

Programmatic Flexibility and Private Funding: How INGOs Navigate Closing Civic Space

Andrew Heiss

Andrew Young School of Policy Studies, Georgia State University • aheiss@gsu.edu

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Executive summary

International NGOs (INGOs) face challenges when working under legal restrictions. My research on INGOs in authoritarian countries like Egypt, China, and Russia finds that INGOs with greater programmatic flexibility can lobby against restrictions, relocate operations, or reshape laws. Those with fewer resources must hide their activities, tame their programming, or exit. My experimental research shows that individual donors offer a promising alternative funding source, but respond unpredictably to legal crackdowns. INGOs can maximize private support through accountability and transparency practices, strategic communications about restrictions, and outreach through civic organizations and volunteer networks that reach high-trust donors.

International NGOs adapt to civil society restrictions

My research underscores that organizational responses to civil society restrictions depend on programmatic flexibility—the resources organizations can draw on in moments of crisis. This flexibility includes diversified revenue, professionalized staff with management training, collaborative relationships with other organizations, and access to offices in other countries.¹ INGOs with robust access to these resources can respond more actively and creatively to legal restrictions than those that are underfunded, poorly managed, or geographically limited.

High flexibility allows for more active responses

Evidence from a global survey of INGOs, interviews with INGO management and staff, and national-level administrative data shows that INGOs with more programmatic flexibility have a large range of choices when confronting legal crackdowns. For example:

- **Work from abroad:** Larger, better resourced organizations with wider geographic footprints can work in restrictive countries from abroad. Greenpeace circumvents China's 2017 Overseas NGO Law—which requires foreign NGOs to collaborate closely with provincial bureaucrats—by conducting temporary activities while maintaining its headquarters abroad.²
- **Lobby against laws:** Partnerships with larger INGOs allow smaller organizations to mount legal and political defenses against restrictions. In Kyrgyzstan, a coalition of local and regional NGOs collaborated with Freedom House and US and EU donor agencies to defeat draft legislation modeled after Russia's "Foreign Agents" law.³

¹ Andrew Heiss, "Taking Control of Regulations: How International Advocacy NGOs Shape the Regulatory Environments of Their Target Countries," *Interest Groups and Advocacy* 8, no. 3 (2019): 356–75.

² Elizabeth Plantan, "Not All NGOs Are Treated Equally: Selectivity in Civil Society Management in China and Russia," *Comparative Politics* 54, no. 3 (2022): 501–24.

³ Nic Cheeseman and Susan Dodsworth, "Defending Civic Space: When Are Campaigns Against Repressive Laws Successful?" *The Journal of Development Studies* 59, no. 5 (2023): 619–36.

- **Reshape laws:** Well-resourced organizations can also proactively shape legal frameworks in their host countries. Article 19 leveraged its substantial resources and regional presence to quickly establish operations in Tunisia following the 2011 Arab Uprising, advocating for human rights provisions through trainings and constitutional commentary that were ultimately enshrined in the 2014 constitution.⁴

Low flexibility leads to more limited responses

In contrast, organizations with less (and more conditional) funding, smaller networks of peer organizations, and more rudimentary training, enjoy less programmatic flexibility. For instance:

- **Hide:** Organizations unable to afford registration fees or find non-foreign funding sources may continue their work while avoiding government contact. An anonymous development INGO in the Caribbean, unable to pay higher registration fees or bribe officials and lacking resources to lobby, work abroad, or partner with larger organizations, continued its activities while hiding them from authorities.⁵
- **Tame programming:** Organizations reliant on donors who demand measurable programmatic impact may shift toward less politically ambitious work. When these donors observe increased civil society restrictions, they can reduce support to recipient INGOs by more than 70%, creating strong incentives to pursue “tamer” programming that is easier to quantify and preserves funding streams.⁶
- **Exit and stop work:** Organizations with limited resources and funding sources may be forced to cease operations entirely. When Egypt’s civil society laws became more restrictive in 2014, the Africa and Middle East Refugee Assistance (AMERA) International—with only 20 staff, one primary funder, and few partner organizations—shut down its Egyptian operations and shifted to fundraising and training in Morocco and Cameroon.⁷

The promise and challenge of private funding

Individual private donors—from high net-worth philanthropists to average contributors—have emerged as a promising alternative funding source that can circumvent regulated foundation and government channels and help INGOs maintain programmatic flexibility amid closing civic space and cuts to foreign aid from the United States and other key donor governments. In the United States, foreign aid funding from these donors has more than doubled since 2000, reaching nearly \$30 billion in 2023.⁸ However, my research with Suparna Chaudhry using vignette-based and conjoint survey experiments reveals a paradox: individual donors respond unpredictably to civic space crackdowns, with the same legal restrictions either increasing or decreasing donor support depending on how individuals interpret the situation:

⁴ Heiss, “Taking Control of Regulations.”

