International NGOs and the Challenge to Civil Society Space: Interpretation and Responses

Insight paper by Harmattan Risk

September 2019

_____

Introduction

For the casual reader, "civil society space" might sound like an abstraction, but it means something very tangible – it is the ease with which people can safely organise to address social concerns and to get governments to pay attention to problems that they might prefer to ignore. Without any such space, we can go to work and go shopping, and maybe even start a business, but we can forget about trying to organise around pressing issues of mutual concern without facing legal hassles and even more serious threats.

For several years now, the narrowing of civil society space has been one of the most prominent concerns among NGOs. This "narrowing" refers to the trend of governments increasingly constraining the formation and function of civil society organisations (CSO), NGOs included, and limiting the freedoms that underpin organised civil activity. This undermines the effectiveness of NGOs working in countries affected by this tendency, and increases the risks to NGOs and their personnel.

The aim here is to offer a concise interpretation of this phenomenon, and to suggest how international NGOs could respond or adapt to it. There is much ongoing analysis of the issue within development and advocacy circles, but coming from a political risk consulting background this might at least provide a somewhat different angle. This proceeds as follows. First, **the reasons** for the wave of restrictions on civil society space are postulated, starting with a brief preliminary look at what this narrowing has entailed. Next, the paper poses **a few key questions** for international NGOs that derive from the drivers of the clampdown. Finally, a **possible set of international NGO responses** are considered, more on the level of thought experiment than recommendations, with the aim of stirring further thinking. **Conclusions** frame the foregoing and pose some broader questions.

An Interpretation of Why

As a brief precursor and without rehashing facts and figures, the clampdown on civil society space is not just subjective perception among NGOs. Over the last decade or so, approximately half the countries in the world have hardened civil society organisation regulations, and in recent years at least 50 countries across all continents have considerably beefed up already challenging CSO controls. Controls include high registration barriers, onerous random audits, barriers to foreign funding and intensive scrutiny for foreign NGOs and their local partners, and outright dissolution and arrest of staff for NGOs deemed to be somehow subversive or even "supporting terrorism". Governments have also created their own NGOs to keep tabs on genuine ones and to fragment civil society narratives. Extra-legal but still government-instigated pressures include cyber attacks, online threats, fake news and troll campaigns and actual physical attacks on NGO staff and peaceful activists. Generally, this hostile environment is aimed more at NGOs focusing on rights and justice, but development actors also share the effects since they too often foster civic mobilisation capacity, which is one of the concerns of wary governments.

Why this clampdown is happening remains under discussion, but the reasons are important to getting a sense of how fundamental this shift is, and the strength of the forces driving it. This is a complex question and it is hard to do it justice in a short piece, but the following is hopefully at least a starting point for understanding the challenge.

The hardening global environment for NGOs is closely linked to patterns in democratisation. The scope for organised civil society activity is systematically linked with the quality and depth of democracy. Genuine or full democracy (beyond just elections) underpins the liberties which enable civil society activity, and in turn an active civil society, along with media freedom, is one of the means by which governments are held accountable and responsive to legitimate concerns. According to Freedom House and other observers, following over two decades in which democracies became more numerous and robust, since about 2005 there has been some backsliding, less in the proportion of democracies than in governments' adherence to democratic principles including rights and freedoms. In trying to discern the roots of the clampdown on civil society space, what follows also necessarily looks at the reasons for the recent erosion of democracy. These are presented in point form partly for brevity but also to help clarify the logic, such as it is.

