


Monday, April 28, 2025

Donor Responses to Civil Society Repression

Chapter for the Handbook of Political Control

Andrew Heiss 
Georgia State University
aheiss@gsu.edu

Suparna Chaudhry 
Lewis and Clark College
schaudhry@lclark.edu

ABSTRACT This chapter examines donor responses to the global crackdown on civil society, where governments use legal measures to repress NGOs. Donors, including bilateral and multilateral agencies, respond variably; bilateral aid often decreases following anti-NGO laws, while multilateral aid remains stable. Private donors' responses depend on factors like social trust and NGO transparency. NGOs adapt by diversifying funding, forming affiliates, or shifting to community-based support. As the space for civil society continues to shrink, coordinated international efforts are essential to counteract these repressive trends and uphold civil society's role in democratic governance.

KEYWORDS foreign aid; NGOs; NGO crackdown; civil society repression; international philanthropy; charitable giving

Beginning in 2003, Africa and Middle East Refugee Assistance (AMERA) International provided pro bono legal support for refugees entering Egypt. Based in London, this international non-governmental organization (INGO) maintained a small staff of legal experts in Cairo and raised the bulk of its funding from organizations in London, receiving most of its revenue from a private charitable foundation, Comic Relief UK. Despite Egyptian laws restricting INGO activities, AMERA enjoyed a positive relationship with government authorities. In the wake of the 2011 Arab Uprisings, though, the Egyptian government began strictly enforcing laws prohibiting foreign funding for civil society, blocking AMERA's access to Comic Relief donations. In 2014, AMERA shuttered its Egyptian office and redirected its programming to local projects in the United Kingdom (Heiss 2019b).

The experiences of non-governmental organizations (NGOs) like AMERA are not uncommon. While a large literature in law and political science focuses on the role of international law, domestic legal institutions, and legal mobilization that may reduce state crackdown (Klug 2005; Powell and Staton 2009; Simmons 2009; Conrad and

*Corresponding author.

Ritter 2013), the last two decades have shown that states also use laws not to expand rights, but to further restrict rights and repress organizations (Christensen and Weinstein 2013; Dupuy, Ron, and Prakash 2016; Bakke, Mitchell, and Smidt 2020; Glasius, Schalk, and De Lange 2020; Bromley, Schofer, and Longhofer 2020; Chaudhry 2022). Administrative crackdown—or the use of laws to create barriers to entry, funding, and advocacy by civil society groups—has proliferated across the globe over the past few decades—both across democracies and autocracies (Chaudhry 2022). As of 2023, 87% of the world’s population now lives in countries where the space available to civil society is closed, repressed, or obstructed (CIVICUS 2023). This intersection of administrative and legal institutions (layer 3) being used to control the activities and existence of civil society organizations (layer 4) is an example of how Earl and Braithwaite’s (2022) layered model helps us consider the tools states use to control dialogue and mobilization among their populations.

The growth in states using law to repress civil society organizations can be attributed to three main factors. First, administrative or legal crackdown has many advantages over the use of violence. It allows governments to maintain a democratic facade and limit the domestic backlash because citizens tend to view legal crackdown as regulation rather than repression (Chaudhry 2022). Anti-NGO laws rarely elicit international condemnation or threats to withdraw aid. States also learn about the efficacy of these legal strategies from their peers and subsequently implement them in their own country (Glasius, Schalk, and De Lange 2020; Gilbert 2020; Chaudhry 2022). Finally, these tactics are part of a broader trend of using legal means to subvert democratic institutions and norms (Levitsky and Ziblatt 2018).

Administrative crackdown via anti-NGO laws that bar access to foreign funding and foreign technical assistance has been particularly insidious. Without access to foreign funds, many INGOs, such as AMERA, cannot continue their overseas operations. Even domestic NGOs may be heavily strapped for money. Most NGOs in the Global South require a constant stream of competitive grants from foreign donors to implement specific projects (Bush 2015). Local groups tackling contentious issues may not be able to raise funds domestically, as publics may prefer donating to service organizations focusing on health, education, and poverty (Dupuy, Ron, and Prakash 2016; Brechenmacher 2017). Even local philanthropists may be deterred from giving to organizations focusing on contentious issues such as advocacy, media freedom, and anti-corruption initiatives due to poor tax incentives or a fear of retribution.

The effects of such repression are visible in many countries. For instance, the 2009 Ethiopian Charities and Societies Proclamation Act stipulated that NGOs working on any rights issues in the country must acquire 90% of their funding from domestic sources. It also prohibited organizations from spending more than 30% of their budget on “administrative costs,” which the act does not define, but could be interpreted to include the provision of free legal aid, advocacy, and other activities essential to the missions of rights groups (Brechenmacher 2017, 69). This law dealt a devastating blow to Ethiopian civil society, as most domestic NGOs working on human rights relied almost exclusively on foreign aid (Brechenmacher 2017). Within two years, the total number of local NGOs decreased by 25%, and by an astounding 90% among human rights NGOs (Dupuy, Ron, and Prakash 2016). INGOs such as Mercy Corps and Action for Development abandoned their conflict resolution work, while Human Rights Watch,

Amnesty International, and the International Federation for Human Rights were prevented from opening field offices in the country. Of the 125 human rights NGOs in operation when the law passed, only 10% registered under the new requirement (Dupuy, Ron, and Prakash 2016).

Given the increase in administrative and legal repression of civil society, how have their donors responded? How do these responses differ across foreign government and private donors? How have local philanthropists and NGOs adapted and responded to such repression? What challenges do civil society groups continue to face despite these responses?

