How is legitimacy generated in NGO’s?
A case study of Catalonia

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1. Introduction

During the past fifteen years, the context within which non governmental organisations (NGOs) work has changed considerably, and they have become important actors in national and international politics, a fact which has been accompanied by a rapid growth in the number, types of activities, resources and social weight of NGOs.

Over the course of this decade, recognition of the limitations of the activities undertaken to date by NGOs has led to a reflection on the need to shift toward new strategies that allow for greater impact. Advocacy, in all its different guises, has become a key strategy for the majority of NGOs in order to sway different stakeholder groups (individuals, states, international organisations, enterprise, and so forth) on different policies and behaviours. In the past few years, NGOs have become vehicles through which civil society can influence the decisions and actions of these actors, thus generating dynamics of political change. Nevertheless, this new, more politically active role of NGOs is facing a series of criticisms and challenges regarding these organisations’ legitimacy.

The purpose of this paper is to reflect on the legitimacy of NGOs and to contribute to improving the management of their legitimacy by identifying the main criteria for legitimacy. The theoretical approach to the concept of legitimacy is combined with the preliminary results of a field study which is currently underway in Catalonia. The field study is mainly based on an on-line survey aimed at approximately one thousand Catalan organisations. This fieldwork is still being conducted, but the preliminary results already enable us to glimpse the position of Catalan entities on the issue of legitimacy, by combining the standpoint of the sector as a whole with the particular cases of individual organisations. The initial results encompass responses from 142 NGOs, which represent a wide variety of entities in terms of their scope of work or subsector1 and their size (in terms of budget and human resources). The majority of the entities are associations (57%), although there is also a significant number of foundations in the study (30%). The survey is supplemented by interviews with important persons from the third sector and academia. To date, seventeen interviews have been conducted.

The legitimacy of NGOs is a challenge being faced all over the planet. Sharing this paper might encourage a reflection on this topic and provide the chance to extrapolate or apply the key variables identified in different contexts. To this end, the case of

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1 The entities have been classified into eight areas of work: social (32.4%), culture (14.1%), co-operation (10.6%), insertion/integration (8.5%), education and leisure (7.7%), the environment (5.6%), community initiatives (2.1%) and miscellaneous (18.3%).
Catalonia might be a good example of the situation of the legitimacy of these organisations in a developed country.

2. Justification: Why must an organisation be legitimised?

The current context and the growing importance and influence of non profit organisations are generating new questions as to the ultimate reasons behind the recent involvement of these organisations in improving society. Who has the right to contribute, to become involved in the political process of improving our society? Why should governments heed the opinions of these organisations? The answers to these questions are closely related to the concept of legitimacy.

The issue of legitimacy has yet to be explored and reflected on within the third sector. Despite this, legitimacy is framed as a key issue for the third sector and for organisations, as shown in the results of our survey. In greater detail, we can see that while the majority of organisations recognise that legitimacy is a fundamental concern for the third sector (88%), the results vary slightly when referring to whether it is a high priority issue within the organisations themselves (71%).

On the other hand, it is difficult to determine a single cause as to why organisations consider legitimacy an important issue since there is a combination of different reasons. It is worth noting that the majority of entities believe that the most important causes are related to their mission to act in or influence society or to the growth in social support, while in second place we can find factors related to the very survival of the entity, to obtaining resources and to the ability to exert influence in the political domain.
Graph 3: Reasons behind the importance of legitimacy


Finding a comprehensive definition of the concept of legitimacy is a more difficult task than one might expect since it is a concept that is more often invoked than described. For the purposes of this study, the concept of legitimacy has been defined as “that particular status with which an organisation is imbued and perceived which grants it the right to exist and to do something within society”.

The notion of legitimacy is multi-faceted. The different dimensions of the term ‘legitimacy’ - moral, legal, social or political and technical - might coexist in organisations and are closely interrelated. It is important to note that the majority of authors place special emphasis on the moral dimension of legitimacy. The fact that the mission of the majority of organisations is to build a more fair and solidary society in which a certain set of values prevail makes the moral facet acquire even more importance.