The War on Terror puts democratic principles under pressure from conflict imperatives (from 2001)

- Western societies accept some trade-off between civil liberties and security, leading to normalisation of aspects of the security state and a subtle erosion of socio-political commitment to fully sustaining civil society space at home and abroad
- The War on Terror requires allies, and Western criticism of and responses to civil society clampdowns are mitigated in exchange for counter-terrorism support; additionally repressive governments can play the counter-terrorism card as justification for civil society restrictions
- Counter-terrorism regulations complicate NGO fund transfers to and local partnerships in countries affected by Islamist insurgencies, and expose NGOs to potential liability
- Collateral damage in counter-terrorist military campaigns makes operating in several war-afflicted societies very dangerous

Mass protest movements make governments fearful of CSOs (from early-mid 2000s)

- The Colour Revolutions affect several recently anointed regimes in ex-USSR newly independent states and Eastern Europe; even if not directly affected, civil society mobilisation capacity is an unwelcome surprise for regimes still trying to build their legitimacy and power base, and both in the region and beyond many apprehensive governments, not least Russia's, take steps to restrict civil society space
- The Arab Spring from 2011 is an even harsher surprise, because affected regimes are well entrenched and long-standing dictatorships historically unafraid to use severe repression; civil society restriction around the world becomes more systematic

Genuine fears of system collapse and power vacuums (from mid-late 2000s)

- The US and (and later coalition) invasion of Afghanistan in response to the 911 attacks does not mitigate ongoing national fracturing and only changes the axes of conflict; the US invasion of Iraq in 2003 removes the Baathist control apparatus and leads to severe national fracturing and civil conflict overlapping with anti-US resistance
- Following Arab Spring-related protests in Libya, Western support for anti-Qaddafi forces in 2011 contributes to Qaddafi's demise; there is almost immediate national fragmentation along tribal and regional lines previously long suppressed by the Qaddafi regime
- Two severe cases of state failure, Syria and Yemen, are partly triggered by Arab Spring revolutionary pressures and both cases are exacerbated by ongoing foreign interventions

- That at least 3/5 major cases in quick succession are partly attributable to the interventions of liberal democratic powers, and of the same set 3/5 partly triggered by mass protest movements, leads many apprehensive governments to surmise that 1) when a Western government talks about democracy with countries they have disagreements with, they might mean regime change whatever the risks, 2) mass protests movements are very dangerous and therefore so is organised civil society as the means of mobilising such movements, and 3) Western pressure for human rights and civil society openness is dangerous and hypocritical in view of the effects of Western interventions

There are seemingly successful authoritarian role models (historical and emerging)

- China's Communist Party has undertaken economic liberalisation while keeping a very tight grip on political and civil liberties; China has become an economic powerhouse rivalling US global influence and its leadership seems very enduring
- Under Putin, Russia has restored itself economically and strategically after a period of post-USSR crisis, and like China keeps a tight lid on organised civil society
- Both countries, especially China, have worked out a sophisticated CSO repression apparatus combining laws, bureaucratic obfuscation, policing, intimidation, surveillance, and information / cyber controls, and this represents a form of best practice which others have learned from - there is some emerging standardisation in CSO repression approaches as governments watch authoritarian role models and also each other
- China offers assistance and development loans, and Russia military advice, to other governments regardless of their human rights adherence, thereby undermining incentives to appeal to Western human rights sensibilities (as an aside, "non-interference in internal affairs" is a principle of the Shanghai Cooperation Organisation)
- Both China and Russia are permanent members of the UN Security Council

Growing weaknesses in Western systems undermines democratic appeal (historical and emerging)

- Established democratic governments have increasingly become dominated by the same parties and coalitions recruiting members from select backgrounds, raising questions about how representative democracy really is
- In some countries constitutional arrangements did not foresee an ossification into bi-polar partisan politics, nor the potential election of eccentric or highly partisan national leaders, and institutional arrangements designed to balance executive power are proving to be weaker than envisioned

- In polarised systems, a change of administration can lead to wasteful policy reversals, undermining pervious government promises and purveying a sense of policy instability
- Widening cracks in national consensus, especially along the left-right and nationalist-globalist axes (see later), make it seem that civil society and media freedoms underpin considerable partisan hyperbole that only increases ideological polarisation
- While these might be natural evolutionary growing pains in genuine democracy, these weaknesses reduce the appeal of democracy among governments already concerned about stability

Nationalist populism erodes a commitment to universalist values (from early 2010s with some precursors)

