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Broadening Local Constituencies

Strategies for Standing Together

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Hannah Dwyer Smith

A Report of the
CSIS Human Rights Initiative

iCON The International Consortium
on Closing Civic Space

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INTRODUCTION

The trend for closing civic space . . . is threatening to take the air from civil society's lungs.

—Maina Kiai, former UN Special Rapporteur¹

Recent years have seen civil society² face mounting attacks on an unprecedented scale.³ In the period from 2015 to 2016 alone, states adopted 64 new laws and restrictions targeting civic space, the majority of which were noted in South and Central Asia, Europe and Eurasia, and sub-Saharan Africa.⁴ This is reflective of a broader—and certainly global—trend, which has been gaining pace since the early 2000s. Tactics used by states against civil society organizations (CSOs) include: laws constraining their registration, funding, and operation; restrictions to the right to protest; the use of counterterrorism measures against legitimate organizations⁵; and in some cases, the active

closure, de-registration, and expulsion of CSOs at the hands of their governments.⁶ Now, such restrictions have taken place in over 100 countries around the world,⁷ and a worrying copycat trend has emerged whereby governments are replicating illiberal and repressive tactics implemented elsewhere.⁸ While contention exists as to whether these developments represent a wholly new phenomenon, or simply more of what CSOs have been subjected to for decades,⁹ it can be noted that the tide has changed. A high-water mark of enabling conditions for civil society has now passed, and following an era of increasingly enabling conditions for civic activism, many CSOs now find themselves in a newly suffocating atmosphere in which they are struggling to carry out their work; some are fighting to survive. The pressing question we are left with is how can civil society respond to this “new normal”?¹⁰

- 1 UN Human Rights Council, *Report of the Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association*, A/HRD/35/28 (Geneva: United Nations, 29 June 2017), para. 90.
- 2 Civil society is a broad term that covers a range of organizations from social movements, to trade unions, to religious organizations, to community-based voluntary associations. Although the issue of closing space ultimately impacts all of civil society, the social justice sector is most often the initial target of government restrictions. Social justice civil society organizations (CSOs)—whether operating in the realm of human rights, development, environmental justice, or anticorruption and transparency—typically utilize some form of advocacy (in addition to research, legal strategies, and other methodologies) to engage with and hold governments accountable to the needs of their citizens.
- 3 Edwin Rekosh, *Gaining Ground: A Framework for Developing Strategies and Tactics in Response to Governmental Attacks on NGOs* (Geneva: International Network of Civil Liberties Organizations, 2017), 7–8, <http://inclo.net/pdf/gaining-ground.pdf>.
- 4 International Center for Not-for-Profit Law (ICNL), “Survey of Trends Affecting Civic Space: 2015–16,” *Global Trends in NGO Law* 7, no. 4 (September 2016), 2.
- 5 See more at Lana Baydas and Shannon N. Green, *Counterterrorism Measures and Civil Society: Changing the Will, Finding the Way* (Washington, DC: CSIS, March 2018), <https://www.csis.org/analysis/counterterrorism-measures-and-civil-society>.
- 6 ICNL, “Survey of Trends,” 5.
- 7 CIVICUS, *State of Civil Society Report* (Johannesburg: CIVICUS, 2016), 1, <https://www.civicus.org/documents/reports-and-publications/SOCS/2016/summaries/SoCS-full-review.pdf>.
- 8 Sarah E. Mendelson, *Why Governments Target Civil Society and What Can Be Done in Response: A New Agenda* (Washington, DC: CSIS, 2015), https://csis-prod.s3.amazonaws.com/s3fs-public/legacy_files/files/publication/150422_Mendelson_GovTarget-CivilSociety_Web.pdf.
- 9 See, for example, Kathryn Sikkink, “A Cautionary Note about the Frame of Peril and Crisis in Human Rights Activism,” in *Rising to the Populist Challenge: A New Playbook for Human Rights Actors*, ed. César Rodríguez-Garavito and Krizna Gomez (Bogotá: Dejusticia, 2018); Katrin Kinzelbach and Janika Spannagel, “New Ways to Address an Old Problem: Political Repression” (same volume); Ben Hayes et al., *On “Shrinking Space”: A Framing Paper* (Amsterdam: Transnational Institute, 2017), https://www.tni.org/files/publication-downloads/on_shrinking_space_2.pdf.
- 10 Thomas Carothers and Saskia Brechenmacher, *Closing Space: Democracy and Human Rights Support under Fire* (Washington, DC: Carnegie Endowment for International Peace, 2014), 31, http://carnegieendowment.org/files/closing_space.pdf.

A great deal of the conversation to date has focused on the financial challenge posed by limits to foreign funding,¹¹ legal restrictions, administrative burdens, and other measures inconsistent with international, regional, and often constitutional standards, as well as the consideration of realigning the strategic aims of CSOs to be more palatable and less politically charged.¹² Yet, relatively little attention has been given to the role of domestic constituencies in upholding and expanding the space for CSOs to act.

The ability of CSOs to rally support, mobilize their constituencies, and ensure civic engagement to back their campaigns is crucial, as they need the weight of citizen participation to substantiate and legitimize their claims and to gain leverage in their dealings with state authorities.¹³

CSOs have frequently come under fire in recent years for strengthening their allegiances with foreign donors and the international community at the expense of those with their direct beneficiaries and broader local communities.¹⁴ As such, a pertinent question is how to ensure that strengthened relationships with donors and other stakeholders do not impair those with domestic constituencies.

This paper takes as its starting point the position that strong links between CSOs and their domestic constituencies present a genuine opportunity to push back against closing civic space. Strengthened ties provide CSOs the means to build upon existing spaces in society and also to create new ones; to nurture existing alliances, fortifying civil society across causes; and to attract new audiences, building momentum in the face of restrictions. Importantly,

these relationships enable CSOs to give primacy to local knowledge and offer a platform to otherwise marginalized or silenced voices in society. Further, they open up the possibility for CSOs to increase the relevance of their work, diversify their funding sources, and amplify their causes domestically.