Responses from official aid donors

A rich literature on the purposes of foreign aid explores why states transfer money and resources to other countries. Both national aid agencies and multilateral international organizations face competing interests when deciding how to allocate resources, which projects to undertake, and which countries to work with. States rhetorically declare normative justifications for engaging in development, with recipient-focused goals like poverty reduction, democratization, human rights promotion, and environmental protection (Hoeffler and Outram 2011). In practice, though, aid is given for far more instrumental reasons based on donor countries' domestic and foreign policy-oriented strategic goals (Alesina and Dollar 2000; Apodaca 2017). A key enforcement mechanism to ensure that recipient-country actions align with donor-country goals is to condition aid on the achievement of specific democratizing and economic goals (Cheeseman, Swedlund, and O'Brien-Udry 2024; Hoeffler and Justino 2024). However, this dual-purpose strategy often creates dilemmas—if aid is withdrawn, it may jeopardize humanitarian programs or worsen political conditions. Conversely, continuing aid might signal tolerance for rights violations, weakening the credibility of the donor's human rights agenda. Prior research finds conflicting relationships between human rights abuses and foreign aid, variously concluding that donor agencies punish repressive states by reducing or withdrawing aid (Lebovic and Voeten 2009), increasing aid to repressive states to counter state violence (Nielsen 2013), or making no measurable change in aid allocations (Neumayer 2003b, 2003a).

One reason for such mixed results is that the decision to withdraw or suspend aid in response to human rights abuses (including civil society crackdown) is often seen as a binary choice driven by self-interested motivations: a donor country that sees human rights abuses in a recipient state will consider its own foreign policy interests before deciding to either continue or curtail aid. However, the decision is far more complex and involves a wide range of possible motivations and responses. Cheeseman, Swedlund, and O'Brien-Udry (2024) offer a stylized decision tree of possible choices following recipient-country human rights violations—we provide a simplified version of their framework in Figure 1.

Donor countries thus have a range of possible responses to recipient repression, including doing nothing and ignoring the violation, threatening to change aid allocations, withdrawing or suspending aid, or shifting aid to other projects or programs. In turn, recipient governments can then respond by doing nothing and ignoring the suspension,

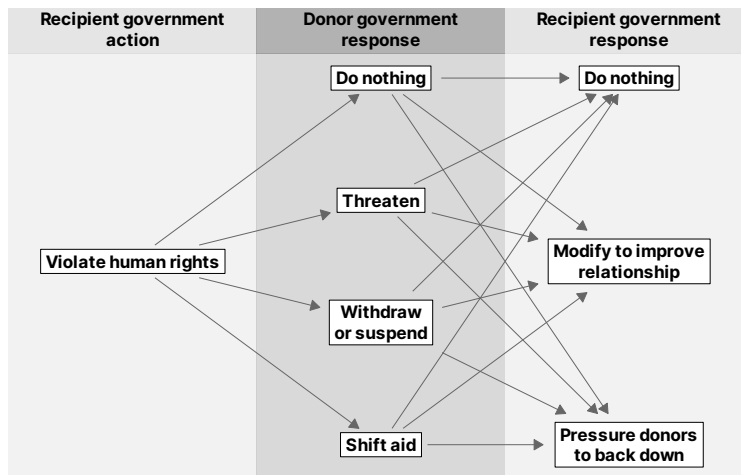


Figure 1: Possible donor- and recipient-country responses to human rights violations

or changing their behavior and ceasing the repression to improve their relationship with the donor country, or pressuring the donor country to back down and withdraw their complaint. In this simplified decision tree, there are 12 possible combinations of outcomes, and each pathway is conditional on a host of donor-country and recipient-country characteristics and contexts, including geopolitical dynamics in the recipient country’s region, domestic political institutions within the donor country, public opinion in the donor country, coordination between coalitions of donors, the type of aid, and the type of human rights violation, among others (Cheeseman, Swedlund, and O’Brien-Udry 2024). Such complexity makes it difficult to find consistent treatment effects in research that explores the overall effect of repression on aid—that is, we cannot definitively say that human rights abuses cause an overall reduction or increase in aid. Instead, newer research looks at donor responses in more specific circumstances, exploring the factors that lead to specific response pathways (Corwin 2023).

Research on aid conditionality and agency responses to human rights abuses tends to look at more overt and violent forms of political repression, or higher layers in the Earl and Braithwaite (2022) framework. The effects of more subtle administrative crackdown on aid—including the passage of anti-NGO laws, the constricting of civic space, and other layer 3 institutions—are less explored. Civil society plays a central role in the distribution and implementation of international aid. Government agencies, such as the United States Agency for International Development (USAID) and the United Kingdom’s Foreign, Commonwealth and Development Office (FCDO), channel substantial funding through NGOs in recipient countries. Outsourcing the provision of aid to NGOs allows donors to avoid aid capture in weak institutional environments and can lead to more effective program implementation (Dietrich 2013; Cruz, Labonne, and Wright 2024). Given the importance of NGOs in aid delivery, we have reason to expect that donor responses to civil society crackdown abroad are treated differently than more violent forms of repression, following different pathways in Figure 1.

Donor countries have a range of possible responses when recipient countries engage in administrative crackdown. Recent research finds that national and multilateral aid agencies are responsive to anti-NGO laws, though often in inconsistent ways (Chaudhry and Heiss 2022). Christensen and Weinstein (2013) show that aid from bilateral donors—or direct country-to-country aid—sees an average decrease of \$25 million after recipient states pass laws that restrict the flow of foreign funds to NGOs. However, aid from multilateral agencies is not affected by these laws. Similarly, Dupuy and Prakash (2018) find that the adoption of a restrictive foreign funding law is associated with a 32% decline in aid from bilateral donors, but has no corresponding change in aid from multilateral donors.

One key reason for the divergence in the responses of national and international agencies is the degree to which these donors rely on recipient-country NGOs to implement programs. Donor agencies prioritize the openness of civil society in recipient countries in different ways. Multilateral donors like the World Bank and OECD tend to channel money directly to recipient governments rather than domestic NGOs and are thus more insulated from the effects of local civil society repression, which likely explains the lack of formal response to anti-NGO laws (Christensen and Weinstein 2013; Dupuy and Prakash 2018). There is more variation, however, in how bilateral donors work with domestic NGOs. Allen and Flynn (2018) find that the domestic political environments of donor countries shape how those countries channel their aid abroad. Because they tend to focus more on poverty alleviation initiatives, states with left-leaning governments typically channel more aid through recipient-country NGOs. In contrast, right-leaning governments are typically interested in promoting the economic and political interests of their own states, and accordingly prefer to channel aid directly through recipient-country governments (Allen and Flynn 2018). Human rights abuses in recipient countries will shape the responses of donor countries depending on the saliency of the threat to aid provision: political repression that threatens business interests and investments will be more salient to right-leaning governments, while anti-NGO civil society administrative crackdown will likely have a stronger effect on left-leaning governments' responses, since domestic NGOs are central to donor countries' aid distribution strategies. This dynamic indicates ways that the Earl and Braithwaite (2022) framework might be expanded to work between states—layer 3 institutions like civil society regulations in donor countries can affect perceptions of layer 3 institutions in recipient countries, and vice versa.

