you know, our staff time, or is it our actual resources?

Calculating the amount of advocacy conducted was difficult for many organizations, especially considering the blurring of the line between advocacy and similar activities.

The ambiguity and the potential restrictiveness of CTS regulations pushed NPOs towards taking certain steps for maintaining their advocacy function. Some participating NPOs repackaged their advocacy efforts as other activities to avoid scrutiny. This was the case for some organizations that Maria dealt with in her work, as these NPOs presented their advocacy initiatives as "public education" when accounting for themselves to reduce the risk of losing their CTS.

One participating organization took more drastic steps in protecting their autonomy, as illustrated by Roberta (ED of a large service-oriented NPO):

> ...we are in the process of deregistering our CTS precisely in order to maintain the integrity of our system advocacy.

While this measure was available to large well-established NPOs that had the capacity to operate without the benefits of the CTS, smaller NPOs remained subject to regulation under the *ITA*, which had the potential to limit their advocacy efforts.

To summarize, most NPOs involved in the study maintained their advocacy function. Advocacy efforts of NPOs differed in type (individual versus systemic) and aim (improving the system versus abolishing it). There was a fine line between advocacy and similar activities that involved raising awareness, which was particularly relevant considering CTS restrictions. The ambiguity associated with the partisan politics limit and the 10 percent limit shaped the advocacy efforts of some participating organizations that feared losing their CTS. Most NPOs, however,

were not constrained by CTS limits, as they repackaged their advocacy efforts or advocated to the same extent regardless of restrictions, while one large organization chose to deregister its CTS altogether to avoid silencing.

Information Exchange

There was some type of information exchange between most organizations and the GOC.[30] Information exchange took various forms, which included: government funding of NPO research, government consultation of NPOs and government informing of NPOs on certain issues. Government funding of NPO research did not significantly benefit NPO advocacy in most cases due to a mismatch between GOC and NPO priorities. The advice provided by NPOs throughout the process of consultation was generally ignored by the GOC, which made advocacy an ineffective tool for achieving significant social change. Likewise, the federal government rarely informed NPOs on legislative updates, which limited the advocacy efforts of organizations.[31] These points are detailed in subsequent paragraphs.

The first aspect of information exchange involved the government funding of NPO research. This generally occurred when the GOC was looking to gain some knowledge on prioritized issues. This type of information exchange was described by Catherine Latimer, current ED of the JHSC:

> …we received some contract funding from this past year from Public Safety...to do some research on one of their priorities, which was Social Enterprise.

It is important to note that the GOC only funded research on prioritized issues, while other types of knowledge-building were neglected.

Few organizations involved in the study were funded to provide research on issues of

[30] These NPOs included 7SSC at the National level, ASRSQ, CAEFS, JHSC at the national level, QFJ, and NPOs managed by Adam, Brandon, Eric, Kaitlyn and Maria.

[31] Brandon's NPO and Maria's organization received this type of information from the government.

government priority. Organizations that received such contracts noted that, sometimes, the issues prioritized by the government were also important to their NPOs. Conducting research on those issues allowed NPOs to obtain new information that enhanced their advocacy efforts.

On the other hand, government often prioritized issues that were not important to NPOs. Julie's organization had to deal with this problem on a consistent basis, which is described in the following statement:

> …the department that we are trying to solicit for a contract will say: "well that's just not a priority for us this year". So there's a bit of a disconnect, because I don't know how they determine what their priorities should be if their priorities are to represent what's happening at the local level as well.

This example demonstrates how the government only funded research on certain issues, which did not always contribute to the evidence base for NPO advocacy.

Information exchange with the GOC also took a form of consultation, as some participating NPOs were asked to comment on certain issues related to criminalization and treatment of marginalized individuals. The problem with government consultation of NPOs was that organizations that were invited to speak noted that the federal government was mainly asking them for advice because of the requirement to consult the community. Eric (ED of a small research-oriented NPO) defined the problem in following terms:

> Each department is required to consult with the community…they are not required to listen to us, but there is a requirement for the government to consult.

The fact that the GOC was not required to follow NPO advice was particularly important in this context, as most participating organizations noted that the federal government did not seriously consider their opinion in most cases. For example, Maria (ED of a small NPO) argued that the government rarely consulted her organization and when they did, the advice provided by her NPO was ignored. For that reason, this type of information exchange did not significantly

contribute to the ability of NPOs to achieve substantial social change through advocacy.

Information exchange between the GOC and NPOs was not limited to research and consultation, as some participating NPOs received information from the government on an inconsistent basis.[32] For instance, Kaitlyn noted that her organization received legislative updates. This relationship had the capacity to positively impact the advocacy function of organizations, as information on relevant issues allowed NPOs to channel their advocacy efforts in appropriate directions. At the same time, few participants noted that they received any information of that sort from the GOC, which made it reasonable to conclude that this relationship was barely existent and did not have a significant impact on the advocacy function of most participating NPOs.

In summary, information exchange between NPOs and the GOC took various forms, and had the potential to positively impact advocacy efforts of NPOs. In practice, this relationship did not have a profound effect on NPO advocacy for a number of reasons. For one, the GOC funded research on issues they prioritized, which were often different from those important to NPOs. Furthermore, some participating NPOs were invited to consult the GOC, but the advice provided throughout the process was generally ignored. In addition to that, the GOC occasionally informed some participating NPOs on legislative updates, which rarely had a significant impact on NPO advocacy.

Other Aspects of the Relationship

The GOC-NPO interaction involved a number of other aspects, but only for some participating organizations.[33] These elements included: rapport with bureaucrats, NPO collaboration with the GOC and negotiation for prison access. These interactions had an insignificant effect on the

[32] Organizations managed by Brandon and Kaitlyn.

[33] 7SSC, CAEFS, JHSC at the national level, QFJ and an NPOs run by Kaitlyn and Julie

advocacy efforts of participating organizations. Rapport with bureaucrats working for federal ministries, departments and agencies enhanced the advocacy function of some organizations included in the study to a minimal extent.[34] The spirit of collaboration that was present between some participating organizations and the federal government had the potential to enhance the advocacy function of NPOs, yet, in practice, the GOC did not always consider NPO advice.[35] Finally, negotiation for prison access had a detrimental effect on the advocacy function of QFJ.[36] The inability to access their target population meant that QFJ could not engage in individual-level advocacy for prisoners. Below, these aspects of the relationship impacting advocacy are discussed in greater detail.

Employees of some participating organizations shared professional relationships with bureaucrats.[37] For instance, individuals within government often tried to assist Craig Jones and Kim Pate in their work. Rapport with bureaucrats allowed these organizations to advance relevant issues.

At the same time, bureaucrats had to obey orders coming from above, which meant that they could only assist NPOs to a certain extent. It is therefore reasonable to conclude that the advocacy function of these organizations was enhanced to a limited extent by rapport with bureaucrats.