- Rapid migration growth leads to concerns about the cultural effects of globalisation, and the 2008 financial crisis and the resulting hardship are seen by many as a result of unchecked globalisation (contagion effects) enabled by political elites blinded to the potential effects on ordinary people
- Fears and frustrations make fertile ground for politicians espousing nationalist and nativist values; nationalist leaders gain leverage or power in several long established democracies and in influential transitional countries, and many governments face stronger nationalist opposition and seek to appease these tendencies
- One result is an erosion of commitment to universal human values including human rights and civil liberties, as governments increasingly cater to "us versus them" sentiments; accordingly international development budgets come under scrutiny and "international community" coordination on human rights criticism and action becomes symbolic at best
- The nationalist political atmosphere leads to nationalist / nativist hyperbolic criticism of organisations espousing global humanitarian and human rights values, and international NGOs face a growing fake news challenge to their reputations

What It Means: Interpretive Questions for International NGOs

Assuming that the above holds water, it would seem that there are some powerful forces arrayed against civil society space and its corollary of genuine democracy. Western powers were never perfect, but they had more democratic credentials in the past and there was a stronger sense of international community. Now the West is both less willing and less able to take a stand on the values that underpin its own political systems. Meanwhile alternatives and China in particular indicate an authoritarian option for resilient government, one attractive to governments fearful of opening the Pandora's box of civil society freedom.

As usual, dire readings taken from recent history might explain a change in trend, but they are not the full picture. It is worth remembering that only a few decades ago most countries were authoritarian, and the trend of decline in the quality of democracy and the narrowing of civil society space is relatively recent. There is no reason yet to see it as a historical transition. Furthermore, while apprehensive governments might be finding new excuses and formulas for repression, there is a roughly equal and opposite pressure for civil society opening. Pro-democracy movements and organised civil society have responded to the democratic backsliding, and clampdowns seem increasingly impractical as a long-term solution for national resilience. Indeed one of the drivers of the current phase of clampdown were recent mass movements for rights and freedoms. The bigger picture provides a more positive perspective than a recent snapshot indicates.

That being said, the forces behind the current period of clampdown raise some serious questions for international rights and development NGOs. What follows is only a short list, and a reader can likely formulate more. Some of these might seem a little off the wall, but the aim is to inspire thinking beyond conventional assumptions.

Does the NGO value proposition still make sense (or: Are NGOs wrong about what makes people tick)? People seem increasingly willing to shed rights and freedoms and vote in strongmen as long as they are secure and on the winning side, authoritarian China seems to be doing great and is nearly exempt from official foreign human rights criticism, and universal human values seem secondary to "my nation's" economic and strategic power. People seem to prefer a raucous international football match, with its entertainment value and in-group validation, over consensus and mutual respect. The NGO proposition is based on a concept of human nature and shared values that looks shaky in the face of globalisation and changing geopolitical dynamics. Is the basis of the proposition still valid? If it is, does it need to be refreshed and re-articulated to meet current challenges, and to whom should a refreshed proposition be directed?

Are there sometimes understandable reasons why, or situations in which, governments restrict civil society space? One can consider, for example, "briefcase NGOs", well funded but opaque political lobbying, ethnic tensions and sub-national extremism, and the use of fronts for dark money or foreign subversion. Are regimes who clamp down always doing so to preserve their own status and advantages, or could they be trying to do their notion of the right thing even if they might be inept or heavy-handed?

Are governments, even repressive ones, among an international NGO's stakeholders?
Governments in recipient or beneficiary countries have sometimes been seen as obstacles or part of the background noise to an NGO's mission, not as a stakeholder in their own right. Yet NGO activities affect governments and they have a strong interest in what NGOs are doing. Would it be useful to regard governments as stakeholders and how might this change the relationship and the government perspective on civil society?

Can NGOs get by without Western political support? Arguably, international NGOs have at least tacitly relied on Western governments, via donor agencies, for the carrot and stick that kept beneficiary societies accessible and host governments playing nice. With weaker Western government commitment and credibility, do NGOs have other sources of bargaining power with which to counter the civil society clampdown and the restrictions on their own freedom to manoeuvre?