The nature of civil society restrictions also influences how official donor agencies respond. Christensen and Weinstein (2013) cataloged civil society laws into three broader categories—barriers to funding, barriers to entry, and barriers to advocacy—but they, and others like Dupuy and Prakash (2018), dedicated the bulk of their analysis to looking at the effects of barriers to funding. This focus on funding restrictions is warranted, as most authoritarian civil society legal restrictions have been aimed specifically at reducing or controlling foreign funding (Heiss 2019a; Carothers 2015; Carothers and Brechenmacher 2014). Moreover, the relationship between foreign aid and foreign funding restrictions appears to be bidirectional, as states are more likely to pass restrictive foreign funding laws in response to increases in bilateral aid (Dupuy, Ron, and Prakash 2016), especially during competitive elections or times of political protest or instability (Chaudhry 2022; Heiss 2017). Foreign funding restrictions and aid are thus

linked: increasing aid leads to more funding restrictions (Dupuy, Ron, and Prakash 2016), which in turn lead to reductions in aid (Dupuy and Prakash 2018).

Though most anti-NGO laws have targeted foreign funding, others impose barriers to entry, such as strict and burdensome registration requirements, and barriers to advocacy that explicitly limit NGO political participation, specifically through vaguely defined “political activities” (Chaudhry 2022). Donor countries respond differently to these types of oppression. Chaudhry and Heiss (2024) find that bilateral donors are quite responsive to barriers to advocacy—on average, total foreign aid decreases by 30–40% (or \$100 in a typical country) following the passage of an advocacy-focused NGO law (see also Chaudhry and Heiss 2022). Right, Springman, and Wibbels (2024) find similar and more nuanced trends in donor responses: donors committed to political advocacy (i.e. those that fund democracy and civil society promotion activities) reduce funding for advocacy programs by more than 70% in response to new restrictions, and the reduction in aid persists for several years.

Overall, bilateral aid does not decrease significantly in response to new barriers to entry, but the distribution channels of that aid shift as donor countries channel more aid through domestic rather than foreign NGOs (Chaudhry and Heiss 2024). USAID even explicitly encourages its program managers to rely more on domestic, in-country NGOs when facing a restrictive legal environment (United States Agency for International Development 2014). In addition to changing the amounts and recipients of foreign aid, donor agencies often adjust the focus of the programs they fund, redirecting funding away from programs related to politically sensitive issues like human rights, anti-corruption, and democratic development and towards tamer topics that are more compatible with recipient-country preferences, such as education, health, and humanitarian services (Bush 2015).

These shifts in funding patterns in response to restrictive civil society laws have had measurable effects on NGOs in recipient countries. In 2021, USAID pledged to send 25% of its aid through local NGOs over the next few years (Power 2021), but practical obstacles remain. New local partners take longer to vet and train compared to established INGO partners. Turning to local organizations entails greater risk, as domestic NGOs can be easily shut down by their governments. Additionally, communities often distrust local groups that accept Western aid, especially those focused on democracy assistance (Barkan 2012). Donor preferences have also changed. Over the past two decades, bilateral donors and foundations have increasingly provided short-term grants for projects that have easily measurable, quantifiable outputs (Bush 2015). This model may work well for civic groups working on relatively tame causes or exclusively development-focused goals, but more contentious organizations facing government crackdown may need flexible funding that does not bring immediate results or does not have easily measurable goals (Herrold 2020).

This watering down of NGO programming illustrates interesting interplay between the different layers of Earl and Braithwaite’s (2022) model of repression. Both de jure anti-NGO laws and the de facto civil society regulatory environment represent layer 3 institutions designed to limit participation in institutional politics. These limits cause civil society actors at layer 4 to shift to safer strategies and curtail their programming, which in turn can lead to worse consequences downstream. Formal and informal limits on civil society could be one mechanism behind the fact that foreign democracy aid in-

creases the probability of civil war onset in states with weaker and less institutionalized civil society (Braithwaite and Licht 2020). Amid violent layer 7 conflict, civil society restrictions may prevent NGOs from intervening effectively to address humanitarian challenges arising from violent conflict. For instance, Executive Order 13224—issued by George W. Bush in 2001—banned all financial transactions with any individual or organization on a list of Specially Designated Global Terrorists (“Exec. Order No. 13224” 2001). However, many humanitarian aid organizations (layer 4 institutions), work in environments where even the smallest circumstantial evidence could be grounds for designating these NGOs as having provided material support or resources for terrorism (Bhungalia 2023). Thus, many nonprofits may choose to avoid working in conflict zones. For example, after the US listed Al Shabaab in Somalia as a terrorist group, it resulted in a 88% reduction in civil society aid to Somalia over the next two years, with devastating consequences for Somalis (Hayes 2017).

Other layers in this model of repression also point toward future research on donor responses to NGO restrictions. Braithwaite and Licht (2020) find that states that receive foreign democracy assistance have a lower probability of internal conflict when civil society is more institutionalized. It is likely that broader social institutionalization (e.g., strong formal social institutions [layer 5] and robust protest mobilization [layer 6]) protects against more violent repression. We do not yet know how these other layers of institutionalization interact with layer 3 civil society restriction, nor how official aid donors might condition their responses to repression. For instance, are donor states less likely to tame their programming when there are popular protests or powerful labor unions that can supplement resistance to government action?