In addition to that, there was a spirit of collaboration between some participating NPOs and the GOC.[38] 7SSC, for example, shared common goals with the government, as they worked together towards achieving them. For instance, both parties were interested in "offender

[34] CAEFS and JHSC, as well as Julie's NPO.
[35] 7SSC and QFJ.
[36] QFJ was the only NPO involved in the study that experienced this relationship.
[37] CAEFS, JHSC under Craig Jones and Julie's NPO.
[38] 7SSC at the National level, QFJ and an NPO run by Kaitlyn.

rehabilitation", as 7SSC specialized in changing attitudes and behaviour of criminalized individuals, while the GOC supported this initiative.

However, the advocacy function of organizations that were in a collaborative arrangement with the GOC was not significantly enhanced, because the government did not generally take the advice provided by NPOs, as noted by George Myette.

One rare aspect of the relationship between the GOC and an NPO involved the negotiation for prison access. Phillip Smith (Chair of QFJ) described the tensions associated with this aspect of the relationship:

> …there are tensions on day-to-day basis – of being denied access to prisons, being denied access to certain sections of prisons, being denied access to prisons when there are difficulties we are aware of going on inside.

Negotiation for prison access had a negative impact on the individual-level advocacy function of QFJ. Since members of QFJ were unable to familiarize themselves with their target population, they were less aware of the issues that were relevant to individual "offenders", which reduced their ability to engage in "small-picture" advocacy.

In summary, some participating NPOs shared aspects of the relationship with the GOC that were not previously anticipated due to gaps in the literature on the GOC-NPO interaction. These elements of the relationship had less significant effects on the advocacy function of NPOs. First, employees of several NPOs shared interpersonal relationships with bureaucrats. These relationships allowed some organizations to advance their ideas, but only to a limited extent, as bureaucrats were constrained by directions from above. In addition to that, collaboration did not significantly enhance the advocacy function of participating organizations, as the GOC did not usually accept the advice offered by NPOs. Finally, negotiation for prison access had a negative impact on the individual-level advocacy function of QFJ, as they were unable to familiarize

themselves with issues relevant to their target population.

The Current Political Climate

The current political climate characterized by the Harper government's "tough on crime" agenda shaped the GOC-NPO interaction to a great extent, impacting various aspects of the NPO-GOC relationship. The extent to which NPOs could advocate and the effectiveness of their advocacy efforts were also dependent on the current ideological approach to criminalized harms. Few autonomous organizations participating in the study advocated to the same extent or even increased their advocacy efforts in response to changing punitive policies,[39] while some participating NPOs that were dependent on their relationship with the GOC were silenced to some degree as a result of the ideological shift.[40] The majority of dependent participating NPOs continued to advocate to the same extent despite the risk of repercussions.[41] Despite these distinctions, the GOC generally dismissed the advocacy initiatives of NPOs, undermining their ability to affect social change through advocacy.

For many organizations involved in the study, advocacy was more important than ever considering the overall direction of Canadian penal policy. This argument was presented by Adam (ED of a large service-oriented NPO):

> This is the first government that actually pushed aside any jurisprudence or any kind of precedence about crime and punishment and decided to completely change the agenda…so, either we all stand up and say something and create a bit of advocacy movement, or…we are on the road to totalitarianism.

While many organizations understood the importance of advocacy under the Harper government, few NPOs involved in the study expanded their advocacy efforts. At the same time, the majority

[39] CAEFS, Renée's NPO and Brandon's organization.

[40] NPOs operated by Julie, Kaitlyn and Miranda.

[41] 7SSC, JHSC at the National level, QFJ, ASRSQ and NPOs run by Adam, Calvin, Eric, Maria and Roberta.

of participating NPOs dependent on their relationship with the GOC continued to advocate for social change. This point was discussed by Patrick Altimas of ASRSQ:

> Certainly, we live in the fear that the government will stop funding a lot of our organizations, because they don't want to fund people who disagree with them. So there's that fear for sure. I don't see any organization right now not having spoken out just because of that though. If I look around…my colleagues and the rest of Canada…there are advocates who are still very strong in that sense.

While few dependent NPOs involved in the study were fully silenced by the current political regime, advocates were met with open hostility by the Harper government. To illustrate, Miranda's NPO wrote a letter to Prime Minister's office criticizing increasingly punitive policies. The letter received media attention and, as a result, Miranda was invited to speak in front of a Parliamentary committee, where she encountered hostility and criticism. She was asked to provide a "yes or no" answer to a complex question related to punitive policy. Miranda's response was based on empirical evidence around the issue, but appeared controversial to those unfamiliar with research in the area. Her response was taken out of context and sent to the donors of her organization to discourage them from funding her NPO. The donors wanted to withdraw their support and board members of Miranda's NPO dissociated themselves from the controversial statement.

Even though open hostility towards advocates silenced some participating organizations, more subtle pressures associated with the "advocacy chill" effect also silenced some NPOs involved in the study. While Kim Pate noted that the risk of advocating under the current government was smaller than people thought, some pariticipating organizations restricted their advocacy efforts to avoid repercussions.[42]

It is evident that autonomous NPOs and most dependent participating NPOs increased or

[42] NPOs run by Julie, Kaitlyn and Miranda.

maintained their engagement in advocacy under the current government, while few organizations included in the study limited their advocacy efforts in fear of reprisals. In either case, however, contradicting messages presented by NPOs were generally ignored by the GOC, which made advocacy ineffective.

The GOC dismissed the advocacy efforts of NPOs for a number of reasons. For one, Harper's regime ignores empirical evidence and research, while most of the NPOs included in the study were evidence-based organizations. Craig Jones (former ED of JHSC) noted that Harper's government practiced "isolation by ideology", where it only considered the advice of individuals who were ideologically aligned with them.

In addition to that, the Conservatives' political agenda determined the issues that were prioritized, whereas advocacy on other issues was dismissed. In particular, victim groups received more support from Harper's government than "offender-oriented" organizations. Interestingly, some participating NPOs that were involved in working with victims were still viewed as "offender-supporting" groups, which is why their advocacy efforts were often ignored.[43]

It is evident that the current political climate has had an effect on the advocacy function of NPOs involved in the study. Autonomous organizations were able to advocate to the same or greater extent under the Harper government. The majority of dependent participating NPOs continued to advocate regardless of possible repercussions, while few dependent organizations restricted their advocacy efforts. With that being said, ideas that contradicted Harper's ideology were usually dismissed or "defined out" by the GOC, which meant that advocacy was ineffective in impacting significant social change.

[43] Like Roberta's organization.

NPO and GOC Relationship Typologies

It is possible to construct a typology of participating NPOs based on the activities conducted by these organizations. This general NPO typology involves three categories: advocacy-based organizations, research and knowledge-building groups, and NPOs that specialize in service provision and advocacy. 12 of the participating NPOs engaged in service provision in addition to advocating for the rights of criminalized individuals. 3 NPOs did not provide direct services, but specialized in advocacy, while 2 organizations conducted research and contributed to knowledge-building without taking a strong position on controversial issues the way an advocate would. None of the participating organizations provided social services without engaging in advocacy, which suggests that advocacy was still viewed as important under neoliberalism by the NPOs involved in the project.