Myriad issues underpin the distance between CSOs and their domestic constituencies. Some can be linked to the pressures of closing space, while others have sprung from the priorities and approaches taken by CSOs themselves. To answer the question of how CSOs can strengthen their ties with domestic constituencies, it is first important to consider the question of how this estrangement emerged. This informs the following analysis of strategies that aim to build closer ties, and contribute to increased awareness that may help avert similar situations arising again. Looking to the future of civil society, it is vital to consider and establish potential approaches for (re)building ties with domestic constituencies, and challenge civil society to better understand how strengthening these relationships can concretely contribute to efforts that contest and counteract the closing of civic space.

Lastly, in the context of this paper, “domestic constituencies” is used with regard to garnering broad public support for the work of CSOs at the local and national levels. This includes the groups that CSOs purport to be serving, sometimes termed “beneficiaries” in the literature; however, also included within this definition are other CSOs and a range of atypical audiences such as state actors, businesses, and segments of the general public. These actors may not usually engage with CSOs’ work, but with

11 For a discussion of foreign funding constraints, see: Douglas Rutzen, “Aid Barriers and the Rise of Philanthropic Protectionism,” *International Journal of Not-for-Profit Law*, 17 no. 1 (March 2015): 21.

12 Carothers and Brechenmacher, *Closing Space*, 46–47.

13 Anique Claessen and Piet de Lange, “Lessons for Supporting Policy Influencing in Restrictive Environments,” *Development in Practice* 26, no. 5 (2016): 549.

14 Julia Kreienkamp, *Responding to the Global Crackdown on Civil Society* (London: UCL Global Governance Institute, 2017), 8, <https://www.ucl.ac.uk/global-governance/downloads/policybriefs/policy-brief-civil-society>.

whom strengthened relations contribute toward the building of public support more broadly.

While the restricted spaces are the primary focus for the strategies outlined, these approaches nevertheless require a minimum level of societal openness, including CSOs' ability to maintain basic operations, and to overtly interact with local constituencies and the broader public. In some contexts, CSOs are only able to continue their operations through external support and with very limited domestic visibility.¹⁵ Furthermore, CSOs working on rights-based and social justice issues that are criminalized, deeply marginalized, or taboo in some societies (e.g. LGBTI rights, campaigns to stop female genital mutilation, or sex worker rights) may need to take alternative approaches, wherein strengthening public support remains a long-term goal, but public-facing work does not always present a viable option in the short to medium term.

The LGBTI Community and Closing Civic Space

*The impact of closing civic space on different actors varies across contexts; however, groups that already experience discrimination within society, such as women and LGBTI people, commonly experience the impacts of closing space disproportionately; "existing discrimination within society sharpens our experience of civil society restrictions and also makes us easy targets for repression and crackdowns."*¹⁶

Some groups have adapted their strategies in recognition of growing levels of risk by developing careful approaches that utilize both public and private avenues.

A relevant example is that of the balance struck by the LGBTI community in Uganda:

*Creative responses have included hosting a combination of both open and secret events during Pride Week. Some events have welcomed international media as a way to safeguard against government restrictions. Others, such as the annual Pride March, have been held in relative secrecy to avoid harassment from authorities.*¹⁷

This paper outlines the underlying drivers behind current levels of dissociation between CSOs and domestic constituencies, and examines some illustrative examples of strategies for strengthening ties with domestic constituencies as demonstrated in practice. Further, it considers the role of framing with regard to human rights and social justice messaging in generating support, and brings these strands together to assess how leveraging domestic constituencies can contribute toward the creation of an enabling environment for CSOs.

THE CURRENT LANDSCAPE FOR CSOS AND THE CHALLENGES POSED TO RELATIONSHIPS WITH DOMESTIC CONSTITUENCIES

Though in direct contrast to the previously growing levels of support in the late 1990s for democratic values and civic freedoms embodied and enjoyed by civil society, the current pushback trend cannot

15 Rachel Hayman, "Unpacking Civil Society Sustainability: Looking Back, Broader, Deeper, Forward," *Development in Practice* 26, no. 5 (2016): 675–76.

16 Bondita Acharya, Helen Kezie-Nwoha, Sondos Shabayek, Shalini Eddens, and Susan Jessop, "Standing Firm," *Sur International Journal on Human Rights* 14, no. 26 (December 2017): 19.

17 David Kode and Mouna Ben Garga, "Activism and the state: How African civil society responds to repression," *Pambazuka News*, May 11, 2017, <https://www.pambazuka.org/democracy-governance/activism-and-state-how-african-civil-society-responds-repression>.

be viewed as a “temporary aberration” but rather “as the “new normal”—resulting from “underlying shifts in international politics that are bound to last for some time.”¹⁸ As such, deeper analysis must be undertaken to assess how the current situation—and especially the weakening of ties with domestic constituencies—arose. This informs an assessment of how key strategies may help to counter closing civic space through the (re)building of relationships with domestic constituencies. This section is arranged thematically according to findings that emerge from the literature, first following the overarching theme of this paper, examining how restrictions to civil society have resulted in weak or weakened ties with domestic constituencies, and second, considering the structural and strategic basis of weak ties emanating from the side of the CSOs themselves.

1) The Impact of Closing Space on Ties with Domestic Constituencies

Considering the literature on closing civic space, it swiftly becomes apparent that restrictions necessitate stronger ties with domestic constituencies as a counterbalancing measure to shore up support and push back against such regressive developments. However, both the tactics deployed to close civic space, and the strategic choices taken by CSOs in response, actively contribute to the weakening of these very ties, which are so vital in challenging environments. As such, the erosion of ties with domestic constituencies is a direct objective of states and other actors to undermine CSOs by removing their support networks. However, in negotiating paths toward sustaining their oper-

ations in the face of restrictions, CSOs may also make choices that inadvertently weaken their ties with their domestic constituencies.