Responses from private donors

States and international organizations are not the only institutions that engage in international giving. Private individuals exercise power and influence in unique ways that differ from other non-state actors. Since 2000, foreign aid funding from philanthropic foundations and individual donors in the United States has more than doubled (Desai and Kharas 2018), with nearly \$30 billion donated to international affairs and development organizations in 2023 (Giving USA 2024). Private foreign aid now serves as a complement to official bilateral and multilateral aid, particularly in response to acute humanitarian crises (Desai and Kharas 2018). Work in nonprofit and philanthropic studies has long explored the personal motivations of individual donors, including reputation, altruism, and psychological benefits (Bekkers and Wiepking 2011), but there is far less research regarding the organizational or institutional mechanisms that drive donor behavior. Donors are motivated by the broader political and institutional contexts of NGO programming, and individuals are less likely to donate to foreign nonprofits and prefer giving to local causes, since the result of their giving is more visible (Casale and Baumann 2015; Tremblay-Boire and Prakash 2017; Wiepking 2010).

Donor motivations influence how individuals respond when potential recipient organizations face legal trouble abroad. However, the exact menu of responses is more limited (and less explored) than what is available to bilateral and multilateral states. Figure 2 presents a preliminary framework for outlining possible individual donor re-

sponses to anti-NGO repression. When a potential recipient NGO faces legal crackdown in its host country, private donors can respond by (1) increasing their donations as a sign of support and solidarity, (2) decreasing their donations, punishing the NGO for doing something to run afoul of its host government, or (3) not considering the host country legal environment and making no change in their donation behavior. Chaudhry, Dotson, and Heiss (2021) explore how different combinations of donor characteristics determine which response individuals are likely to take when NGOs face crackdown. They find that donors with longer experiences with the nonprofit sector and high levels of social trust—i.e. those who frequently volunteer, regularly donate to charity, and trust political institutions—are more likely to maintain their support for international NGOs that face criticism or crackdown abroad.

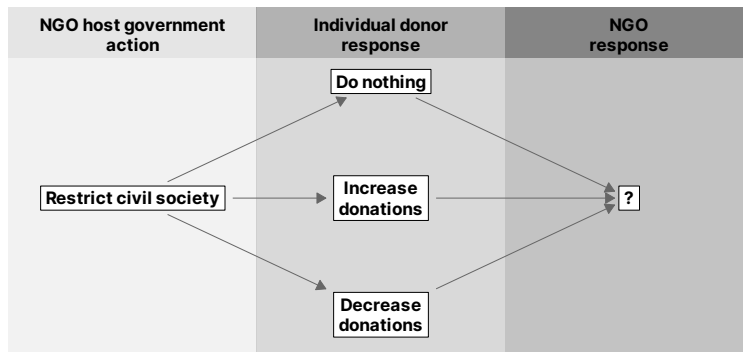


Figure 2: Possible individual responses to civil society restrictions in recipient countries

Experimental evidence examines how donors react to the knowledge that potential recipient NGOs face legal difficulties. Chaudhry and Heiss (2021) find that foreign civil society restrictions serve as a heuristic when deciding to donate—learning about NGO repression increases individual generosity and causes potential donors to be willing to give substantially more to legally restricted nonprofits. This effect is strongest for privately-funded human rights-focused NGOs that face legal crackdown, as individuals feel that the organization deserves their support. Several participants justified their increased support because restricted NGOs are “doing good work in countries where it is tough for groups like them to operate and they need all the help they can get” (Chaudhry and Heiss 2021, 496). Building on this work, Chaudhry, Dotson, and Heiss (2024) examine how organizational characteristics (e.g., issue area, funding sources) and practices (e.g., financial transparency) interact with structural concerns like legal crackdown abroad. They find that, all else equal, legal crackdown on its own causes donors to reduce their support for nonprofits—individuals are less likely to donate to an NGO that is criticized or restricted, compared to an organization that enjoys a friendly relationship with its host government. However, this reduction in support can be offset by organizational characteristics. Financial transparency and accountability each increase the probability of donations under the worst conditions of legal crackdown. Individual donors thus typically reduce their support when seeing legal crackdown,

but change their response and increase their support when seeing other signs that the organization follows best practices and is more deserving.

The question of how organizations respond to different donor reactions to legal crackdown remains unexplored (see the far right panel of Figure 2). To our knowledge, no work has been done regarding individual-level nonprofit fundraising strategies in the face of closing civic space, presenting promising avenues for future research.

While private donations have become an important source of funding in the age of closing civic space and increased restrictions on foreign funding, they are unlikely to fully supplant large bilateral and multilateral sources of foreign aid, nor can they serve national foreign policy interests like more standard foreign aid. Testimony at a 2017 U.S. Senate Committee on Foreign Relations hearing maintained that “[n]either remittances nor philanthropy can replace the expertise, scale, or agenda setting capacity of American foreign policy assistance” (Runde 2017). Thus, despite promising new research on how to raise funds from private sources for besieged NGOs abroad, official aid donors also need to mount a coherent response to the shrinking civic space, in which the actors comprising layer 4 of the Earl and Braithwaite (2022) model are challenged by restrictions from layer 3 institutions.

Local solutions

Due to the reduced access to (or prohibition on) foreign funds, many domestic NGOs have explored alternative funding models. Some have engaged in diversification, creating affiliate organizations to ensure their survival (Toepler, Pape, and Benevolenski 2020). Others have switched organizational forms, becoming for-profit firms that are not subject to the same legal restrictions (Ye and Heiss 2024). In Russia, many environmental NGOs have employed informal models of organization and deregistered with the state due to political and financial constraints, while others partner with businesses directly—for instance, the Ecological Union in St. Petersburg offers private green certification to businesses that undergo a third-party audit of their manufacturing and retail processes (Sundstrom, Henry, and Sperling 2022).

A growing number of organizations in the Global South have also turned to community philanthropy. Community foundations facilitate democratic and transparent decision-making by allowing the local community to decide who receives grants. This approach allows local groups to respond and be held accountable to local priorities, overcoming many criticisms of international donor aid (Murad 2014).