Considering this NPO typology, it is possible to create a typology of the GOC-NPO relationship. The type of relationship is dictated by the nature of activities conducted by an NPO, and therefore, there is a strong link between the NPO typology and the relationship typology. Groups that specialize in service provision and advocacy have a more extensive relationship with the federal government, which involves most aspects of the relationship outlined in this chapter. On the other hand, advocacy-based groups have a less extensive relationship with the GOC, which is limited to funding, CTS regulations under the *ITA* and information exchange. These NPOs are not constrained by service provision contracts, and for that reason, experience less of a pressure to employ business principles in their work. The relationship between research-oriented organizations and the GOC is even less extensive, considering the fact that these groups do not have to deal with CTS regulations that limit advocacy or accountability mechanisms that regulate service provision.

Conclusion

This chapter introduced the data that was obtained through semi-structured interviewing and subsequently analysed using content analysis. The GOC-NPO relationship consisted of six distinct aspects: funding, accountability and other aspects of the business model, service provision, advocacy, information exchange and other unexpected elements of the relationship. Despite the barriers stemming from various aspects of the GOC-NPO relationship, the majority of participating organizations continued to advocate for social change. Many participating NPOs diversified their funding sources, stratified themselves, rejected GOC contracts, reframed their advocacy initiatives as other activities, and utilized interpersonal relationships with bureaucrats to their advantage in order to protect their advocacy function. These responses highlight that resistance to "silent silencing" is possible and does occur in the Canadian context.

Chapter 6: Discussion applies Mathiesen's framework of "silent silencing" to the results. The first part of the chapter argues that most participating NPOs were coopted by the state through their extensive relationship with the GOC. I further discuss how NPO advocacy was complicated through various "silent silencing" mechanisms, yet organizations managed to maintain this function. The second part of the chapter outlines study contributions to academic literature on the dynamics shaping NPO work. It is argued that the dynamics in the Canadian punishment sector were somewhat distinct from those in other countries and sectors, with the distinction being attributed to the current political climate characterized by populist punitiveness (Bottoms, 1995).

CHAPTER 6:
DISCUSSION

This chapter discusses the implications of previously outlined results. The first part of the chapter applies Mathiesen's "silent silencing" framework to the results of the study. It is argued that the majority of participating NPOs were coopted by the state, as they supported the punishment system through their service provision function, while continuing to advocate for social change despite the barriers presented by "system mechanisms" for controlling dissent.[44] The second part of the chapter considers the implications of the results in relation to academic work on the topic. The study added another dimension to the debates by considering the effects of the current political climate characterized by increasingly punitive policies and rhetoric demonizing criminalized individuals. It is concluded that the dynamics in the Canadian punishment sector were somewhat distinct from those in other sectors and countries.

NPO Cooptation

Consideration of various aspects of the GOC-NPO relationship leads one to conclude that the majority of participating NPOs were coopted by the state. These organizations supported the coercive state apparatus by providing direct state-funded services or offering a forum for discussion for other service-oriented NPOs.

Accepting contracts was particularly problematic due to stringent requirements to deliver state-sanctioned services. Therefore, NPOs that accepted government contracts perpetuated the punishment system by advancing the federal government's agenda. To illustrate, several NPOs involved in the study ran halfway houses, which can be seen as mechanisms of community-based incarceration. On the other hand, avoiding contracts enabled NPOs to remain autonomous, as

[44] With the exceptions of CAEFS and QFJ.

they were not obligated to provide services that perpetuated the punishment system.

For these reasons, QFJ and CAEFS were the two exceptions in this context. QFJ rejected state-funded contracts that undermined their autonomy, while CAEFS did not apply for any GOC contracts. The rest of participating organizations supported the system through their service provision function, while continuing to advocate for social change despite the barriers presented by various silencing mechanisms outlined by Mathiesen (2004). The following discussion focuses on specific techniques of "silent silencing" that confronted NPOs in their advocacy work, as well as resistance to these mechanisms that allowed organizations to maintain their advocacy function. Since the majority of participating NPOs supported the punishment system in some way, it is argued that they were part of NPIC.

"System Mechanisms" of "Silent Silencing"

Mathiesen outlined a number of ways in which professionals working towards social change were silenced through mechanisms embedded into the system. Mathiesen's first system mechanism involved refusal to participate in marginal benefits. This occurred when an individual working within the system faced a dilemma between supporting the system by providing services for marginalized individuals and refusing to do so while being faced with consequences.

Several individuals interviewed for the purposes of the study were aware of the fact that providing services for criminalized individuals perpetuated the punishment system. At the same time, they believed that prisoners needed "reintegrative" services upon release into the community. The results of the study indicated that all of the participating NPOs, with the exceptions of CAEFS and QFJ, provided some form of government-funded social services, which effectively perpetuated the punishment system.

Another system mechanism described by Mathiesen was termed "isolation when

decisions are made". In these situations, the advocacy initiatives of activists were weighed in against the political interests and the interests of the public, which generally resulted in the GOC dismissing the ideas presented.

This silencing mechanism was particularly prominent in the context of NPO advocacy, as the majority of participating organizations were viewed as "special interest groups" or "offender supporting groups" by the GOC. The current GOC believed that their interests did not coincide with the interests of the public, because they contradicted the "tough-on-crime" ideology. Several NPOs noted that they were not invited to provide input on public policy for that reason. In cases where organizations were invited to speak in front of Parliamentary committees, for instance, they were often attacked by those who supported the dominant political philosophy. This was particularly the case for Miranda (ED of a small NPO), who encountered hostility upon providing input in relation to upcoming legislation.

Results indicated that "side tracking" was also used to silence NPO advocacy. "Side tracking" occurred when ideas presented by an activist were depoliticized and transformed into debates over smaller, less relevant issues. For example, one of the participating NPOs advocated against tougher drug-related penalties outlined in Bill C-10. This organization argued that increasing penalties for drug-related offences targeted marginalized members of the community. The GOC politicized the problem in a different manner by framing drug use and possession as issues related to individual agency. In other words, the choices of individuals who were involved with drugs were problematized, as opposed to focusing on the systemic conditions perpetuated by Bill C-10.

Mathiesen (2004) also discusses how interpersonal relationships within organizations silence advocates. The author argues that working within the system results in a "shift of

perspective", where activists start seeing things from within the system, which results in abandonment of previously-held ideas.

While most individuals working for participating NPOs shared the values of their organizations and understood the importance of advocacy, they were faced with the realities of the non-profit sector. Changes within the sector made it more difficult for many organizations to sustain themselves, as the majority of participating NPOs relied on their relationship with the federal government in that regard. NPOs were aware of the fact that advocacy initiatives that contradicted the dominant political ideology were potentially detrimental to their relationship with the government, which is why several organizations limited or depoliticized their advocacy work.

Resistance to "Silent Silencing"

Even though NPO executives and board members were confronted with "system mechanisms" of "silent silencing" in their work, they also demonstrated various forms of resistance, which allowed them to maintain their advocacy role. Resistance to "silent silencing" is not detailed to any great degree by Mathiesen's (2004), but several forms of resistance that emerged from the data can be noted.