Do NGOs need to ease off of the rights agenda and mainly focus on socio-economic development?
If the themes of rights, justice and freedom are too hot to handle these days or are fighting heavy currents, maybe it is time to leave these aside and just focus on themes like education, sanitation, healthcare and microfinance, and do so without sparking government concerns about civic mobilisation capacity, on the premise that political evolution will eventually lead to a more balanced and open situation. Or could NGOs in fact have a constructive and legitimate role in this political evolution?

A Strategic International NGO Response – Thought Experiment

NGOs have already explored tactical options for dealing with the narrowing of civil society space, particularly in terms of how to maintain access in the face of government wariness of foreign NGOs and how to diversify funding so NGOs are not beholden to political agendas and can avert the charge of "foreign agent". This section instead looks at more top level or macro considerations for meeting the challenge. This is aimed more at inspiring thinking than suggesting concrete responses, hence the title of the section. It also looks more broadly at rights and freedoms of which civil society activity is an aspect, since these are closely interrelated.

Shoring up the basis of the value proposition

The basis of the NGO value proposition, that rights, justice, and socio-economic security and opportunity are universal human needs and values, is hard to contest if one has the imagination to put oneself in the shoes of someone without these. Many regimes and nationalist groups see a distinction between the in-group and everyone else in terms of who is deserving, but put them on the street as ordinary citizens or indeed as refugees tomorrow and even they might get the point. There are cultural interpretations of values and needs, but these are in nuance rather than substance.

A question remains, though. In the current era, are legal, ethical, and philosophical rationales sufficient to argue for adherence to universal rights and freedoms, or does the argument need to include a notion of instrumentality, or tangible utility? For example, an argument (not clearly proven as far as I know) could be that perceived rights inequality, as opposed to universality, within and between societies would be a very significant source of tension and hence conflict. Economic inequality seems to contribute to weakened consensus, so one would expect that rights inequality would have an even greater negative effect. Another possibility is that upholding rights leads to less eccentric, more rational and better governance, since it leads to the capability to articulate concerns and perceived government shortcomings, giving governments a "heads up" for self-improvement in a kind of positive feedback loop. As a final example, economic development is increasingly premised on creative and free thinking, self-organisation, and the integration of diversity, all of which seem at odds with repression and restrictions on organisation. These and any other arguments would need to be backed up by, and tailored according to, focused research.

The ethical basis of the value proposition, that rights and freedoms are universal values, has not weakened and can still provide the bedrock of arguments in favour of rights adherence and an open

civil society, but there could be opportunities to include utilitarian arguments which complement the ethical one.

A basis for dialogue with repressive governments

As noted above, the link between rights and freedoms and other tangible societal gains still bears exploration, but there could be an urgent subset of this wider investigation that would be applicable in discussions with repressive governments, towards alleviating repression and supporting at least cautious progress on rights and freedoms. This is that rights and freedoms, including an open civil society, in the long run contribute to peace and stability.

Assuming that one had the argument to hand, a first step in applying it could be to differentiate between regimes in terms of reasons for repression. On the one hand, some regimes are inherently repressive. These rely on repression to keep a privileged in-group on top, and / or to preserve an absolutist status quo, in which the paternalistic regime sees itself has having both a historic right and mission to guide the nation. It is hard to argue that rights and freedoms would benefit such regimes.

On the other hand, some regimes are repressive more because they fear that freedom would unleash sub-national tensions and lead to prolonged instability and conflict. In this view, perhaps prevalent in countries with deep ethnic, sectarian or sub-national divisions, civil society mobilisation is a Pandora's box - lifting the lid could lead to unpredictable results including people mobilising not along mutual concerns and values, but along axes of division (or other problematic axes – imagine for example a National Rifle Association in a post-conflict country). If there were a solid argument that causally linked rights and freedoms to peace and stability, then this could be a preliminary basis for dialogue which at the very least would change the tone of a relationship with a government from one of mutual nagging to mutual grudging respect and understanding. This in itself could go some way towards alleviating suspicion of NGOs and especially foreign ones. There are often different perspectives within governments and NGOs could look for the most workable ingress points.