Social enterprises—for-profit, nonprofit, or hybrid organizations with social objectives—offer another alternative funding model for NGOs. These entities often advance their cause with a for-profit business model and reinvest profits in the community or the nonprofit. For instance, Bangladesh has some of the most notable social enterprise nonprofit organizations, including the Bangladesh Rural Advancement Committee (BRAC) and the Grameen Bank. BRAC’s programs address a wide variety of issues, including health, education, craft markets, milk and cattle farming, and micro-credit. During the organization’s initial stage of development, it reinvested half of its commercial profits back into the enterprise and the other half into its nonprofit programming (Cho and Sultana 2015). These alternative funding models can generate

sustainable income while achieving social goals of socioeconomic and community development.

Continued challenges from anti-NGO rhetoric

Foreign donors already face many criticisms from grantees, including implementing models without taking local contexts into account and prioritizing projects that are more easily quantifiable and regime compatible (Bush 2015). In an environment of closing civic space, NGOs—especially those receiving grants from foreign donors—face even bigger risks. In a 2011 survey of 1,473 NGO respondents that had received foreign funds, 37% felt the greatest risk of receiving democracy assistance was being labeled an “agent” or “stooge” of outside forces. (Barkan 2012). In a 2016 survey of over 1,000 activists from Colombia, Egypt, India, Kenya, Russia, Sudan, Turkey, Uganda, Ukraine, and Venezuela, respondents reported that their foreign donors created security and safety concerns by neglecting to take adequate measures to protect their partners, even when they have been targeted or arrested (Miller-Dawkins 2017).

Such risk does not necessarily just imply threats to physical or legal safety. Many states use negative rhetoric designed to sow distrust between these groups and the communities they serve. In Hungary, government officials declared they wanted to “sweep [NGOs] out of the country,” while asking the intelligence services to investigate all NGOs receiving money from the Hungarian-born financier George Soros (Reuters 2017). Using similar rhetoric, the Trump administration accused protestors opposing Brett Kavanaugh’s confirmation to the Supreme Court of being funded by wealthy liberal donors like Soros (Choi 2018).

Recent research shows that NGOs consider government rhetoric when making operational decisions. A survey experiment of NGOs across Cambodia, Uganda, and Serbia, found that negative NGO rhetoric significantly reduces NGO leaders’ willingness to work in a community and curtails NGOs’ preferences for partnering with local government authorities (Hollerbauer et al. 2024). Thus, NGOs not only seek to avoid working in communities repressed by the government, but also avoid working in areas where authorities use anti-NGO rhetoric. While donor responses have largely focused on navigating and adapting to repression, the use of such rhetoric raises broader questions about research and policy in the nonprofit sector: how is such rhetoric changing public attitudes and engagement with these groups? Given that anti-NGO repression and rhetoric can exacerbate burnout rates (Joscelyne et al. 2015), what are organizations doing to support rights advocates, and what kinds of interventions can help support activists and professionals? In response to these concerns, organizations such as Defend Defenders, Frontline Defenders, Peace Brigades International, Civil Rights Defenders, and Protection International provide physical security, legal and digital support, and mental health resources to activists at risk. Regional initiatives such as the Mesoamerican Women Human Rights Defenders Initiative, Forum Asia, and the Euro-Mediterranean Foundation of Support for Human Rights Defenders also help provide formal protection mechanisms for activists.

In many cases, foreign donors have also allied with local NGOs and provided training to local groups to help defeat anti-NGO bills. In Kyrgyzstan, Freedom House col-

laborated with local NGOs to lobby against a draft bill restricting NGOs. They warned legislators that the proposed Russian-style “Foreign Agents” law would harm charitable and humanitarian NGOs and reduce essential social services. The US, EU, and DAC-EU members, which provide a quarter to a third of Kyrgyzstan’s aid, also expressed concerns directly to Kyrgyz legislators (Cheeseman and Dodsworth 2023). The bill was defeated in 2016, and legislators who voted against the bill cited the country’s need for foreign funding: “We get financial assistance from [international organizations] in many fields including healthcare, education, and agriculture among others. We need this money” (Lelik 2016). Local NGOs similarly partnered with INGOs in Kenya—their campaign emphasized that 8,500 organizations in the country rely heavily on foreign donors and that a proposed 15% cap on foreign funding would have devastating consequences for the NGO sector. During the subsequent reading of amendments to the NGO bill, several legislators justified their rejection of the bill based on the risks posed to the socioeconomic development of Kenya. (Berger-Kern et al. 2021). These examples highlight how donors can use their leverage, especially their role in social service provision, to successfully push back against repressive NGO laws.

Conclusion

Donors have long faced criticisms from practitioners, policymakers, and academics, who argue that international donors in particular replicate global hierarchies and are unresponsive to the needs of local communities. However, with the global crackdown on civic space—including in many established democracies in the Global North—donors from these countries may lose credibility when speaking out against civil society restrictions abroad. For instance, the U.S. government has teetered dangerously close to the rhetoric and practices of many other governments repressing civil society. In June 2018, Nikki Haley, the U.S. Ambassador to the United Nations (UN), blamed NGOs for the U.S. withdrawal from the UN Human Rights Council. International actors have struggled to mount a coherent campaign against civil society repression.

While the examples of Kenya and Kyrgyzstan discussed above show that donors and local activists can successfully push back against anti-NGO laws, a more systematic approach is needed. To tackle this administrative repression, Western states need a more effective and coordinated response that engages not only aid agencies, donors, and international NGOs but also businesses, development communities, and local populations to address larger structural issues that exacerbate government crackdowns on civil society. This chapter demonstrates that the use of layer 3 controls—such as law and administrative repression—does not just have an impact on layer 4 actors such as civil society institutions. They also have far-reaching repercussions on efforts to address and resolve violent conflict (layer 7) and support for vulnerable communities, including minorities, queer groups, women, refugees, and asylum seekers (layer 2), who often depend on specialized nonprofit groups for services and legal advice that may cease to exist in the face of legal restrictions and anti-NGO rhetoric. Without such an effort, the repression of civil society organizations may be the canary in the coal mine that sets the groundwork for future democratic erosion. Recent developments within Western democracies—including the second Trump administration’s attacks on both

the USAID and the U.S. nonprofit sector and European donors' increasing withdrawal from external democracy support—raise new questions about how civic groups and private donors and foundations can respond to a changing international landscape.