Attacks on Legitimacy

A common closing tactic used by states and other actors against CSOs is to call into question their legitimacy, in particular by pointing to foreign funding as an indicator of pursuing a foreign agenda, as well as the related assertion that CSOs do not represent the interests of their domestic constituencies.¹⁹ Further, it has been successfully deployed to support the introduction of legislation limiting CSOs’ access to foreign funding, placing a chokehold on the many organizations for which foreign funding is a lifeline. The International Network of Civil Liberties Organizations asserts that the tactic of delegitimization is “perhaps the most important long-range threat” facing CSOs, and highlights that foreign funding provides an easy target.²⁰ The problem is that this strategy feeds into sometimes already-existing perceptions about “authenticity” and a supposed lack of domestic support for CSOs’ work. This is the case in Russia, where government narratives in support of foreign funding restrictions play on national fears about “outside influence,”²¹ and likewise in Hungary, where smear campaigns against CSOs, including the work of influential Hungarian-American philanthropist George Soros, are linked to populist arguments around migration and refugees, as well as anti-Semitic sentiment toward Soros himself.²² These cases reflect a current upswing in the use of populist messaging globally (and across the political spectrum), invoking nativism, xenopho-

18 Carothers and Brechenmacher, *Closing Space*, 31.

19 Saskia Brechenmacher and Thomas Carothers, “The Legitimacy Landscape,” in *Examining Civil Society Legitimacy*, ed. Saskia Brechenmacher and Thomas Carothers (Washington DC: Carnegie Endowment for International Peace, 2018), https://carnegieendowment.org/files/Civil-Society-Legitimacy_FINAL.pdf.

20 Rekosh, *Gaining Ground*, 61.

21 Rutzen, *Aid Barriers*, 21.

22 Rekosh, *Gaining Ground*, 15. See also Baydas and Green, *Counterterrorism Measures and Civil Society*.

bia, racism, homophobia, misogyny, and a slew of other fear-based value systems, both to win votes and to gain support for illiberal policies, including attacks on CSOs.

Likewise, delegitimization strategies factor highly among measures used to close civic space. Alongside a narrative of “unaccountability,” three key tropes are used in such strategies: those of “foreign agents,” “violent extremists,” and “corrupt elites.”²³ These strategies can be particularly persuasive to audiences who do not have close interactions with civil society actors, and can serve to reinforce and exacerbate dissociation between CSOs and domestic constituencies where it already exists. As Brechenmacher argues, “for civil society organizations to fight back effectively, they need to find ways to explain their work using terminology that continues to carry legitimacy with the public, and they need to develop stronger connections to broader constituencies.”²⁴

Fragmentation of Civil Society

In situations of increasing restrictions and decreasing funding, CSOs must make hard compromises when considering the best path to ensure their survival and the continuation of their work. In restrictive environments, some organizations seek to maintain good working relationships with governments to facilitate the continuation of their work at the expense of minimizing links to other CSOs that may work on more political causes such as democracy promotion and human rights.²⁵ This

plays into the intentionally divisive policies and narratives implemented by states and other actors, which categorize CSOs as “good” or “bad,” or “non-threatening” / “threatening,” to the government or actor in question. When regulations for CSOs diverge between apolitical development groups and organizations working on political and rights issues, this can strain cross-sectoral partnerships and present barriers to working collaboratively on identified common challenges.²⁶ Further, reduced space increases competition between CSOs for valuable and limited resources. Taken together, these factors can increase the fragmentation of civil society to its detriment, turning CSOs inward-looking and sidelining opportunities for cohesive working, where parallel efforts result in the replication of outputs.²⁷

This weakens civil society as a whole; it disrupts movement building and can lead to a situation where CSOs competitively vie for public support, rather than collaboratively working toward building shared goals and developing a common voice. In state- and corporation-led, large-scale economic development and resource-extraction projects, community consultations have been, for example, advocated for as good practice, stemming from learnings in aid and development communities. However, too often, a unified position on the part of the community affected is presupposed. This is seldom the case, and selective and nonrepresentative processes encourage division and do not allow

23 Saskia Brechenmacher, *Civil Society under Assault: Repression and Responses in Russia, Egypt, and Ethiopia* (Washington, DC: Carnegie Endowment for International Peace, 2017), 92–93, https://carnegieendowment.org/files/Civil_Society_Under_Assault_Final.pdf.

24 *Ibid.*

25 Julian Oram and Deborah Doane, *Why Shrinking Civil Society Space Matters in International Development and Humanitarian Action* (Brussels: European Foundation Centre and the Funders’ Initiative for Civil Society, 2017), 13, <http://efc.issuelab.org/resource/why-shrinking-civil-society-space-matters-in-international-development-and-humanitarian-action.html>.

26 Brechenmacher, *Civil Society Under Assault*, 99.

27 Christine Cubitt, “Constructing Civil Society: An Intervention for Building Peace?,” *Peacebuilding* 1, no. 1 (2013): 101.

space for consensus building among civil society and its constituents.²⁸ Where civil society is consumed by its survival and preoccupied by competition, how can it achieve the advances in social justice and human rights that it sets out to?

Troubling Compromise

The way in which civil society responds to closing space can often be of detriment to its relationships with domestic constituencies. When experiencing pushback, some international CSOs respond by lowering their in-country presence, while domestic CSOs may look to moving their operations abroad.²⁹ Local presence is a decisive factor in building politically engaged communities that are supportive of CSOs' aims.³⁰ Retreating from locations where civic space is facing increasing restrictions may be the only choice for some CSOs, but this will invariably impact upon the strength of their ties with domestic constituencies—a factor that may not be given adequate consideration when such choices are made.

In contexts of closing space, many CSOs must choose their alliances carefully. The capacity to operate may be dependent on maintaining strong relations with government, but this can raise questions over CSOs' credibility from beneficiaries and other actors, and increase levels of distrust among the general public. Likewise, ties

to vocal antigovernment groups can be damaging to CSOs and close off some avenues for operation. Building or maintaining good relations with communities typically relies on ensuring a credible reputation of autonomy from the state.³¹ Yet balance is needed under conditions of closing civic space; CSOs deemed threatening to the state are at greater risk of reprisals, which may inhibit their capacity to carry out their work. These strategies—the compromises employed by CSOs to mitigate the effects of closing space—may inadvertently consolidate the problem. Resulting from reduced visible presence or weakened trust, CSOs create additional distance between them and their domestic constituencies, corroding a key source of support.