A proposition or approach to regimes which repress more from concerns about national cohesion would need to be well informed and pragmatic. The link between rights and stability has been studied, and suffice to say, it is not straightforward. On shorter timelines, for example, freedom combined with relative deprivation and sub-national tensions can lead to higher risk of violent instability. But the long-term linkage looks much more positive. This would indicate that a corollary of progress on rights and freedoms is strengthening national consensus and inclusiveness. At a certain point, the primary axis of frustration is not between sub-national groups, but between an aspirational society and a repressive and increasingly illegitimate regime, whereupon continued

repression increases the chances of violence and instability. This is only an indicative snapshot of the linkage, since this is a complex question, but again, if this linkage can be clarified and articulated, it could be a valuable line of approach in directly engaging with governments, and for that matter also with donors.

The above might suggest that human rights advocacy should be quite closely linked to the themes of peace-building and stabilisation, at least with respect to developing and transitional countries facing sub-national tensions. Talking about the peace and stability benefits of progress on rights also does not displace advocacy and public disclosure of abuses. This is a necessary track with inherently repressive or absolutist regimes and remains a source pressure on anxious ones, albeit perhaps with some acknowledgement of their concerns about national cohesion. Without any such pressure, repression is often easier than addressing more complex long-term challenges.

More concerted efforts to hold Western governments to account

Disclosures of human rights abuses and civil society clampdowns might not hurt direct perpetrators these days, since they seem increasingly exempt from international community responses. However, long-established democratic governments still face public and media scrutiny and could be more responsive to disclosures of ignoring human rights abuses abroad. Many NGOs already hold Western governments to account for apathy or for even supporting abusive regimes, but it is well worth exploring if NGOs could be more systematic in inspiring official action.

Governments are ranked, for example, according to rights and freedoms. Could they also be ranked according to adherence with their own fundamental values, or for their performance on speaking out against abuses and civil society clampdowns? Such a ranking might carry significant weight, and citizens / voters might be alarmed to see their country in a low position. There could also be more coordination between NGOs on scrutinising and criticising Western governments' global commitment to progress on rights and freedoms, so that a consistent message gets across to interested citizenry. Contrasting the responses to the Russian use of nerve toxin in Salisbury, UK, and the murder of journalist Khashoggi in Istanbul, is an indication of the significance of concerted responses versus political apathy.

Concerted international business support to counterbalance political apathy

On the whole, international companies have been responsive to NGO criticism, and this criticism in conjunction with public advocacy and education, which from a business perspective affects market perceptions, have brought about some fundamental changes in business thinking. The friction

between businesses' inherent profit motive and their social responsibilities is unlikely to disappear, but business and investor participation in rights fora, ethical investment trends, and growing responsiveness to employee pressure for their companies' social conduct show that the days of acrimony between NGOs and business have largely given way to ongoing dialogue. There is a basis to work from in getting international business on board to help counter the civil society clampdown and the decline of rights and freedoms in general.

As with governments, demonstrating a well researched and nuanced argument for the positive social and political effects of rights and freedoms rather than mainly relying on ethical arguments could help to sharpen business concern and interest. For example, corruption is a concrete and immediate business risk, and corruption is often driven by the same deficiencies, such as weak rule of law and personal rather than institutional governance, that lead to repression (even when repression is not a conscious strategy). At a more macro level, if it can be shown that nuanced progress on rights and freedoms contributes to long-term peace and stability, this speaks to another significant political risk to businesses. Not only can businesses help to fulfil their ethical and social aspirations by supporting rights and freedoms progress, but collectively they can contribute to reducing risk in regions where they operate or would one day hope to.