References

- Alesina, Alberto, and David Dollar. 2000. "Who Gives Foreign Aid to Whom and Why?" *Journal of Economic Growth* 5 (1): 33–63. <https://doi.org/10.1023/A:1009874203400>.
- Allen, Susan Hannah, and Michael E Flynn. 2018. "Donor Government Ideology and Aid Bypass." *Foreign Policy Analysis* 14 (4): 449–68. <https://doi.org/10.1093/fpa/orx005>.
- Apodaca, Clair. 2017. "Foreign Aid as Foreign Policy Tool." In *Oxford Research Encyclopedia of Politics*, by Clair Apodaca. Oxford University Press. <https://doi.org/10.1093/acrefore/9780190228637.013.332>.
- Bakke, Kristin M., Neil J. Mitchell, and Hannah M. Smidt. 2020. "When States Crack down on Human Rights Defenders." *International Studies Quarterly* 64 (1): 85–96. <https://doi.org/10.1093/isq/sqzo88>.
- Barkan, Joel D. 2012. "Democracy Assistance: What Recipients Think." *Journal of Democracy* 23 (1): 129–37. <https://doi.org/10.1353/jod.2012.0013>.
- Bekkers, René, and Pamala Wiepking. 2011. "A Literature Review of Empirical Studies of Philanthropy: Eight Mechanisms That Drive Charitable Giving." *Nonprofit and Voluntary Sector Quarterly* 40 (5): 924–73. <https://doi.org/10.1177/0899764010380927>.
- Berger-Kern, Nora, Fabian Hetz, Rebecca Wagner, and Jonas Wolff. 2021. "Defending Civic Space: Successful Resistance Against NGO Laws in Kenya and Kyrgyzstan." *Global Policy* 12 (S5): 84–94. <https://doi.org/10.1111/1758-5899.12976>.
- Bhungalia, Lisa. 2023. *Elastic Empire: Refashioning War Through Aid in Palestine*. Stanford University Press. <https://doi.org/10.1515/9781503637528>.
- Braithwaite, Jessica Maves, and Amanda Abigail Licht. 2020. "The Effect of Civil Society Organizations and Democratization Aid on Civil War Onset." *Journal of Conflict Resolution* 64 (6): 1095–1120. <https://doi.org/10.1177/0022002719888684>.
- Brechenmacher, Saskia. 2017. *Civil Society Under Assault: Repression and Response in Russia, Egypt, and Ethiopia*. Washington, D. C.: Carnegie Endowment for International Peace. <http://carnegieendowment.org/2017/05/18/civil-society-under-assault-repression-and-responses-in-russia-egypt-and-ethiopia-pub-69953>.
- Bromley, Patricia, Evan Schofer, and Wesley Longhofer. 2020. "Contentions over World Culture: The Rise of Legal Restrictions on Foreign Funding to NGOs, 1994–2015." *Social Forces* 99 (1): 281–304. <https://doi.org/10.1093/sf/soz138>.
- Bush, Sarah Sunn. 2015. *The Taming of Democracy Assistance: Why Democracy Promotion Does Not Confront Dictators*. Cambridge, UK: Cambridge University Press. <https://doi.org/10.1017/cbo9781107706934>.
- Carothers, Thomas. 2015. *The Closing Space Challenge: How Are Funders Responding?* Washington, D. C.: Carnegie Endowment for International Peace.

- Carothers, Thomas, and Saskia Brechenmacher. 2014. *Closing Space: Democracy and Human Rights Support Under Fire*. Washington, D. C.: Carnegie Endowment for International Peace.
- Casale, Daniela, and Anna Baumann. 2015. "Who Gives to International Causes? A Sociodemographic Analysis of U.S. Donors." *Nonprofit and Voluntary Sector Quarterly* 44 (1): 98–122. <https://doi.org/10.1177/0899764013507141>.
- Chaudhry, Suparna. 2022. "The Assault on Civil Society: Explaining State Crackdown on NGOs." *International Organization* 76 (3): 549–90. <https://doi.org/10.1017/S0020818321000473>.
- Chaudhry, Suparna, Marc Dotson, and Andrew Heiss. 2021. "Who Cares about Crackdowns? Exploring the Role of Trust in Individual Philanthropy." *Global Policy* 12 (S5): 45–58. <https://doi.org/10.1111/1758-5899.12984>.
- . 2024. "Navigating Hostility: The Effect of Nonprofit Transparency and Accountability on Donor Preferences in the Face of Shrinking Civic Space." Working paper. <https://doi.org/10.31235/osf.io/hu6a5>.
- Chaudhry, Suparna, and Andrew Heiss. 2021. "Dynamics of International Giving: How Heuristics Shape Individual Donor Preferences." *Nonprofit and Voluntary Sector Quarterly* 50 (3): 481–505. <https://doi.org/10.1177/0899764020971045>.
- . 2022. "Closing Space and the Restructuring of Global Activism Causes and Consequences of the Global Crackdown on NGOs." In *Beyond the Boomerang: From Transnational Advocacy Networks to Transcalar Advocacy in International Politics*, edited by Christopher L. Pallas and Elizabeth A. Bloodgood, 23–35. Tuscaloosa, Alabama: University of Alabama Press.
- . 2024. "Are Donors Really Responding? Analyzing the Impact of Global Restrictions on NGOs." Working paper. <https://www.andrewheiss.com/research/working-papers/chaudhry-heiss-ngos-aid/>.
- Cheeseman, Nic, and Susan Dodsworth. 2023. "Defending Civic Space: When Are Campaigns Against Repressive Laws Successful?" *The Journal of Development Studies* 59 (5): 619–36. <https://doi.org/10.1080/00220388.2022.2162882>.
- Cheeseman, Nic, Haley J. Swedlund, and Cleo O'Brien-Udry. 2024. "Foreign Aid Withdrawals and Suspensions: Why, When and Are They Effective?" *World Development* 178 (June):106571. <https://doi.org/10.1016/j.worlddev.2024.106571>.
- Cho, Sangmi, and Razia Sultana. 2015. "Journey from NGO to Sustainable Social Enterprise: Acceleratory Organizational Factors of BRAC." *Asian Social Work and Policy Review* 9 (3): 293–306. <https://doi.org/10.1111/aswp.12069>.
- Choi, Matthew. 2018. "Trump Claims 'Paid Protesters' During Kavanaugh Confirmation 'Haven't Gotten Their Checks.'" Politico. October 9, 2018. <https://www.politico.com/story/2018/10/09/trump-kavanaugh-paid-protesters-883617>.
- Christensen, Darin, and Jeremy M. Weinstein. 2013. "Defunding Dissent: Restrictions on Aid to NGOs." *Journal of Democracy* 24 (2): 77–91. <https://doi.org/10.1353/jod.2013.0026>.
- CIVICUS. 2023. "CIVICUS Monitor." 2023. <https://monitor.civicus.org/>.
- Conrad, Courtenay R., and Emily Hencken Ritter. 2013. "Treaties, Tenure, and Torture: The Conflicting Domestic Effects of International Law." *The Journal of Politics* 75 (2): 397–409. <https://doi.org/10.1017/S0022381613000091>.