With respect to the funding relationship between NPOs and the GOC, it was found that some participating NPOs continued to advocate despite financial dependency on the federal government. For instance, while CAEFS received core funding from the GOC, they continued to advocate for criminalized and incarcerated women. In addition to that, several organizations diversified their funding sources in order to reduce financial dependency on the GOC, which allowed organizations to advocate to a greater extent.

In terms of the accountability and the business model aspect of the relationship, several

participating organizations rejected business principles in order to stay focused on their mission objectives. For instance, CAEFS and ASRSQ stayed away from adopting business goals and values, which allowed them to challenge the current system to a greater extent.

While the demand for service provision presented barriers for NPO advocacy, several organizations dealt with this problem by stratifying themselves. To illustrate, JHSC focused on service provision locally, while maintaining an advocacy role at the provincial and national levels. Stratification allowed NPOs to ensure that their advocacy role was not undermined by the growing demand for service provision.

In order to deal with CTS limits, some NPOs repackaged their advocacy initiatives as other activities when accounting for themselves. This measure allowed organizations to keep their CTS while avoiding the 10 percent legislative limit. One of the participating NPOs took a more drastic approach by deregistering their CTS.

Literature Contributions

While limited academic attention has been directed at the impact of the GOC-NPO relationship on NPO advocacy, the study addressed this gap in knowledge by exploring these issues in relation to the punishment sector in isolation. The following discussion outlines the contributions of the study to academic debates in literature on the non-profit sector in Canada more broadly.

The GOC-NPO Relationship

The findings of the study were in line with some academic literature on the topic, while disputing other arguments presented in scholarly debates. The relationship between the GOC and NPOs had become more coercive recently, as the federal government could choose to fund some NPOs at the expense of others. Contract-based funding was gaining prominence, while core funding was disappearing. One of the side effects of contract-based funding was the insufficient

amount of resources in the sector, which pushed NPOs towards funding source diversification. The findings of the study indicated that private donations, contribution agreements and for-profit activities played a limited role in the punishment sector.

The results mostly confirmed the argument of the CWF (1999), Richmond and Shields (2004), Woolford and Curran (2013) and others that the GOC-NPO relationship had become more coercive under neoliberalism. For most NPOs, the relationship with the GOC was top-down, where the government was in control, while NPOs had to conform to the standards imposed on them.[45] On the other hand, one of the NPOs supported Salamon's (1987) argument that claims of government coercion were often exaggerated, as the government was in an interdependent relationship with NPOs. ASRSQ was dependent on the government for funding and access to resources and information, whereas the GOC needed this organization to provide services.

In terms of the funding relationship between the GOC and NPOs, the findings supported the literature that suggested that NPOs were dependent on government funding (Richmond & Shields, 2004), making them precarious and vulnerable to the whims of state decisions regarding whether to fund them. Most NPOs involved in the study received government funding, except for QFJ. This NPO was fully funded by their donors, which made it financially independent from the government.

There was also some support for the argument presented by Evans et al. (2005) that core funding was disappearing in favour of contract-based funding. This was confirmed by the fact that more NPOs included in this study received contract funding than those that received core

[45] Relationship with the GOC were top-down for 7SSC, JHSC, QFJ, as well as NPOs run by Julie, Eric, Calvin, Renée, Kaitlyn, Maria, Roberta, Miranda, Adam and Brandon.

funding,[46] while several NPOs experienced core funding cuts and had to apply for contracts.

On the other hand, the argument that contract-based funding improved efficiency in the non-profit sector (CWF, 1999) was mostly unsupported by the results of the study. While some participating NPOs argued that contract-based funding contributed to efficiency, most organizations involved in the study experienced numerous problems with the current funding regime. The process of contract application was lengthy and complicated for some participating organizations,[47] which drained resources, as opposed to improving efficiency.

Studies by CWF (1999), Richmond and Shields (2004), as well as Evans et al. (2005) that suggested contract-based funding interfered with mission objectives of organizations were substantiated by the findings. Most participating NPOs had to accept contract terms, which often imposed obligations that contradicted the mission objectives of these organizations.[48] In applying for contracts, NPOs had to meet government priorities and demonstrate the "value" of their programs to the community in drafting their proposals.

The arguments made by Scott (2003), Eakin (2004) and Saunders (2004) that the shift towards contract-based funding contributed to insufficient resources in the non-profit sector was also supported by the results of the study. Core funding barely covered overhead costs, while contract-based funding was designed to compensate for minimum program expenses. The government did not offer enough resources for research, advocacy and other organizational functions, which contributed to diminishing resources in the non-profit sector.

Resource constraints pushed NPOs towards funding source diversification, which supported the argument presented by Eakin (2004). Several organizations involved in the study

[46] 10 organizations received core funding, while 12 NPOs received contract funding and 7 NPOs received both.

[47] Particularly noted by Julie, Roberta and Patrick Altimas (ED of ASRSQ).

[48] With the exception of Adam's NPO.

had diversified their funding sources in order to maintain autonomy and/or cover organizational expenses. One of the NPOs, for example, generated enough resources through funding source diversification to sustain themselves for three years if government funding was cut.

The argument that NPOs were relying on private donations to sustain themselves (Steedman & Rabinovicz, 2006) was partially confirmed by the results of the study. Some participating NPOs received a considerable portion of their resources through private donations. On the other hand, several NPOs received few donations, because the population they worked with (i.e. criminalized individuals) was demonized in the public eye by the current federal government.

Eakin (2001) and Scott's (2003) assertion that limited resources pushes NPOs towards contribution agreements was not something that arose in the interviews undertaken in this study. Only one of participating organizations received contribution agreements from the GOC,[49] which involved the government matching a contribution made by a private donor.

NPO engagement in for-profit activity was also limited among organizations involved in the study, which disputed Cooney's (2006) argument that diminishing resources in the non-profit sector forced many NPOs to engage in for-profit activities. In fact, only one of the participating organizations engaged in for-profit work,[50] while most NPOs involved in the study rejected this approach in order to maintain their mission objectives and organizational values. Scott's (2003) argument that most NPOs struggled to diversify their funding sources was mostly supported by the findings. While many NPOs included in the study found alternative funding sources, most participating organizations struggled to do so, because they did not receive many donations or engage in for-profit work.

[49] Brandon's NPO.

[50] NPO run by Calvin.

Overall, the findings of the study were in line with some academic work on the financial relationship between the GOC and NPOs, indicating that the dynamics in the punishment sector were somewhat distinct in that respect. The GOC-NPO relationship had become more coercive in recent decades, as the GOC could fund some organizations at the expense of others. In addition to that, contract funding was starting to gain prominence, while core funding was slowly disappearing. Contract funding did not make the sector more efficient, as it involved a complicated process of application and contributed to the lack of resources. Participating NPOs were forced to diversify their funding sources, although there was limited support for the argument that organizations involved in the study heavily relied on private donations, contribution agreements and/or for-profit activity. In that sense, it was reasonable to conclude that funding source diversification was more difficult for participating NPOs operating in the punishment sector, which made them more dependent on government funding in many cases.