In terms of how businesses can contribute, one of the most significant would be linking foreign investment to country adherence to humanitarian and rights principles including respect for CSOs. Many countries heavily rely on both portfolio and direct foreign investment, and governments would acutely feel any reduction. Another business lever could be to boycott deals and projects with state companies or companies owned by regime-connected interests. There are no doubt other levers as well. In a nutshell, if Western governments and the international community are no longer very committed to responding to abuses, then international business could help to fill the gap. One reason why they might be receptive to such a role is market and investor demographics in conjunction with evolving societal attitudes, but this is a nascent argument and we leave this with the reader for further exploration (consider generations X and Z).

This represents a far bigger and more complicated move than business and human rights initiatives thus far, which have tended to focus on tailoring specific operations and investments to ensure that they do not exacerbate weak governance or human rights infringements. Asking companies to forego or reduce investments is another, more significant question. Potential problems include:

- Assuming that a sizeable number of companies did get on board and were willing to use the foreign investment lever, what is the trade-off between pressure for rights progress and the

loss of potential socio-economic benefits to host societies that could result from cuts in foreign investment?

- Going back to government concerns about conflict and instability, what would be the criteria for investor activism towards a country? It is not enough just to say that there is repression if this is driven by actual concerns about national cohesion (and if a lack of foreign investment could actually raise the risk of conflict and violent instability by exacerbating perceptions of economic injustice and relative deprivation)

- Companies who get on board with this kind of initiative could see commercial opportunities go to others who have no compunction about working with repressive governments – is there a way to mitigate opportunity costs, or how could this initiative be linked to revised commercial strategies that accounted for this problem?

- Similarly, if "good" companies left the field, would "bad" companies in their stead actually make things worse, perhaps by paying bribes to repressive regimes or seeking clampdowns on CSOs leading protests against disruptive operations? Could this in time lead to the formation of segregated investment "blocs" depriving half the world of "good" investment?

These are actually questions that Western governments have faced in the past, in their efforts to link aid to progress on rights and freedoms. In that period, perhaps for two decades, they held most of the economic and technological cards. Now, in business terms, there is increasing parity between companies based in fully democratic countries and big state-connected firms in authoritarian ones. However, many governments see unmitigated commercial linkage with the main authoritarian powers as very risky, since such linkages usually come with heavy strings attached and have high barriers to exit (like an "offer you can't refuse").

This idea is indeed a thought experiment, but it could bear further investigation. The formulation here is certainly not the only possibility for getting more concerted business support, and the formulation itself contains other sub-options. Ongoing initiatives are valuable, but undoubtedly there is more that could be done with more coordination based on a nuanced balance of commercial, developmental, and human rights considerations.

"Subtle and insubstantial, the expert leaves no trace; divinely mysterious, he is inaudible..."

The above quote from Sun Tzu's *Art of War* (6 – 9; Samuel B. Griffith's translation) finishes with reference to beating an adversary in battle, but it could just as well finish with "therefore they can get on with their mission without being thrown out." NGOs have already looked at the possibility of

paring back on overt civic mobilisation in development projects in order to avoid incurring government wariness. For rights and justice NGOs this is not really feasible, since it misaligns with their core mission of challenging repression, but for development specialists it is an option that could help to sustain a project long enough for meaningful impact.

However, the quote refers not merely to keeping one's head down and limiting one's actions, but to applying an innocuous presence to actually achieve one's wider aims. A local development project, like installing a solar powered generator, for example, would require some degree of civic mobilisation capacity to work. People need to commit to learning a new technology, to organising the fair distribution of new benefits, and to joining and managing teams to maintain the apparatus. There is also a notion of rights even in this basic example, since there is a new shared resource intended to benefit everyone equally, and not become leverage for one clique or another. Ensuring sustainable impact means helping beneficiaries to set up cooperative and distributive mechanisms around the resource, and hence helping with relevant civic mobilisation capacity. This capacity could be applied in the future to other community initiatives that might not involve any NGOs.