2) Existing Fissures and Vulnerability to New Restrictions

Tactics used by states and other actors can have a knock-on effect on the ability of CSOs to develop and maintain close ties with domestic constituencies.

Due to funding cuts, smear campaigns, and government harassment, civil society organizations also struggle to expand their activities, develop new partnerships, and reach a broad audience with their work. The closing of space thus undermines both horizontal ties among organizations and civic actors and vertical ties between activists and members of the political elites.³²

28 Carolijn Terwindt and Christian Schliemann, “Tricky Business: Space for Civil Society in Natural Resource Struggles,” *Democracy* 47 (2017): 102–103, https://www.boell.de/sites/default/files/tricky-business.pdf?dimension1=division_demo.

29 Carothers and Brechenmacher, *Closing Space*, 44.

30 Amanda Murdie and Tavishi Bhasin, “Aiding and Abetting: Human Rights INGOs and Domestic Protest,” *Journal of Conflict Resolution* 55, no. 2 (2011).

31 Andy Baker et al., “Maintaining Civic Space in Backsliding Regimes,” *Research and Innovation Grants Working Paper Series* (Boulder: University of Colorado, September 2017), 29, https://www.usaid.gov/sites/default/files/documents/1866/Maintaining_Civic_Space_in_Backsliding_Regimes_-_Research_and_Innovation_Grants_Working_Papers_Series.pdf. See also the discussion in Walter Flores, “Legitimacy from Below: Supporting Indigenous Rights in Guatemala,” in *Examining Civil Society Legitimacy*, ed. Saskia Brechenmacher and Thomas Carothers (Washington DC: Carnegie Endowment for International Peace, 2018), https://carnegieendowment.org/files/Civil-Society-Legitimacy_FINAL.pdf, as well as in Janjira Sombatpoonsiri, “The Legitimacy Deficit of Thailand’s Civil Society” (same volume).

32 Brechenmacher, *Civil Society under Assault*, 99

For too long, funders have prioritized the sustainability of projects over organizations, undermining the sustainability of the sector more broadly.³³ This has led to foreign funders overlooking existing strengths within domestic civil society and “cherry-picking”—favoring some local organizations over others while prioritizing causes that sit better with donor agendas.³⁴ This leads to materially motivated CSOs following the available funding over locally informed priorities.³⁵ Linked to this is the “NGOization” of human rights movements in countries such as Egypt, where barriers to entry for new staff have significantly increased, excluding applicants who may have been heavily involved in grassroots activism but come from lower socioeconomic backgrounds and do not have the academic credentials to secure NGO jobs.³⁶ This has incurred a “high price of alienation from the aggrieved constituencies,”³⁷ leaving CSOs weakened and without strong domestic supporter bases.

Lack of Downward Accountability

Accountability is a key and preexisting structural problem that has served to reinforce weak ties to domestic constituencies and render civil society vulnerable to attack. Increasing critique has been leveled at the donor-driven dynamic of “upward accountability” that has typified donor-CSO relations and comes at the expense of “downward accountability” whereby CSOs are held accountable to and by their beneficiaries and domestic constituencies. This ultimately raises questions around

CSO legitimacy.³⁸ It is critical that CSOs engage with beneficiaries and the broader community in a participatory way to ensure that their work follows locally informed priorities, and that the approaches taken are developed through discursive and consensual processes.

However, the competing demands of donors versus constituencies mean that CSOs face “significant constraints and contradictions” in their work that are compounded by “weak roots.”³⁹ Instead of working toward the fulfillment of locally driven priorities, CSOs have frequently followed norm-based rights claims to strengthen alliances with INGOs and donors instead. Furthermore, initiatives that do not prioritize downward accountability may fail to adequately account for local contexts and do not always ensure the primacy of open civic space.⁴⁰ Accountability to beneficiaries is central to building and maintaining strong domestic constituencies locally, and allows CSOs to develop a collective voice with the communities in which they work. In turn, ensuring high levels of local approval strengthens CSOs’ legitimacy more broadly and contributes to domestic constituency building with the wider public. Innovations such as membership structures and local funding models have the potential to shift this dynamic. Likewise, foregrounding norms that encourage downward accountability and highlighting the benefits of strengthened relationships with domestic constituencies could help ensure the long-term sustainability of organizations and their work.

33 Hayman, “Unpacking Civil Society Sustainability,” 674.

34 Cubitt, “Constructing Civil Society.”

35 Murdie and Bhasin, “Aiding and Abetting,” 166.

36 Amr Adly, *The Human Rights Movement and Contentious Politics in Egypt (2004–2014)* (N.p.: Arab Reform Initiative, January 2017), <https://www.arab-reform.net/en/node/1210>.

37 *Ibid.*, 1.

38 Claessen and de Lange, “Lessons for Supporting Policy Influencing,” 553.

39 Nicola Banks, David Hulme, and Michael Edwards, “NGOs, States and Donors Revisited: Still Too Close for Comfort?,” *World Development* 66 (2015): 709.

40 *Ibid.*

One-Size-Fits-All Approaches

Relationships between domestic CSOs and foreign partners are rarely equal, and when local knowledge and understanding is not utilized or given primacy in agenda setting, the outcome is often a one-size-fits-all approach that does not meet local needs, achieve genuine buy-in, or contribute toward building sustainable domestic constituencies around projects. Often due to donor agendas and policies, CSOs can be seen to implement largely the same advocacy tactics in places as diverse as Ghana and Indonesia, irrespective of what topic they are working on.⁴¹ Indeed, Western development agents often impose their own values on communities they seek to mobilize.⁴² External constructions can create a disconnection from the “everyday”—the lived reality of people’s lives—which results in dissonance between CSO aims and local needs.⁴³ The impact of this is local resistance to “imposed” agendas that communities feel they have not been party to, weakening ties with domestic constituencies for whom the work of CSOs lacks relevance or resonance. Relatedly, and perhaps conversely, is the challenge for CSOs working on issues that are deeply marginalized or taboo in their society, to frame rights and social justice issues in a way that effectively counters both ingrained societal prejudices and the pervasive trope of “Western values.”