However, according to the results of our survey, it is not so clear that the majority of organisations take for granted the fact that working in the third sector, that is, in the non profit domain, completely legitimises them per se. Faced with the claim that legitimacy is inherent in the sector due to its very nature, almost all the entities (three-quarters of the sample) take the middle ground, declaring themselves to be neither in favour nor against the statement.
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Graph 4: Legitimacy inherent in the very nature of NGOs

4. Actors: Who legitimises?

The very definition of the concept of legitimacy leads to us ask who legitimises or who grants legitimacy to non governmental organisations. Indeed, this is a key question in that legitimacy does not exist unless it is granted.

Organisations in the third sector can not be understood outside the context of the society and the social nucleus or mass they generate around them. Entities do not simply believe that they must be legitimised in order to gain the social support needed to carry out their projects, rather they also value society in general, users and members as the main agents that legitimise them.

Graph 5: Actors that grant legitimacy
5. Types of legitimacy: What to legitimise?

It is possible to distinguish between the legitimacy granted to an organisation as such (overall legitimacy) and the legitimacy granted to its activities in general or in particular (occasional legitimacy). Although in practice it is sometimes difficult to apply this distinction, it is important in that it helps to explain situations in which an organisation may have legitimacy overall but not in certain activities it carries out, or vice-versa.

The entities surveyed indicate that differences in the degree of legitimacy according to the type of activities do exist. Thus, although almost half of those surveyed considered awareness-raising and information dissemination activities, the provision of services and participatory activities totally legitimised, the degree of legitimisation is not so clear in the area of advocacy or political activity. Proof that one cannot speak about overall legitimacy, in the opinions of the NGOs themselves, is the fact that only 43% consider themselves to be legitimised to undertake any type of activity whatsoever, while when undertaking the types of activities mentioned above – except activities involving exerting political influence – the percentage never falls below 80%.

6. Criteria for legitimacy

The legitimacy of organisations is an issue currently being subject to public debate. To face this debate with complete confidence, organisations are confronted with the challenge of reflecting and working on not only the concept but also the criteria for legitimacy.
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When can we say that an organisation is legitimised or that it has legitimacy? What is the legitimacy of non profit organisations based on? We shall present several criteria for legitimacy, classified as internal or external depending on whether they refer to factors inherent to the organisation or outside it.

**A. Internal criteria for legitimacy**

The internal criteria are, in turn, classified according to whether they refer to substantial legitimacy (to the content of the organisation, that is, to the values and ideals it wishes to promulgate) or to procedural legitimacy (the form of the organisation, that is, its processes of decision-making and acting).

**a.1) Substantial legitimacy**

An organisation’s substantial legitimacy is determined first by the moral and legal character of its mission. The institutional objectives of the majority of organisations involve promoting a series of values and public goods (solidarity, volunteerism, equality, justice and so forth). In fact, the commitment to these principles and values is a unique feature of these organisations which differentiates them from other actors in society, such as businesses.

**Graph 7: Mission and social objectives**

The results from the survey conducted show how more than 90% of the entities believe that they have this substantial legitimacy, meaning that they believe they are legitimised due to their mission and social objectives.

Representativeness constitutes another criterion for substantial legitimacy in NGOs. Representativeness entails promoting and defending the interests of certain groups within society, either be the end recipients of the NGO’s actions (beneficiaries or users) or the members of the organisation itself (members, volunteers and so forth). For true representativeness to exist, organisations must establish channels of communication which facilitate a continuous flow of high quality information, as well as internal democratic mechanisms which enable all their members to participate under equal conditions.
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From the survey, we can see that 66% of the entities believe that the degree of representativity of their members or users grants them part of the legitimacy they have, although it is not as decisive a factor as their mission.

**a.2.) Procedural legitimacy**

There are various criteria that might determine the procedural legitimacy of an organisation. One criterion is that of **effectiveness**. An organisation that carries out high quality work and generates a positive, meaningful impact in society will be recognised not only morally but also technically. This is one of the most important criteria, especially in light of the increasingly important role of these organisations as service providers via contractual relationships with public entities. In order to be capable of conducting effective interventions and generating impact, organisations must have the specific knowledge of and experience in their sphere of action.

More than three-fourths of the NGOs believe that both the quality and efficiency of the work in the organisation as well as the extent of their experience are factors that somewhat or totally facilitate their legitimacy. Thus, although this is not as decisive a factor as the mission itself, they rate it much higher than the degree of representativity.