The aim of small-scale but grassroots civil mobilisation capacity-building is not to impart a capability to challenge repressive governments. This, along with potential abuses of civil liberties to foster social divisions, is what many governments are worried about. Rather, the aim would be to help communities to organise for self-help around shared problems, a capability that wary governments probably would not support themselves but which is often critical for the resilience of poor communities. When there is political liberalisation, a basic civic mobilisation capacity could evolve into organised pressure for more progress on rights and freedoms, hence it has important long-term implications as well. Positing this aspect before its time, however, risks a government saying, "Look, that's exactly what we said would happen and that's why we need to keep a tight lid on things."

There are potential opportunities to support civic mobilisation capacity in ways that keep involved NGOs and participants off the government radar, and while not directly challenging the civil society clampdown, this at least ensures that beneficiary communities do not stultify under official restrictions (An example of this might be in Libya under Qaddafi, where a combination of severe repression and a centralised state-led economy, with state hand outs as the carrot in the control equation, displaced civil society to the extent to which, when the regime collapsed, there was no local formula for mobilisation for community resilience aside from resorting to the gun).

NGO coordination

Although the narrowing of civil society space is perceived as a crisis by many NGOs and also several transnational agencies, thus far coordination on the issue has been rather ad hoc. There is much that NGOs need to do in order to address the challenge, including research, coordinated advocacy and education, and testing options. Sharing resources towards joint objectives would make full use of existing NGO capabilities. Furthermore, NGOs enhance their collective bargaining power by sticking together on joint concerns. If a few NGOs tackle the issue head on while others try to wait it out, those few could be in a rough ride while collectively NGOs lose the opportunity to influence the evolution of socio-political attitudes towards a more permissive and fair operating environment, one that coincides with corollary progress on rights and freedoms.

NGOs, working with willing transnational organisations and academia, have been effective through coordinated action in the past, for example in putting climate change firmly onto the political agenda and in making companies aware of their ethical responsibilities along extended supply chains. But thus far they do not seem to have experimented with real collective action and bargaining, as for example unions undertake. There is likely untapped potential and opportunity in greater coordination, including with transnationals and academia, and this should be explored as a preliminary step to concerted responses.

Maintaining and enhancing current risk management approaches

In a repressive atmosphere and when hardline nationalist sentiment can lead to acute anti-NGO hostility, the risks to personnel and reputation are high, and NGOs should ensure that their risk management processes are robust enough to see them through. Risk management is still somewhat new to NGOs and it can be rather procedural as opposed to integrated with planning and operations. NGOs should get beyond just risk terminology and standard templates, to intelligence-led risk and stakeholder engagement planning, the ability to quickly act on crisis and contingency plans, strategic and operational agility to be able to adapt to new challenges, and instilling a risk intelligent culture that includes senior managers listening and responding to red flags from the field.

It is especially important that NGOs do not provide their detractors or governments with any more ammunition to use as arguments against permissive CSO environments and the value of international advocacy and development. The abuse scandals of the last few years, as well as revelations of poor staff management, have affected the credibility of the wider international NGO community. Reputation and credibility together underpin legitimacy, which is the first line of an

NGO's defence, and ensuring integrity internally and in dealing with host communities is an essential foundation to effective responses to civil society restrictions.

Conclusions

This is admittedly a sweeping piece that tries to do too much in a relatively short space. The difference between different NGO sectors has not been clearly accounted for, and the distinction between human rights, civil rights, and civil society space has been blurry. The suggestions are indeed at the level of thought experiment, since these are broad and each point would need more research as preliminary validation. The point, however, was to get beyond tactical perspectives and interim ad hoc solutions to see if there could be a strategic response to the narrowing of civil society space. If this at least established some hypotheses then readers can take these forward and also derive other approaches from similar lines of thinking. Or blow it up and start again.

The question of NGO accountability becomes germane to the one of strategic responses. In not just doing their immediate jobs on specific projects, but becoming influencers in an effort to counter the clampdown and at least seed the basis for progress on rights and freedoms, are NGOs going beyond their remit? There are already questions around NGO accountability in the context of control over valuable resources and in effects on local power structures. If NGOs strategically respond to the clampdown, are they becoming unaccountable political actors?