Domestic constituency support diminishes when CSO activities fail to correspond appropriately to local needs or engage communities in collaborative and consensus-based initiatives. In such contexts, it becomes easy for governments and other actors to gain traction with claims that disparage the

work of CSOs. Countering this means building strongly rooted positions with clear domestic support; this in turn may demand that CSOs embrace the political nature of the transformative agendas they pursue. When this is paramount it becomes possible to make informed and strategic choices about what relationships, funding sources, and organizational structures can best support the desired change. CSOs need to “actively seek sustainability from below and from within, rather than from above . . . [for] inherent differences in power and interests to be constructively worked with and not masked by false labels of convenience.”⁴⁴

STRATEGIES AND EXAMPLES FROM PRACTICE

In developing strategies to (re)build and strengthen ties between CSOs and their domestic constituencies, it is useful to consider success stories and examples of good practice. Below, some illustrative cases—including those of communities affected by economic development projects, women’s rights and grassroots protest movements, and rural CSOs responding to local needs from within established leadership structures—are presented.

Challenging Inadequacies in Community Consultations

Community consultations have widely been heralded as a best practice, particularly for large-scale development projects where governments and corporations must increasingly ensure that affected communities are able to provide input on project plans before they are implemented. As such, they

41 Banks, Hulme, and Edwards, “NGOs, States and Donors Revisited,” 712.

42 Catherine Campbell, “Community Mobilisation in the 21st Century: Updating Our Theory of Social Change,” *Journal of Health Psychology* 19, no. 1 (2014): 51.

43 Cubitt, “Constructing Civil Society,” 94.

44 Alan Fowler, “Non-Governmental Development Organizations’ Sustainability, Partnership, and Resourcing: Futuristic Reflections on a Problematic Dialogue,” *Development in Practice* 26, no. 3 (2016): 577.

have also become a key focus for community-led resistance initiatives, which emerge organically but may organize into more formalized CSOs over time. Nevertheless, the process of community consultations is not without critique and communities themselves are diverse. If only some voices are heard this can lead to fragmentation and the development of factions. Indeed, the elite community members who are typically involved in consultations (selected based on traditional, patriarchal leadership structures) can stand to receive significant benefits and may pursue personal gain at the expense of the interests of the broader community.⁴⁵ Consultations can “foment division among community members by prioritizing representative leaders, who, more often than not, represent their own interests or those of their allies over the community’s interests.”⁴⁶ Divided, communities are weaker and less able to voice their positions. However, positive strategies emerge from the literature on how communities can self-organize to challenge the power dynamic of consultations and build strong relationships with wider elements of civil society in the process.

- In Guatemala⁴⁷ and Mexico⁴⁸ the creation of autonomous community consultations has been gaining traction in an effort by affected communities to circumvent the “legitimizing, co-opting, and divisive effects of consultations”⁴⁹ and to speak out and be heard in contexts where there is no legal requirement on companies to hold consultations.

In El Quiché, Guatemala, a self-organized consultation drew together 27,000 indigenous people from across the region and served as a platform for overcoming cultural differences between indigenous groups and amplifying the voices of indigenous women in particular. Further, it showcased the leadership skills of the indigenous women organizers and achieved a near-unanimous rejection in the referendum on proposed hydro-electric and mining projects.⁵⁰ Such activities can underpin the strengthening of civil society by increasing its reach and supporter base, as well as by creating space for the voices of women and minorities who may be excluded from traditional consultation processes.

- In South Africa,⁵¹ communities in the province of Limpopo are heavily affected by mining. While community consultations are a standard practice of mining companies when initiating a new project, those members who are involved, typically community chiefs, they can fail to represent the wider interests of the community. In Bathlabine, this led to the implementation of a mining project without community buy-in or adequate environmental safeguards. In response, the residents created a network through which to organize their resistance, including the wide participation of community members and supported by environmental lawyers. The network

45 Terwindt and Schliemann, “Tricky Business,” 60–61.

46 Ibid.

47 Inmaculada Barcia, *Weaving Resistance through Action: Strategies of Women Human Rights Defenders Confronting Extractive Industries* (Toronto: AWID and Women Human Rights Defenders International Coalition, 2017), 7, https://www.awid.org/sites/default/files/atoms/files/eng_weaving_resistance_through_action-web.pdf.

48 Terwindt and Schliemann, “Tricky Business,” 102–103.

49 Ibid.

50 Guatemala Human Rights Commission/USA, “GHRC Hosts K’iche’ Community Leader Lolita Chávez,” *El Quetzal* 14 (May 2013), https://www.ghrc-usa.org/wp-content/uploads/2012/01/English-Final_web.pdf.

51 Terwindt and Schliemann, “Tricky Business,” 60–61, 102–103, 121.

developed a multipronged approach, incorporating legal action and the establishment of a local newspaper to regularly report on the case. This increased knowledge of the case and new developments among community members, eventually attracting attention from the national mainstream media. The network was able to increase the transparency of the decisionmaking process, generate consensus and build community resistance, creating a space for jointly engaging in tactics such as protest, advocacy, and litigation. Positive media coverage increased public awareness at the national level. Together, the community was successful in lobbying for the conviction of the mine's director and the mine was eventually shut down.

Protest and Social Movements

Protest is an age-old civil society tactic, and in times of closing civic space the role of protest in building social movements and enhancing ties to domestic constituencies should not be overlooked. Indeed, the former UN special rapporteur on the rights to freedom of peaceful assembly and of association, Maina Kiai, describes it as the “most effective” strategy in pushing back against efforts to restrict civic space.⁵² As the Association for Women's Rights in Development (AWID) contends, “social mobilization is a process that engages people in awareness-raising and joint action for a particular goal.”⁵³ A key strength of protest is in bringing people together and generating emotional ties to a movement, as well as in providing

a visible manifestation of civil society action that may help garner broader public support and build constituency among audiences who otherwise would not engage.