A second criterion for procedural legitimacy is the **transparency and accountability of the organisation’s actions**. If efficiency and effectiveness of actions are essential criteria for legitimacy, this intrinsically entails the concomitant existence of mechanisms for accountability of the actions undertaken by the organisation with the
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The purpose of demonstrating its results to many different stakeholders: members, users, public entities, society and so forth.

Graph 11: Transparency and Accountability

The organisations are aware that this procedural legitimacy can only be granted if they act transparently; thus, more than 90% stated that their legitimacy comes somewhat or totally from the organisation’s degree of accountability.

B) External criteria for legitimacy

The criteria for legitimacy examined up to now have referred to the organisations themselves; however, it is also essential to point to the existence of external factors affecting their legitimacy and over which organisations exert little direct control. Factors such as the characteristics of other actors that work in the same domain, the media, the opinions of users and members and ties to recognised entities (religious congregations, businesses and such) or personalities can be key when influencing an organisation’s degree of legitimacy.

7. Managing legitimacy

The challenge facing organisations is to institutionalise the different criteria for legitimacy mentioned above so that increased credibility is generated, as is the legitimacy of these organisations within society. Nevertheless, it is important to highlight the fact that legitimacy is not acquired immediately but is the result of a lengthy, complex process. Almost all the entities are aware of this, as shown by the fact that more than 90% of the organisations claim to be somewhat or totally in agreement with the statement above.
With regard to managing legitimacy, it is important to distinguish between the different phases that an organisation’s legitimacy might undergo and which make up its management cycle: earning, maintaining, losing and repairing legitimacy. In the different interviews conducted, in response to the question of whether it is possible to recover lost legitimacy, the majority of the organisations and experts interviewed acknowledged the complexity of this issue, as well as the possibility of once again partially or totally recovering legitimacy, especially in organisations with solid tradition and experience.

8. Challenges to legitimacy

Legitimacy presents a multitude of challenges to the third sector, since – as already mentioned – it is an issue that is increasingly important yet still relatively novel. One of the greatest challenges is precisely to initiate a process of reflection and debate on legitimacy in the third sector, with the two-fold objective of advancing the role of NGOs in society and confronting criticisms and uncertainties that have been generated about NGOs in recent years.

Based on the interviews conducted, we can highlight three main challenges for the third sector related to matters of legitimacy:

- **Financing.** The excessive dependence on public financing could eventually erode an organisation’s legitimacy. From this arises the keenly felt need to diversify sources of financing and increase private sources with the aim of being independent organisations that are solely subject to institutional objectives.

- **Accountability.** Accountability is closely tied to legitimacy, since in the end it refers not only to the reason why an organisation is legitimised but also to how this legitimacy is demonstrated. NGOs face the challenge of creating mechanisms for generating transparency and accountability for their actions if they truly wish to be considered legitimate.

- **From moral legitimacy to technical legitimacy.** Although organisations have often been regarded as morally legitimised entities *per se* due to their mission, lately results, and thus technical legitimacy, are being demanded as well. However, in this process of increasing the efficiency and effectiveness of their actions, due to a great extent to the role of NGOs as public service providers, it is important that the organisation’s own values, with which many times they conflict, not be eroded.
Mission

Observatorio del Tercer Sector is an independent and non-profit research centre specialized in the third sector. Its aim is to increase and extend the knowledge on the sector and to work for the improvement of the non-profit organizations management.

Fields of work

THE STRUCTURE OF THE THIRD SECTOR
The Observatorio del Tercer Sector was born with the creation of the White Book of the civil-social third sector. This study led to a search for the exact structure of the Catalan social third sector.
This type of research has continued in order to know and understand the working reality of non-profit organizations, as found both in an overall framework and within the various sub sectors of a specific activity.

HOW ORGANIZATIONS WORK
Non-profit organizations have their own specific requirements due to their goals, values and method of organising.
For this reason, it is necessary to analyze and understand the way they operate with other agencies in order to propose new ideas and improvements in different areas and activities.

FIELDS OF INTEREST IN THE THIRD SECTOR
The third sector is multi-faceted and its areas of interest and activity are connected to many key topics for society.
The Observatorio del Tercer Sector, working together with various third sector organisations, carries out research in the following fields: youth, cooperation for development, ethical banking, the environment, society and culture.