The Charitable Tax Status

Limited academic attention has been directed towards CTS regulations that restricted the advocacy efforts of Canadian NPOs. While Eakin and Graham (2009) provided an overview of CTS regulations, no academic work has looked at the implications of those restrictions in relation to the advocacy function of NPOs. The results of the study indicated that CTS regulations did not have a profound effect on advocacy efforts of participating NPOs in practice, although the silencing potential of the Act was present.

CTS regulations were potentially silencing because of their ambiguous and unclear nature. The partisan limit allowed for considerable discretion in interpretation, as it was up to the federal government to decide whether any piece of advocacy was political in nature. The 10 percent limit was also problematic, because it was unclear how the amount of advocacy

conducted by an NPO was to be calculated. However, none of the participating organizations had run into any problems with CTS limits in the past. Most participating NPOs did not allow CTS regulations to silence them, as they found ways to repackage their advocacy efforts or advocated despite possible repercussions.

The Business Model

There was room to believe that aspects of the business model were entering the non-profit field, which supported the majority of conclusions made in academic literature. For most NPOs involved in the study, business principles emerged as a way of fighting misspending in the non-profit sector. There was a split between participating NPOs that supported the economic model and those that supported the voluntary spirit model, with most participating organizations preferring the former. Aspects of the business model were present in the non-profit punishment sector. The use of business language was the most prominent aspect, although this factor did not undermine the mission objectives of participating NPOs. The non-profit field in this area was also becoming professionalized, but most of the individuals interviewed for the purposes of the study shared the goals and values of their organizations. While business values and goals were emerging in the non-profit sector to an extent, most participating NPOs denounced these aspects of the business model as inappropriate for their work. Finally, accountability measures were becoming stricter and tighter, but they did not undermine the voluntary spirit of NPOs. Most NPOs included in the study argued that accountability measures were necessary to address misspending in the sector, which supported Carman's (2010) stewardship theory.

The findings partially supported Carman's (2010) argument that scandals surrounding NPOs in the past contributed to the emergence of business principles in the non-profit sector. Several participating NPOs saw business practices as a way of dealing with resource misuse on

behalf of some organizations.

Previous studies noted the existence of a split between NPOs that supported the economic model (i.e. Brainard & Siplon, 2004; Hoefer, 2000; PAGVS, 1999) and those that supported the voluntary spirit model (i.e. Campbell, 2002; Carman, 2010; Ciancanelli, 2010). The majority of organizations involved in the study employed some business principles related to meeting contract requirements and managing finances, which was in line with the economic model.

On the other hand, fewer participating organizations supported the voluntary spirit model,[51] according to which NPOs were distinct from for-profit entities due to non-profit emphasis on values. These NPOs believed that employing the business model supported current arrangements, while their aim was to challenge the penal system that was unfair to many individuals.

The results largely indicated that aspects of the business model were creeping into the non-profit sector to various degrees. Woolford and Curran's (2013) argument that business language had no place in the non-profit sector because it reproduced the existing system was not supported by the findings. All of the organizations involved in the study employed business language. This did not necessarily taint their work, since most participating NPOs continued to advance ideas that were designed to challenge current arrangements.

With regards to the professionalization of the non-profit sector, Saunders' (2004) argument that hiring professionals to work for NPOs undermined organizational values was mostly unsupported. The board members and EDs involved in the study were competent professionals who also shared the values of their organizations.[52] These findings supported

[51] Namely ASRSQ, CAEFS, QFJ and NPOs run by Adam and Maria.

[52] All of the EDs and board members interviewed for the study noted an alignment between their personal values and the values of their organization.

Hoefer's (2000) conclusion that professionalization of the non-profit field contributed to efficiency, as opposed to undermining the mission objectives of NPOs.

Cooney's (2006) argument regarding business goals was mainly supported by the results. Cooney (2006) argued that business goals interfered with mission objectives of NPOs. While few participating organizations did not experience a conflict between business goals and values and organizational objectives, the majority of NPOs included in the study distinguished their aims from those of for-profit entities.

Accountability was another aspect of the business model that received considerable attention throughout the study. For the most part, the findings supported Carman's (2010) argument that accountability measures were becoming more stringent. Accountability measures were expanding for most organizations involved in the project, as demonstrated by the fact that some participating NPOs were required to retroactively report on previous years.

Outcome assessment required NPOs to convert intangible services into measurable variables. For instance, NPOs had to measure the amount of public education they did, which was difficult for most organizations. These findings supported Ciancanelli's (2010) argument that business-like outcome assessment was inadequate for NPOs.

In addition to that, some participating organizations saw themselves as accountable to their clients and the general public, as opposed to being only accountable to governments for the money they received. These findings were in line with the argument presented by Evans and Shields (2002) that conceptualizes accountability as a multidimensional concept that cannot be reduced to outcome assessment. Furthermore, some of the smaller organizations with few resources spent a tremendous amount of time accounting for themselves, which took away from other organizational functions. These findings supported Campbell's (2002) argument that

accountability measures were particularly hard on smaller organizations.

There was also support for the third theory regarding accountability advanced by Carman (2010). Stewardship theory, which suggested the disparity in goals between the government and NPOs, where accountability was meant to tackle resource misuse, received the most support. The majority of NPOs involved in the study saw accountability as a way of fighting misspending.

Overall, the findings supported most arguments advanced in academic literature on the emergence of business principles in the non-profit sector. Various aspects of the business model were starting to gain prominence, which was attributed to resource misuse by some organizations. Most organizations employed the economic model, which advocated for the use of business principles by NPOs. Business language was being used by all of the organizations involved in the study and the field was becoming professionalized. These two aspects of the business model did not undermine the mission objectives of participating NPOs. On the other hand, business-like goals and values were rejected by several NPOs involved in the study. The findings supported academic literature on accountability measures, according to which NPOs were now being held accountable to a greater extent. Retroactive reporting, the use of logic models, as well as the requirement to provide more detailed information regarding spending were the three examples of how accountability mechanisms were expanding for participating NPOs. The findings mainly supported the stewardship theory advanced by Carman (2010), which suggested that accountability was necessary to avoid resource misuse in the sector.

While the majority of academic literature on the emergence of business principles in the non-profit sector analyzed these developments in the context of neoliberalism, the study also considered how this ideological shift is shaping the use of business principles in conjunction with "tough-on-crime" punitive philosophy. There was evidence to suggest that the current political

climate contributed to the expansion of business principles in the sector, as several participating NPOs attributed the emergence of the business model to the current federal government.

NPIC

Some of the main arguments presented in NPIC literature were supported by the results of the study. Findings indicated that the majority of participating NPOs continued to advocate for penal reform despite pressures stemming from their interactios with the GOC. Some participating organizations took steps to avoid cooptation by minimizing their relationship with the federal government, while putting emphasis on their advocacy work.

In practice, however, most NPOs included in the study were unable to avoid cooptation due to their extensive service provision role. Providing government-funded services perpetuates and supports the punishment system. CAEFS and QFJ were the two notable exceptions in this context. While CAEFS did not apply for government-funded service provision contracts, QFJ only accepted contracts that did not undermine their autonomy. The findings pointed to the presence of NPIC dynamics in the Canadian context, as participating NPOs shared an extensive relationship with the state, which resulted in control of social movements that worked towards penal reform or more revolutionary objectives like abolition.