Further, the building of relationships with domestic constituencies through a protest group confers a sense of legitimacy to weakly rooted or foreign CSOs. For example, in the case of the antiapartheid movement in South Africa, “HROs [human rights organizations] provided international attention, skills, and resources to domestic protest groups, who aided in expanding the legitimacy and space for HROs within the state.”⁵⁴ Under conditions of closing space, informal networks may also be better able to circumvent some of the restrictions that target formalized CSOs. In the Democratic Republic of the Congo, the LUCHA youth movement has been able to resist government actions, which have been effectively utilized to target other CSOs with legal restrictions, on account of its wide membership base across the country and its loose structure as a movement.⁵⁵

- In Ecuador,⁵⁶ 300 indigenous women marched over 200 kilometers from their homes in the Amazon basin to the capital, Quito, to protest against oil exploration projects in their territory. Their mobilization was inspired by earlier movements in the 1990s, but was specifically motivated by the perceived inaction and demoralization of male members of their communities, who they felt had failed to resist the latest proposals for extractive projects.⁵⁷ The women-led move-

52 Oliver Hudson, “We’ve Got to Go Back to Basics,” Interview with Maina Kiai, *Sur International Journal on Human Rights* 14, no. 26 (December 2017): 207.

53 Barcia, *Weaving Resistance through Action*, 8.

54 Murdie and Bhasin, “Aiding and Abetting,” 168.

55 Kode and Ben Garga, “Activism and the State.”

56 Barcia, *Weaving Resistance through Action*, 9.

57 Linda Etchart, “The New Voice of Reason,” Interview with Patricia Gualinga, *Latino Life*, n.d., <http://www.latinolife.co.uk/articles/new-voice-reason>.

ment disrupted patriarchal norms among the indigenous communities and invigorated the resistance of community members (particularly women) who had not previously participated in actions. The arrival of the 300 indigenous women in Quito hugely increased the visibility of their movement and generated a decidedly positive response from residents in the capital who actively supported the protestors, and who might not otherwise have been concerned by events taking place rurally. As such, the march helped to bridge the rural/urban divide and generate constituency among the people of Quito, opening up space for discussion, attracting coverage from the mainstream media, and inspiring visible displays of solidarity from residents. “Having achieved this level of social acceptance, the national government could not discredit them in any way.”⁵⁸

- In Turkey,⁵⁹ the 2013 Gezi Park protests marked a turning point for civil society. The protests came about as part of a generalized resistance to the increasingly illiberal policies of the ruling Justice and Development Party, as well as a specific backlash against plans to build on the public park as part of the government’s development agenda.

Preceding the June protests, petitions and small-scale protests had begun to generate momentum, and on the May 28, 50 environmental activists gathered at Gezi Park to resist demolition machines. The brutal actions of the police to disperse the protestors drew significant public attention and outrage, despite being largely suppressed in the mainstream media.⁶⁰ Over the next days, solidarity protests were organized independently across the country, spanning almost all of Turkey’s 81 provinces with an estimated 3.5 million people taking part.⁶¹ Here, protest sparked a widespread social movement and opened up space to generate new forms of grassroots participation among domestic constituencies.⁶² Disparate groups and CSOs were able to come together during the protests and build alliances and solidarity networks, even fostering new linkages between mainstream and otherwise more sidelined and stigmatized groups such as LGBTI, through their joint participation in the movement.⁶³

Messaging and Social Media

Social media can perform a powerful function to enhance ties with domestic constituencies, as too can more conventional media like radio, which remains more widely available in some areas. The

58 Ibid.

59 Sezen Yalçın, “Civil Society in Turkey’s Shrinking Political Space,” *Turkish Policy Quarterly* 13, no. 4 (2015).

60 Amnesty International, *Gezi Park Protests: Brutal Denial of the Right to Peaceful Assembly in Turkey* (London: Amnesty International, 2013), 5.

61 Yalçın, “Civil Society in Turkey’s Shrinking Political Space,” 83.

62 See next section for a discussion of how social media was utilized in mobilizing people around the Gezi Park protests.

63 Yalçın, “Civil Society in Turkey’s Shrinking Political Space,” 83. This new space outlasted the protest and created forums for continued dialogue; however, it should be noted that following the attempted coup in July 2016, and under the subsequent declared state of emergency, there has been a significant crackdown on civil society across Turkey. Protests have dramatically receded amid widespread arrests and self-censorship has become the norm. (See Amnesty International, “Turkey 2017/2018,” <https://www.amnesty.org/en/countries/europe-and-central-asia/turkey/report-turkey/>.) The extent to which strengthened domestic constituency ties can resist against or even withstand this level of sustained attack is in question; this links to the earlier caveat that a minimum level of openness must be considered prerequisite for a basic level of civil society functioning.

Internet and social media can facilitate “peer-to-peer” relationships—among CSOs, their domestic constituencies, and others⁶⁴—and help build both a public awareness of CSOs’ work, as well as engages new audiences. For example, in Pakistan, the Women’s Action Forum, an organization now well into its fourth decade, has successfully attracted new, younger audiences through effective use of online spaces.⁶⁵ Further, social media is particularly advantageous for CSOs whose work challenges societal norms, and which therefore struggle to achieve wider recognition, such as feminist groups in heavily patriarchal cultures.⁶⁶ “Media coverage and social media platforms can enable defenders to inform their communities and societies, to challenge misinformed positions and to exercise political pressure on decision makers.”⁶⁷

Social media is often instrumental in mobilizing communities at key moments. In the Gezi Park protests (discussed above), it played an invaluable role in the spread of information at a time when the mainstream media was complicit in stifling reporting of both the protests and the government and police brutality they were met with.⁶⁸ Different social media platforms facilitated alternative forms of communication within rapidly growing networks.

As a fast-paced, closed-group-communication tool, Whatsapp was most cited as a way of reaching sources of reliable news. . . . A similar setting of closed groups of

*trusted friends was also available on Facebook, although the Facebook groups were not as convenient to use on the ground. . . . In contrast, Twitter involved sources that had a more distant relationship with the protestors. . . . Twitter, as a tool meeting the need for rapid acquisition of logistic information, became a prominent application during the protest. . . . The need to receive fast, up-to-date, logistic information challenged the reliance on sources based on existing close social connections.*⁶⁹

However, trust is a key element in facilitating the use of social media in risky situations; at Gezi Park, protestors developed complex yet instinctive mechanisms to verify information. In the absence of first- or second-degree connections, celebrities, prominent activists, and CSOs became key sources of reliable information. Of particular relevance is that CSOs were deemed trustworthy based on a preexisting good reputation, having “proved themselves before Gezi.”⁷⁰ Further, relationships established through private groups on social media were sustained for a lengthy period,⁷¹ suggesting that if CSOs can forge these more intimate bonds on a peer-to-peer basis, they may create a strong foundation for building lasting domestic constituency among the local community.