⁵ Andrew Heiss, “Amicable Contempt: The Strategic Balance Between Dictators and International NGOs” (Duke University, 2017), 226–27.

⁶ Lucy Right, Jeremy Springman, and Erik Wibbels, “Pushing Back or Backing down? Examining Donor Response to Restrictive NGO Legislation,” *International Organization*, 2025.

⁷ Heiss, “Taking Control of Regulations.”

⁸ Giving USA, “Giving USA: U.S. Charitable Giving Totaled \$557.16 Billion in 2023,” *Lilly Family School of Philanthropy*, June 25, 2024, https://philanthropy.indianapolis.iu.edu/news-events/news/_news/2024/giving-usa-us-charitable-giving-totaled-557.16-billion-in-2023.html.

- **Some individual donors see governmental restrictions as a badge of legitimacy**—a signal that an INGO is doing something right.⁹ These individuals are significantly more likely to donate—and donate higher amounts—to INGOs facing crackdown. The effect is strongest for INGOs that are funded by private donations (rather than government grants), as donors feel that their contributions can have the greatest impact.
- **Other donors see restrictions as a warning sign.** In my survey experiments, respondents decreased support to restricted organizations, with one respondent explaining: “I’m not exactly sure what they did was right or wrong, I think it just seems bad, so I’m less likely to want to donate to them.”¹⁰ Evidence from a larger conjoint experiment similarly suggests that individuals are substantially less likely to donate to an organization that is criticized or restricted by its host government.¹¹

This unpredictability creates fundraising challenges. Fortunately, my research also identifies concrete strategies that can encourage potential donors to respond positively:

- **Trust matters:** Donors who respond positively to INGOs facing restrictions tend to have high social trust, volunteer regularly, donate to charity, follow the news, and trust political institutions. In contrast, donors with lower social trust prefer to donate to INGOs with friendly host-country relationships.¹² INGOs can tap into this by communicating why they face restrictions, signaling they are doing important, legitimate work.
- **Organizational practices matter:** Donors who perceive that organizations are trying to follow best practices regarding accountability and transparency are less concerned by legal crackdowns.¹³

Key lessons

The global crackdown on civil society poses challenges for both INGOs and their funders. Two lessons stand out:

- INGOs should seek to maximize their flexibility before crises emerge by diversifying revenue sources, collaborating with local and regional partners, and finding backup locations. Donor agencies and foundations should avoid grant conditions tied solely to measurable outputs, which can inadvertently force INGOs to tame their programming when facing restrictions.
- Individual donors respond unpredictably to legal crackdowns. INGOs can maximize their support by implementing accountability and transparency practices and strategically communicating about restrictions they face. Outreach through civic organizations, volunteer networks, and news media can help reach donors with high social trust who are more receptive to supporting restricted organizations.

⁹ Suparna Chaudhry and Andrew Heiss, “Dynamics of International Giving: How Heuristics Shape Individual Donor Preferences,” *Nonprofit and Voluntary Sector Quarterly* 50, no. 3 (2021): 496.

¹⁰ Chaudhry and Heiss, “Dynamics of International Giving,” 496.

¹¹ Suparna Chaudhry, Marc Dotson, and Andrew Heiss, “Navigating Hostility: The Effect of Nonprofit Transparency and Accountability on Donor Preferences in the Face of Shrinking Civic Space,” *Nonprofit and Voluntary Sector Quarterly*, 2025, 1–27.

¹² Suparna Chaudhry, Marc Dotson, and Andrew Heiss, “Who Cares about Crackdowns? Exploring the Role of Trust in Individual Philanthropy,” *Global Policy* 12, no. S5 (2021): 45–58.

¹³ Chaudhry et al., “Navigating Hostility.”