Civil Society and Tensions between Service Provision and Advocacy

The findings suggested that participating NPOs operating in the punishment sector still played a role in fostering civil society, despite the expansion of their service provision function and the GOC being less interested in fostering civil society by supporting NPOs. This change was not only attributed to the emergence of neoliberal philosophy, but also to the ideological shift marked by the Conservatives' "tough on crime" agenda. Few NPOs enhanced civil society through service provision alone, while the advocacy function of most participating NPOs was

more important for these purposes. Unfortunately for these organizations, advocacy initiatives were less likely to impact fundamental change within the penal system under the current federal government.

NPOs maintained their role in fostering civil society through their advocacy function, which supported conclusions advanced by Baines (2010) and Eikenberry (2009). While most participating NPOs saw tensions between their service provision and advocacy roles, organizations dealt with this problem in several ways. Some NPOs involved in the project stratified themselves to maintain their advocacy role at the national and provincial levels. Other participating organizations rejected contracts that undermined their mission objectives and only accepted the ones that were in line with their values. Organizations that were unable to stratify themselves or reject contracts were in a more difficult position. While the demand for service provision complicated the advocacy function of these NPOs, they continued to advocate for social change, though to a smaller extent.

On the other hand, the argument that the role of NPOs was reduced to mere service provision (i.e. Bush, 1992; Van Til, 2000; Woolford & Curran, 2013) received limited support. This was the case for a few participating organizations that were silenced as a result of pressures stemming from the relationship with the GOC. These NPOs were afraid to speak out in the current political climate, which is why their role was reduced to providing services for the criminalized.

The findings mostly supported the argument introduced by Jenson and Phillips (1996) that the GOC was less interested in fostering civil society under neoliberalism. This conclusion was supported by the fact that core funding was slowly disappearing, indicating less support for non-profit work. While Jenson and Phililips (1996) argued that decreased government interest in

fostering civil society was due to the emergence of neoliberal philosophy, the results of the study indicated that the ideological shift towards intensified punitiveness also played a significant role in this regard.

Valverde's (1995) argument that the GOC remained interested in fostering civil society under neoliberalism received less support. There was still some appreciation for NPO work, as indicated by the few "democracy grants" that were provided by the GOC. Furthermore, some participating NPOs believed that the current government advanced "tough on crime" rhetoric, while supporting less punitive policies in practice.[53] For example, funding of Circles of Support and Accountability and the National Crime Prevention Center were the two examples of the GOC doing good things quietly.

Salamon's (1993) argument that NPOs enhanced civil society through their service provision function received limited support throughout the study. For some participating organizations,[54] the service provision function was more important than advocacy, because it benefitted more individuals. On the other hand, most NPOs included in the study considered their advocacy function to be vital in fostering civil society. These findings were in line with the argument presented by Eikenberry and Kluver (2009) that NPOs enhanced civil society by advocating for humane social policies.

The argument that advocacy efforts of NPOs could contribute to fundamental reform within the system (Scott et al. 2006) was not fully supported by the results of this study. The advocacy initiatives of most participating NPOs were largely dismissed by the Harper government, because they contradicted the Conservative punishment ideology, which meant that they were unlikely to contribute to fundamental reform. However, small changes within the

[53] Eric's organization in particular.

[54] 7SSC at the National level, JHSC at the National level and NPOs managed by Adam and Calvin.

system were possible, as indicated by the fact that bureaucrats were sometimes successful in assisting NPOs in improving the treatment of criminalized individuals.

In summary, participating NPOs operating in the punishment sector continued to play a role in fostering civil society, where advocacy was the main mechanism for achieving these ends. The current political ideology complicated the advocacy efforts of NPOs, as the federal government was less open to suggestions. While the majority of literature on the role of NPOs in enhancing civil society discussed these dynamics under neoliberalism, the present study took into consideration the current political climate. It was discovered that the Harper government limited the role of NPOs in fostering civil society by dismissing their advocacy efforts.

Conclusion

The purpose of this chapter was to discuss the implications of previously presented results. The first part of the chapter argued that the majority of participating NPOs were coopted by the Canadian state as a result of an extensive GOC-NPO relationship. For this reason, it was argued that NPOs operating in the Canadian punishment sector are part of NPIC.

The second part of the chapter discussed the implications of the results in relations to academic work on the topic. It was found that the dynamics within the Canadian punishment sector were somewhat distinct from those in other sectors, as well as developments in the United States. With respect to the financial relationship between the two entities, it was found that Canadian NPOs operating in the punishment sector relied more on GOC funding and less on for-profit activities and contribution agreements. The study filled a literature gap by analyzing the impact of CTS regulations on the advocacy function of NPOs. In addition to that, the study found that neoliberalism was intensifying under the Conservative federal government, which further contributed to the prominence of business principles in the non-profit sector. The findings

indicated the presence of NPIC dynamics in Canada, as most participating NPOs supported the punishment system through their service provision function. Finally, it was argued that participating organizations continued to play a role in fostering civil society through their advocacy function, but that this advocacy was hardly radical or effective because of advice being routinely ignored by the current federal government.

Chapter 7: Conclusion summarizes the main aspects of this study, while acknowledging its strengths and limitations. Future directions for research are also discussed.

CHAPTER 7:
CONCLUSION

This study critically examined the relationship between Canadian NPOs operating in the punishment sector and the current federal government. Furthermore, the project analyzed how the GOC-NPO interaction impacted advocacy by NPOs. The project bridged a gap in knowledge by exploring these dynamics in the Canadian punishment sector in isolation, whereas previous academic work considered the entire non-profit field. In addition to that, my research provided a comprehensive description of various aspects of the GOC-NPO relationship, which was not the focus of previous academic inquiry. Similarly, the impacts of GOC-NPO relationship on NPO advocacy were largely overlooked in the past, while my project offered insight on these issues. This project further carried theoretical contributions by exploring various forms of resistance to "silent silencing", which was not the main focus of Mathiesen's (2004) work. Furthermore, the study contributed to academic literature by creating a typology of NPOs and their relationship with the GOC. The following research question was used to guide inquiry:

> *What is the nature of the relationship between the Canadian government and NPOs working in the punishment sector, and how does this relationship impact the advocacy function of these organizations?*

To explore these issues, 17 qualitative semi-structured interviews with EDs and board members of Canadian NPOs operating in the punishment sector were conducted. The questions were designed to uncover various aspects of the GOC-NPO interaction, as well as the impacts of this relationship on NPO advocacy. The semi-structured interview design allowed for clarification and additional questions, which contributed to the quality of data. The interviews were recorded and subsequently transcribed.

Upon completion, the data was analyzed using inductive content analysis, which involved identifying themes within text through the use of codes in order to understand the dynamics behind the GOC-NPO interaction.

Summary of Findings and Contributions to Knowledge

Six aspects of the GOC-NPO relationship were uncovered using the method of content analysis. First, there was a considerable financial relationship between the two entities, where the GOC funded most participating NPOs on a core or contractual basis. It was found that funding was generally minimal, while contract funding was gaining prominence over core funding. Threats of defunding created an "advocacy chill" effect, as some organizations were more likely to refrain from government criticism in fear of losing resources. However, most NPOs continued to advocate for social change despite financial dependency on the GOC.