As AWID notes, the production of “cultural content” can also help to bring social justice issues closer to people’s lives, allowing for discussion of topics like feminism and sexual diversity to take

64 Edwin Rekosh, *Rethinking the Human Rights Business Model: New and Innovative Structures and Strategies for Local Impact* (Washington, DC: CSIS, 2017), 17, https://csis-prod.s3.amazonaws.com/s3fs-public/publication/170614_Rekosh_Human-RightsBusinessModel_Web.pdf?Tml1omXjPrr98zPbgwd5OCFq5C.8WYRX.

65 Zoya Rehman, “Online Feminist Resistance in Pakistan,” *Sur International Journal on Human Rights* 14, no. 26 (December 2017).

66 *Ibid.*

67 Barcia, *Weaving Resistance through Action*, 8.

68 Gulizar Hacıyakupoglu and Weiyu Zhang, “Social Media and Trust during the Gezi Protests in Turkey,” *Journal of Computer-Mediated Communication* 20 (2015).

69 *Ibid.*, 456–7.

70 *Ibid.*, 458.

71 *Ibid.*, 457.

place in different ways.⁷² Further, the Internet and social media can play a role in influencing actors less typically involved in civil society movements, namely private-sector companies, due to the increasingly public stance companies are required to take on political issues to maintain their reputation and customer base. While it is impossible not to note the role that the Internet and social media have played in expanding the reach of civil society in recent years, especially in Turkey and during the Arab uprisings,⁷³ the power of social media frequently risks being overstated. In the case of Egypt, the successes of the uprising were short-lived and met with crackdowns on freedoms under subsequent regimes: “the Egyptian state continues to betray the hopes of the 2011 revolution by systematically suppressing dissent and controlling the spaces for participation, under the guise of countering extremism and preventing terrorism.”⁷⁴ Much the same can be said of the present situation in Turkey. State tactics to close civic space extend to censorship, curbing online freedoms, and surveillance of online spaces; these must be kept in mind when considering the role and potential of the Internet and social media in expanding civil society space.

- In Guatemala,⁷⁵ the 2015 national strike in protest against government corruption began with a wide array of CSOs acting without a shared goal or defined strategy. However,

social media was used effectively to unite diverse groups and share information that facilitated the growth of the movement and increased its public support base. Further, a well-crafted Twitter campaign was successful in influencing businesses to stand behind the strike, as they were keen to avoid losing capital through reputational damage arising from a perceived lack of support.

- In Russia,⁷⁶ open-source technology has provided a viable means for grassroots activists to showcase the breadth of their reach through the development of an on-line protest-monitoring project, OVD-Info. The platform, which has documented the participation of 5,000 protesters across 200 events, is a powerful tool for increasing the visibility of civil society action, particularly in the context of Russia where media outlets are strictly controlled. Through the platform, OVD-Info, a CSO comprising of just 11 people, managed to reach widely distributed communities nationally and raise sufficient funding through donations to ensure the continuation of their work.
- In South Sudan,⁷⁷ ethnic tensions have posed challenges to post-independence reconstruction. Tolerance for inter-ethnic violence is high, particularly among populations that see their ethnic identity as paramount to their national one. Search for

72 Barcia, *Weaving Resistance through Action*, 21.

73 UN Development Programme (UNDP), *UNDP Strategy on Civil Society and Civic Engagement* (New York: UNDP, 2012), 7, http://www.undp.org/content/dam/undp/documents/partners/civil_society/publications/2012_UNDP_Strategy-on-Civil-Society-and-Civic-Engagement_EN_final.pdf.

74 CIVICUS, *State of Civil Society*, 106.

75 International Service for Human Rights (ISHR), *How to Create and Maintain the Space for Civil Society: What Works?* (Geneva: ISHR, 2015), 38, http://www.ishr.ch/sites/default/files/documents/civil_society_revised_submission_-_creating_and_maintaining_civil_society_space_final_with_additional_signatories_-_021015.pdf.

76 Rekosh, *Rethinking the Human Rights Business Model*, 19.

77 Katie Smith, *Building a Constituency for Peace in South Sudan* (Washington, DC: Search for Common Ground, November 2017), <https://www.sfcg.org/wp-content/uploads/2017/08/Building-a-Constituency-for-Peace-in-South-Sudan.pdf>.

Common Ground, a CSO working on peace-building, has found success in establishing a stronger sense of national identity through radio programs hosted on local networks. These have provided a platform for communities to explore issues of religion and ethnic tension, “break[ing] down social, religious, and geographic barriers to engage listeners and participants in dialogue.”⁷⁸ This method has been exceptionally successful in contributing to unified community feeling, with 78 percent of listeners “more likely to say that they trusted people from other tribes than non-listeners.”⁷⁹ In doing so, they have also created a platform to engage domestic constituencies and to discuss challenging social justice issues.

Putting Community Organizations at the Forefront

Less a response to closing civic space than to inadequacies in the landscape of CSOs and local communities, questions remain regarding the sustainability of an INGO- and donor-driven regime. This has led to new efforts to put community organizations at the forefront of human rights and social justice initiatives. However, the learnings from some of these initiatives clearly speak to considerations of how to address challenges in building domestic constituencies through a renewed focus on the potential of community organizations.