- Corwin, Hillary. 2023. "Coercive and Catalytic Strategies for Human Rights Promotion: State Violence and Foreign Assistance." *World Development* 167 (July):106227. <https://doi.org/10.1016/j.worlddev.2023.106227>.
- Cruz, Cesi, Julien Labonne, and Ashley Wright. 2024. "Political Outcomes of Aid." In *Handbook of Aid and Development*, edited by Raj M. Desai, Shantayanan Devarajan, and Jennifer L. Tobin, 205–24. Edward Elgar Publishing. <https://doi.org/10.4337/9781800886810.00019>.
- Desai, Raj M, and Homi Kharas. 2018. "What Motivates Private Foreign Aid? Evidence from Internet-Based Microlending." *International Studies Quarterly* 62 (3): 505–19. <https://doi.org/10.1093/isq/sqy023>.
- Dietrich, Simone. 2013. "Bypass or Engage? Explaining Donor Delivery Tactics in Foreign Aid Allocation." *International Studies Quarterly* 57 (4): 698–712. <https://doi.org/10.1111/isqu.12041>.
- Dupuy, Kendra, and Aseem Prakash. 2018. "Do Donors Reduce Bilateral Aid to Countries with Restrictive NGO Laws? A Panel Study, 1993–2012." *Nonprofit and Voluntary Sector Quarterly* 47 (1): 89–106. <https://doi.org/10.1177/0899764017737384>.
- Dupuy, Kendra, James Ron, and Aseem Prakash. 2016. "Hands Off My Regime! Governments' Restrictions on Foreign Aid to Non-Governmental Organizations in Poor and Middle-Income Countries." *World Development* 84 (August):299–311. <https://doi.org/10.1016/j.worlddev.2016.02.001>.
- Earl, Jennifer, and Jessica Maves Braithwaite. 2022. "Layers of Political Repression: Integrating Research on Social Movement Repression." *Annual Review of Law and Social Science* 18 (1): 227–48. <https://doi.org/10.1146/annurev-lawsocsci-050520-092713>.
- "Exec. Order No. 13224." 2001. *Federal Register* 66 (186): 49079–83. <https://www.federalregister.gov/d/01-24205>.
- Gilbert, Leah. 2020. "Regulating Society After the Color Revolutions: A Comparative Analysis of NGO Laws in Belarus, Russia, and Armenia." *Demokratizatsiya: The Journal of Post-Soviet Democratization* 28 (2): 305–32. <https://muse.jhu.edu/article/754564>.
- Giving USA. 2024. "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.
- Glasius, Marlies, Jelmer Schalk, and Meta De Lange. 2020. "Illiberal Norm Diffusion: How Do Governments Learn to Restrict Nongovernmental Organizations?" *International Studies Quarterly* 64 (2): 453–68. <https://doi.org/10.1093/isq/sqaa019>.
- Hayes, Ben. 2017. "The Impact of International Counterterrorism on Civil Society Organisations: Understanding the Role of the Financial Action Task Force." Study 68. Berlin: Brot für die Welt. https://www.brot-fuer-die-welt.de/fileadmin/mediapool/2_Downloads/Fachinformationen/Analyse/Analysis_68_The_impact_of_international_counterterrorism_on_CSOs.pdf.
- Heiss, Andrew. 2017. "Amicable Contempt: The Strategic Balance Between Dictators and International NGOs." Durham, North Carolina: Duke University.