The second aspect of the relationship involved accountability mechanisms imposed on NPOs, as well as other aspects of the business model that were gaining prominence in the non-profit sector. Accountability requirements were time-consuming, unclear and sometimes retroactive, which distracted NPOs from advocacy-related activities. Other aspects of the business model (i.e. professionalization of the field, business language, goals and values) were potentially detrimental to NPO advocacy, as they clashed with the mission objectives and traditional priorities of organizations. These aspects of the GOC-NPO relationship did not have a significant silencing effect on most participating organizations, as NPOs managed to fulfil accountability requirements, while several organizations rejected the business model in favour of a traditional values-based approach.

The third element of GOC-NPO interaction revolved around the service provision function of organizations. The findings suggested that NPOs were under an increasing demand to

provide social services that were previously offered by the GOC. Most participating NPOs delivered services of some sort, while QFJ did not. The nature of service provision varied from direct assistance for criminalized individuals to research and knowledge-building, as well as support for other groups that provided direct services. Some of the larger participating NPOs were able to stratify themselves in order to avoid tensions between service provision and advocacy, while financially autonomous NPOs only accepted contracts that did not jeopardize their mission objectives. On the other hand, few smaller participating NPOs with limited resources were constrained by contract requirements, with their advocacy work being relegated to a position of secondary importance.

The fourth dimension of the GOC-NPO relationship involved NPO advocacy and its regulation through CTS guidelines under the *ITA* (1985). The majority of participating NPOs maintained their advocacy role to some extent. The aim and the nature of NPO advocacy differed between organizations. While most participating NPOs advocated for minor changes to the punishment system, few organizations involved in the project aimed to abolish the system altogether. In addition to that, there was a distinction between NPOs that focused on micro-level (individual) advocacy and those that tried to impact macro-level (broader) change by targeting social policies around punishment. CTS restrictions carried a silencing potential due to their ambiguous nature, since the 10 percent rule and the partisan advocacy limit were open for interpretation. In practice, few participating organizations were silenced by CTS regulations, as some NPOs involved in the study reframed their advocacy work as other activities when accounting for themselves, while one participating organization deregistered from the CTS program.

The fifth aspect of the relationship was the exchange of information between NPOs and the GOC, which involved three distinct aspects: government funding of NPO research, consultation and the federal government informing of NPOs on new legislation. The GOC only funded research on issues of their priority, which is why this type of information exchange did not always enhance NPO advocacy work. The advice provided through consultation was generally ignored by the federal government, which is why this dimension of the relationship did not usually improve NPO advocacy. Information related to upcoming legislation was provided on an inconsistent basis, which is why it did not typically contribute much to NPO advocacy work.

Unexpected aspects of the relationship between the GOC and NPOs were grouped into a sixth category. "Other" dimensions of the relationship included: rapport with bureaucrats, collaboration with the GOC and negotiation for prison access. Rapport with bureaucrats enhanced NPO advocacy to a limited extent, as individuals working for the GOC tried to assist organizations in some cases. However, bureaucrats could not always help due to their professional obligations. Collaboration with the GOC did not have a profound impact on NPO advocacy, since the federal government did not usually consider advice that contradicted "tough on crime" philosophy. QFJ had to negotiate prison access with the GOC, which detrimentally affected their advocacy function, as prison access was often denied resulting in their inability to work with their target population.

In addition to that, the impact of the current political climate on NPO advocacy was considered. It was argued that the dominant ideological approach to punishment altered various aspects of the GOC-NPO interaction and complicated NPO advocacy. The findings indicated that most participating NPOs were coopted by the state due to their extensive relationship with

the GOC, and their service provision function in particular. CAEFS and QFJ were the only exceptions in this case, as these NPOs managed to minimize their relationship with the state. QFJ did not accept state-funded service provision contracts that jeopardized their autonomy, while CAEFS stayed away from government contracts altogether. Since most participating organizations perpetuated the punishment system through their involvement in service provision, it was argued that the majority of NPOs involved in the study were part of NPIC. In addition to that, the advocacy work of most participating organizations was complicated by a number of "system mechanisms" outlined by Mathiesen. "System mechanisms" of "silent silencing" that affected NPO advocacy were: "refusal to participate in marginal benefits", "participating in marginal benefits", "isolation when decisions are made" and "side tracking" (Mathiesen, 2004).

Most participating organizations were not fully silenced by these "system mechanisms", as they resisted pressures to limit advocacy in a number of different ways. The main forms of resistance included: advocacy despite repercussions, funding source diversification, rejection of GOC contracts, rejection of business goals and values, NPO stratification, repackaging of advocacy initiatives as other activities and, in one case, deregistration of CTS.

The results of the study confirmed some of the arguments made in academic literature, indicating distinct dynamics in the Canadian punishment sector. While most of the arguments related to the financial interaction between NPOs and the government were supported, private donations, contribution agreements and for-profit activities played a less significant role in supporting NPOs operating in the punishment sector in contrast to other spheres.

While limited attention has been directed at legislative regulation of NPO advocacy through CTS provisions, the study filled this gap by exploring how CTS requirements impacted the advocacy function of organizations. It was found that the silencing potential of CTS

guidelines was present, but it did not stop most participating NPOs from advocating for social change, as they reframed their advocacy initiatives as other activities or deregistered from the CTS program.

Most arguments related to the role of NPOs in fostering civil society were confirmed by the findings of the study. Even though NPOs maintained their role in fostering civil society through advocacy, the current GOC was less likely to consider ideas that contradicted "tough on crime" philosophy.

Limitations and Directions for Future Research

While the study managed to explore various aspects of the GOC-NPO interaction in the punishment sector and to consider the impacts of this relationship on NPO advocacy, it is important to acknowledge its limitations. The project was limited in scope, as it considered abovementioned dynamics with respect to 17 NPOs. Furthermore, the study was limited in a sense that only individuals working for NPOs were consulted. In order to understand the dynamics behind GOC-NPO interactions more thoroughly, GOC officials would also have to be interviewed. Future research can also consider how "silent silencing" and resistance to it operate within the federal government, and how bureaucrats working towards social change are affected by these dynamics.

More specific directions for future research stemming from the results of the study can be suggested. It would be interesting to look at resistance to "silent silencing" techniques in more detail. While the study touched on this phenomenon, it was not the central point of inquiry. Although this project found that NPO advocacy was constrained to some extent by various factors stemming from the GOC-NPO relationship, it would also be worthwhile to focus on the limitations that organizations place on themselves. One of the participants of the study noted that

the risk of repercussions was lower than commonly perceived, yet some NPOs choose to stay away from or minimized advocacy. In that sense, NPOs limited themselves when it came to their advocacy work.

Future research can also focus on the impact of inter-generational dynamics on NPO advocacy. The study found that younger NPO employees were more open to "tough on crime" ideology, while being reluctant to criticize it. Academic research could explore the changing mentality in the non-profit sector related to the inter-generational divide between NPO employees and how these dynamics impact advocacy.