This is not the place to answer this question, except to suggest that if NGOs are themselves well governed and live up to their own standards, then it could be a matter of self-confidence. Democratically elected governments, the apparent epitome of accountable political influence, have their own serious accountability and legitimacy problems these days partly because of their own majoritarian populist shenanigans and putting political careers before long-term societal needs. This benchmark for accountability is hazy, and NGOs will have to decide on their own what really constitutes accountability in the context of responses to repression and civil society restrictions. Doing what donors expect them to do is fine as accountability in normal circumstances, but if NGOs are faced with a political atmosphere that prevents them from fulfilling their stated missions, then the question is broader.

Some of the above section, and especially the one on dealing with repressive governments, points to a certain grey space in notions of rights and freedoms. It has been argued that current notions of universal rights and freedoms were mainly a Western construct based on the liberal democratic

system, and were heaped upon others in a time when the West was at its peak of geopolitical influence. Many regimes might argue that these overemphasise individualism and go against the other basic rights of societal cohesion and stability. These discussions could go on endlessly and the bottom line from the author's perspective is that if a regime thinks they have it right in terms of alignment with human nature, then there is no need for any repression. Repression indicates that leaders know very well that they do not have it right. There is some cultural relativism in the definition of human rights, but the basics, if posited in politically neutral terms, would likely make sense to ordinary people anywhere.

But the question of rights and freedoms is complicated if matched to political evolution. Is full respect for rights and freedoms always appropriate? Let us say that human rights group X rubbed the right lamp and got its wish of making this happen. Would the result be harmonious mutual enjoyment of these values, would there be some acceptable level of inevitable conflict and discord as some people initially used their freedoms to organise against each other, or would there be numerous cases of national fracturing and serious civil conflict? The answer would vary, likely according to pre-existing sub-national divisions versus consensus and cohesion, economic security and wealth equality, and the strength and commitment of government institutions responsible for fair distribution, justice and the rule of law (including internal security forces who often commit abuses as a matter of routine, even when the regime does not have a conscious repressive strategy).

It is hard to argue against the moral case for rights and freedoms, but these are actually hurt by the manifestation of sub-national tensions and in particular violence and prolonged instability. Consider as well that many of the most repressive regimes now came from revolutionary movements initially motivated by perceptions of social injustice (it is hard to hang up the gun and successful revolutionaries do not easily translate to good governments).Thus progress on human rights seems inextricably linked to progress in national cohesion and consensus, and institutionalisation. There is, therefore, no one size fits all in terms of the appropriate pace of progress on right and freedoms and this nuance needs to be accounted for in how NGOs present the rationale for progress. Without any push for progress, it is very unlikely that governments would aspire to evolve towards good governance or address serious social tensions – it is simply easier to repress. But unmitigated progress, out of sync with institutional change and national consensus, has its own problems. As noted earlier, becoming fully aware of the link between peace and stability, and rights and freedoms, and using this awareness in discussions with governments is more likely to get a receptive audience than just pushing on rights alone. Without contextualising the rights agenda in political

realities, arguments can come across as naive, insensitive, or disdainful of genuine government concerns, and lead to a shutdown of dialogue.

We conclude by turning back to the question of whether or not the current clampdown is transitory or a long-term transition. As stated earlier, it is probably transitory. But that does mean that it is safe just to wait it out. There are political swings in history, from one extreme back to its opposite, but there are also periods of such fundamental change that the landscape is permanently altered or thrown into a period of prolonged adjustment. Globalisation and shifts in the geopolitical power balance are still quite recent as global forces, and what stasis they might lead to is unpredictable. Since these are linked to the current restrictive civil society environment, where that goes is also an open question. This a risky situation, but there is also an opportunity to contribute to this evolution, and NGOs could help to steer this in humane and fair directions if they can develop effective engagement strategies and work together for shared learning and momentum. Tactical hibernation makes sense in some cases, but this is the wrong time for strategic quiescence.