- . 2019a. “NGOs and Authoritarianism.” In *Routledge Handbook of NGOs and International Relations*, edited by Thomas Davies, 557–72. London: Routledge. <https://doi.org/10.4324/9781315268927-39>.
- . 2019b. “Taking Control of Regulations: How International Advocacy NGOs Shape the Regulatory Environments of Their Target Countries.” *Interest Groups and Advocacy* 8 (3): 356–75. <https://doi.org/10.1057/s41309-019-00061-0>.
- Herrold, Catherine E. 2020. *Delta Democracy: Pathways to Incremental Civic Revolution in Egypt and Beyond*. New York: Oxford University Press. <https://doi.org/10.1093/os0/9780190093235.001.0001>.
- Hoeffler, Anke, and Patricia Justino. 2024. “Aid and Fragile States.” In *Handbook of Aid and Development*, edited by Raj M. Desai, Shantayanan Devarajan, and Jennifer L. Tobin, 225–46. Edward Elgar Publishing. <https://doi.org/10.4337/9781800886810.00020>.
- Hoeffler, Anke, and Verity Outram. 2011. “Need, Merit, or Self-Interest—What Determines the Allocation of Aid?” *Review of Development Economics* 15 (2): 237–50. <https://doi.org/10.1111/j.1467-9361.2011.00605.x>.
- Hollerbauer, Simon, Maria Nagawa, Graeme Robertson, Jeremy Springman, and Erik Wibbels. 2024. “The Effect of Government Intervention on the Operational Decisions of NGOs: Evidence from a Survey Experiment in Three Electoral Autocracies.” Working paper. https://hoellers.github.io/files/research/CSU_Conjoint_Paper.pdf.
- Joscelyne, Amy, Sarah Knuckey, Margaret L. Satterthwaite, Richard A. Bryant, Meng Li, Meng Qian, and Adam D. Brown. 2015. “Mental Health Functioning in the Human Rights Field: Findings from an International Internet-Based Survey.” Edited by Soraya Seedat. *PLOS ONE* 10 (12): e0145188. <https://doi.org/10.1371/journal.pone.0145188>.
- Klug, Heinz. 2005. “Transnational Human Rights: Exploring the Persistence and Globalization of Human Rights.” *Annual Review of Law and Social Science* 1 (1): 85–103. <https://doi.org/10.1146/annurev.lawsocsci.1.041604.115903>.
- Lebovic, James H., and Erik Voeten. 2009. “The Cost of Shame: International Organizations and Foreign Aid in the Punishing of Human Rights Violators.” *Journal of Peace Research* 46 (1): 79–97. <https://doi.org/10.1177/0022343308098405>.
- Lelik, Anna. 2016. “Kyrgyzstan: Foreign Agent Bill Nixed, NGOs Rejoice.” *Eurasianet*, May 12, 2016. <https://eurasianet.org/s/kyrgyzstan-foreign-agent-bill-nixed-ngos-rejoice>.
- Levitsky, Steven, and Daniel Ziblatt. 2018. *How Democracies Die*. New York: Crown.
- Miller-Dawkins, May. 2017. “Understanding Activism: How International NGOs, Foundations and Others Can Provide Better Support to Social Movements.” Report. The Atlantic Council. <https://cnxus.org/resource/understanding-activism-how-international-ngos-foundations-and-others-can-provide-better-support-to-social-movements/>.
- Murad, Nora Lester. 2014. “An Alternative to International Aid.” OpenGlobalRights. February 25, 2014. <https://www.openglobalrights.org/alternative-to-international-aid/>.
- Neumayer, Eric. 2003a. “Do Human Rights Matter in Bilateral Aid Allocation? A Quantitative Analysis of 21 Donor Countries.” *Social Science Quarterly* 84 (3): 650–66. <https://doi.org/10.1111/1540-6237.8403010>.

- . 2003b. “The Determinants of Aid Allocation by Regional Multilateral Development Banks and United Nations Agencies.” *International Studies Quarterly* 47 (1): 101–22. <https://doi.org/10.1111/1468-2478.4701005>.
- Nielsen, Richard A. 2013. “Rewarding Human Rights? Selective Aid Sanctions Against Repressive States.” *International Studies Quarterly* 57 (4): 791–803. <https://doi.org/10.1111/isqu.12049>.
- Powell, Emilia Justyna, and Jeffrey K. Staton. 2009. “Domestic Judicial Institutions and Human Rights Treaty Violation.” *International Studies Quarterly* 53 (1): 149–74. <https://doi.org/10.1111/j.1468-2478.2008.01527.x>.
- Power, Samantha. 2021. “Administrator Samantha Power on a New Vision for Global Development.” U.S. Agency for International Development. November 4, 2021. <https://web.archive.org/web/20241007014706/https://www.usaid.gov/news-information/speeches/nov-04-2021-administrator-samantha-power-new-vision-global-development>.
- Reuters. 2017. “Ruling Fidesz Party Wants Soros-funded NGOs ‘Swept Out’ of Hungary.” *Reuters: World*, January 11, 2017. <https://www.reuters.com/article/world/ruling-fidesz-party-wants-soros-funded-ngos-swept-out-of-hungary-idUSKBN14VoP1/>.
- Right, Lucy, Jeremy Springman, and Erik Wibbels. 2024. “Pushing Back or Backing down? Examining Donor Response to Restrictive NGO Legislation.” Working paper. https://jrspringman.github.io/files/The_Effect_of_NGO_Laws_on_Bilateral_Aid_Flows.pdf.
- Runde, Daniel F. 2017. “Global Philanthropy and Remittances and International Development.” https://www.foreign.senate.gov/imo/media/doc/050317_Runde%20Testimony_REVISED1.pdf.
- Simmons, Beth A. 2009. *Mobilizing for Human Rights: International Law in Domestic Politics*. Cambridge, UK: Cambridge University Press. <https://doi.org/10.1017/cb09780511811340>.
- Sundstrom, Lisa McIntosh, Laura A. Henry, and Valerie Sperling. 2022. “The Evolution of Civic Activism in Contemporary Russia.” *East European Politics and Societies: And Cultures* 36 (4): 1377–99. <https://doi.org/10.1177/08883254211070851>.
- Toepler, Stefan, Ulla Pape, and Vladimir Benevolenski. 2020. “Subnational Variations in Government-Nonprofit Relations: A Comparative Analysis of Regional Differences Within Russia.” *Journal of Comparative Policy Analysis: Research and Practice* 22 (1): 47–65. <https://doi.org/10.1080/13876988.2019.1584446>.
- Tremblay-Boire, Joannie, and Aseem Prakash. 2017. “Will You Trust Me? How Individual American Donors Respond to Informational Signals Regarding Local and Global Humanitarian Charities.” *VOLUNTAS: International Journal of Voluntary and Nonprofit Organizations* 28 (2): 621–47. <https://doi.org/10.1007/s11266-016-9782-4>.
- United States Agency for International Development. 2014. *Stand with Civil Society: Best Practices*. Washington, D. C.: USAID Center for Excellence on Democracy, Human Rights, and Governance. http://pdf.usaid.gov/pdf_docs/PBAAE863.pdf.
- Wiepking, Pamala. 2010. “Democrats Support International Relief and the Upper Class Donates to Art? How Opportunity, Incentives and Confidence Affect Donations to Different Types of Charitable Organizations.” *Social Science Research* 39 (6): 1073–87. <https://doi.org/10.1016/j.ssresearch.2010.06.005>.

Ye, Meng, and Andrew Heiss. 2024. "The Implementation of China's Overseas NGO Law and the Operating Space for International Civil Society." Working paper.