In closing, it is important to study the changing dynamics within the non-profit punishment sector due to the role of NPOs in fostering civil society through their advocacy work. By advocating for a lesser reliance on criminalization and punishment, as well as better conditions for the criminalized, NPOs ensure that the interests of marginalized individuals, who are generally ignored by members of the elite, are considered in the development of state policies and practices. In this sense, advocacy is an integral part of a democratic society. It is hoped that NPOs are able to advocate freely in the future without the constraints that are currently imposed on them. These barriers to advocacy have intensified under the current GOC, which needs to reverse its isolation by ideology position or be replaced by an administration that is more open to ideas other than its own if Canada is to avoid the further entrenchment of imprisonment going forward.

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APPENDIX A – LETTER OF INFORMATION

Université d'Ottawa | University of Ottawa

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120 Université / 120 University, Ottawa, ON K1N 6N5

uOttawa

Title of the Study: An Examination of the Impact of Government and Non-Profit Organization Relationship on Prisoner Advocacy and Services in Canada

Principal Investigator: Victor Sokolov
Graduate Student
Department of Criminology
University of Ottawa
Ottawa, Ontario

Supervisor: Dr. Justin Piché
Assistant Professor
Department of Criminology
University of Ottawa
Ottawa, Ontario

Invitation to Participate: You are invited to participate in the abovementioned research conducted by Victor Sokolov under the supervision of Justin Piché (Assistant Professor, Criminology, University of Ottawa)

Participation: Should you agree to participate in this study, you will be asked to take part in a 60-90 minute interview with a member of the research team. Interviews may be audio-recorded if your permission is obtained. You have the opportunity to review interview transcripts upon your request. We are hoping to interview 15-20 employees of Canadian non-profit organizations.

Purpose of the Study: From these interviews we wish to learn about: 1) the nature of the relationship between Canadian non-profit organizations operating in the correctional sector and the Canadian government; 2) the impact of this relationship on the advocacy function of these organizations.

Benefits: The study will bring attention to the changing nature of third-sector regulation. In particular, the project will raise awareness around any coercive pressures that arise out of the relationship between the government and NPOs working in the correctional sector. This research project will allow employees of Canadian NPOs to express any concerns over the current nature of government regulation of the non-profit sector.

Risks: We anticipate few risks to study participants. It is possible that Canadian non-profit organizations experience reprisals as a result of their criticism of the government. However, anonymity and confidentiality safeguards are taken to minimize these risks. In addition to that, you may decline to answer the questions. You may also end the interview or even withdraw from the project. If you do end the interview or withdraw from the project, you can decide at that time if we can use any of the information you have provided. If you do not want us to use the interview material, we will destroy the interview notes and other records.

Confidentiality and Anonymity: The information that you will share will remain strictly confidential and will be used solely for the purposes of this research. The only people who will have access to the research data are the principal investigator and his supervisor. Your interview responses may be used verbatim on the project website, presentations and publications, but neither you (nor your organization) will be identified unless you specify otherwise. While we cannot guarantee your anonymity, to protect your identity to the greatest extent possible, the researchers will use pseudonyms in any dissemination materials so the actual identities of the participants are never known. No statements will be attributed directly to you without your written approval.

Conservation of Data: Once collected, the data will be stored in locked filing cabinets and on computers encrypted with security software located within the offices of the principal investigator and the co-investigator that are locked behind closed doors at all times. The data will be stored for a period of 5 years, and will be destroyed afterwards.

Voluntary Participation: As noted above, you are under no obligation to participate in this study. If you participate you can refuse to answer questions and/or withdraw from the study altogether.

Study Results: Draft manuscripts based on our research findings will be made available to participants electronically upon request.
If you wish to contact us directly, for whatever reason, please do so by contacting the principal investigator or the supervisor at the numbers mentioned herein.

If you have any questions with regards to the ethical conduct of this study, you may contact the Research Ethics Coordinator for Ethics in Research at the University of Ottawa at ethics@uottawa.ca or 613-562-5387

Please keep this form for your records.

Thank you for your time and consideration.

APPENDIX B – CONSENT FORM

Université d'Ottawa | University of Ottawa

Département de criminologie | Department of Criminology
120 Université / 120 University, Ottawa, ON K1N 6N5

I have read the *Letter of Information* attached and agree to participate in the study being conducted by Victor Sokolov (graduate student – Department of Criminology). I agree __ do not agree __ to be audio-taped throughout the interview. I wish to include __ not include __ my name and the name of the organization I work for in related publications. I understand that I may refuse to answer questions posed by the researchers or have the audio recorder turned off. I may also withdraw from the study altogether at any point.

Participant's Name (please print): _____

Participant's Signature and Date: _____

_____

Researcher's Signature and Date: _____

Please keep a copy of this consent form and return a copy to the researcher.

APPENDIX C – INTERVIEW QUESTIONS

1) What is your position in the non-profit organization you work for and how did you get started in this line of work? How long have you been involved in this line of work?
    a. What was your goal in getting involved in this line of work?

2) What is the role of your organization?
    a. Does your organization play a role in the provision of social services? If so, how and to what extent?
    b. Does your organization play a role in terms of prisoner rights advocacy? If so, how and to what extent?
    c. Is there is ever a tension between your advocacy role and your service provision role? If so, how do you deal with that tension?
    d. Is one of the roles of your organization more important? Why?

3) Has your organization received the CTS?
    a. Have you experienced any of the CTS advocacy restrictions in practice?
    b. Are the CTS advocacy restrictions reasonable?

4) What is the nature of the relationship between your organization and the GOC (e.g. funding, staffing, information exchange)?
    a. What is the financial relationship between your organization and the GOC?
        i. Do you receive most of your funding from the government or from other sources?
        ii. What is the nature of funding? Is it core funding or contract-based?
        iii. If the funding is contract-based, are there any pressures that arise out of it?
        iv. To what extent is your organizations being held accountable by the government?
    b. Is the relationship between your organization and the GOC purely financial? Are there any other aspects of the relationship?
    c. To what extent is your organization dependent on its relationship with the GOC? Are you more dependent on your relationship with the government or your relationship with other entities?

5) What effect, if any, does the relationship with the government have on the operations of your organization?
    a. Are there any positive consequences that arise out of your relationship with the government? If so, what effects does this have in practice in terms of the advocacy role of your organization?
    b. Are there any negative consequences that arise out of your relationship with the government when it comes to the advocacy role of your organization?
        i. Do you feel any pressure to direct your organization in a particular way due to the relationship with GOC? If so, what effects does this have in practice in terms of the role of your organization?

6) Is there any pressure to employ a business-like approach coming from the GOC?

        i. If so, does the business approach interfere with the advocacy function of your organization?

7) Has the nature of the relationship with the GOC changed as a result of the ideological shift marked by a "tough on crime" approach? If so, in what way?
    a. Has the ideological shift affected the advocacy function of your organization? If so, to what extent?

8) Is there anything else you would like to share with regards to the relationship your organization has with government entities and their impact on advocacy and service provision?