- In Odisha, India,⁸⁰ the INGO Trócaire, working with Indian partner organization Jana Vikas, sought to facilitate the strengthening of informal village-level CSOs called Traditional

Village Committees (TVCs). This initiative builds on TVCs as a preexisting participatory community governance and decisionmaking structure common to many Indian villages, of which all adults are members. Through the reestablishment of the TVCs, communities were able to engage in conflict resolution and rebuild inter-community relationships between religious groups, as well as to collectively mobilize to demand government assistance on electrification, infrastructure, and development locally. The participation of women and Dalit community members was established as a key tenet of the newly implemented TVCs, which were charged with the “holistic development of the village.”⁸¹ Two aspects were considered crucial to the success of the initiative: first, an in-depth understanding of the context and post-conflict dynamics; and second, an appreciation of the role of external actors on village dynamics, namely, the influence of external religious fundamentalists, affirming the necessity to also look beyond the local in strategic planning. Through the TVCs, Jana Vikas was able to build strong domestic constituencies and, as a Christian organization, rebuild trust with Hindu communities following sectarian violence.⁸²

- In Pakistan,⁸³ the establishment of local support organizations (LSOs) operating at the village level was used as a strategy to support the withdrawal of rural support programs. Their stated objective, responding to the issue of distancing visible as early as

78 *Ibid.*, 18.

79 *Ibid.*

80 Tanushree Das, *Facilitating Community Based Approaches to Peace Building Processes in Kandhamal District, Odisha* (Bhubaneswar: Trócaire and Jana Vikas, 2015).

81 *Ibid.*, 5.

82 *Ibid.*, 6.

83 Shaheen Rafi Khan and Shahrukh Rafi Khan, “Local Support Organisations: An Exit Strategy for Rural Development Organisations,” *Development Policy Review* 30, no. 3 (2012).

the 1990s, was to establish “organizations of the people rather than organizations for the people at the grassroots level.”⁸⁴ Evaluation of the initiative found that 80 percent of people felt social mobilization had increased following the formation of the LSOs, and other CSOs locally “had become more active with a focus on credit, development projects and training.”⁸⁵ At the time of the evaluation, a third of LSOs had achieved institutional and financial sustainability and LSO projects were widely seen to be more “pro-women and pro-poor.”⁸⁶ Some negatives emerged, too, namely issues around management and the continuation of hereditary leadership practices in some instances. Nevertheless, this example demonstrates that increased attention at the community level can have a ripple effect, strengthening the activities of CSOs operating at the grassroots and building support within the community through participation.

Coalition and Network Building

As has been demonstrated, the fragmentation of civil society resulting from restrictions to civic space can be clearly identified as a direct objective of states and other actors, with a view to weakening civil society as a whole. However, fragmentation also occurs as a result of inward-looking actions taken by CSOs themselves in reaction to closing space. As such, a deliberate and stra-

tegic focus on coalition and network-building as part of domestic constituency building is key to ensuring that civil society can present a cohesive and unified front to push back against restrictions.⁸⁷ Foreign donors still have a role to play in supporting the building of these coalitions, providing that they can do so “without intruding on and steering cooperative processes.”⁸⁸

Situating relations between CSOs in understandings of domestic constituency building is key to reorienting civil society toward the development of outward-looking mutually beneficial collaborations and partnerships. This is echoed in Baker et al.’s findings, which show that “domestic alliances are the most useful strategy, because weakened groups gain strength when they stand together against repression, and diverse alliances add validity to the socially progressive rights claims of these groups.”⁸⁹ Indeed there are “examples of resistance in the face of adversity,” such as CSOs creating a “task force [in Ethiopia] to coordinate their lobbying efforts and pressure the government for reform,” as well as the formation of “looser coalitions of activists and volunteers” in situations where more formal CSOs had come under pressure.⁹⁰ Domestic coalitions and networks can be effectively used to counter the “divide and rule” tactics of states and other actors, as well as serving to build solidarity and nurture domestic constituencies by bridging rural and urban divides.⁹¹

84 *Ibid.*, 348.

85 *Ibid.*, 357.

86 *Ibid.*, 363.

87 Dhananjayan Sriskandarajah and Mandeep Tiwana, “Global Challenges, Local Responses,” *Sur International Journal on Human Rights* 14, no. 26 (December 2017).

88 Claessen and de Lange, “Lessons for Supporting Policy Influencing,” 552.

89 Baker et al., “Maintaining Civic Space,” 20.

90 Brechenmacher, *Civil Society under Assault*, 99–101.

91 Barcia, *Weaving Resistance through Action*, 10.

- In Kenya,⁹² civil society responded successfully to the government's attempts to introduce a 15 percent foreign funding cap in 2013 by creating alliances across sectors, in particular with regard to the HIV/AIDS movement. Highlighting "civil society's critical role in promoting public health and saving lives where the state is unable to,"⁹³ the alliance was able to build broad public support for the work of civil society and mobilize this support to prevent the implementation of restrictive government legislation. This alliance was also made possible by preexisting links across civil society that had been formed in response to the initial drafting of the Public Benefits Organizations Act, despite the fact that these links had been allowed to dissolve in the intervening time. Coordinated public statements supported by CSOs from a wide array of sectors and vociferous public outcry, in conjunction with the lobbying of individual members of Parliament and the support of the international community, led to the eventual withdrawal of the bill.⁹⁴
- In Honduras,⁹⁵ 52 organizations came together to form a coalition around the country's second Universal Periodic Review (UPR) cycle, where states, CSOs, and other actors report to the United Nations on the human rights situation in a given country. By work-

ing as a coalition, CSOs created a platform from which they could develop a strong joint message, as well as sharing resources and dividing tasks to maximize the efficiency and impact of their advocacy. This resulted in the acceptance of 21 recommendations that had also been echoed by foreign states, and was considered a great success. The UPR gave CSOs a focus for cooperation across individual issue areas and an opportunity to strengthen inter-organizational relationships. Campaigning on a shared message allows CSOs to reach wider audiences among the public and more effectively generate support. By drawing on collective capacities, resources, and networks, and by working in coalition, CSOs are able to resist fragmentation, build broader acceptance of their work beyond existing domestic constituencies, and develop strong horizontal networks which can be called upon in times of need.

Cross-Cutting Issues

Finally, cross-cutting issues can provide a unique opportunity to bring together diverse actors from across civil society, and engage and build ties with wider domestic constituencies as well as with government actors.⁹⁶ Strategies with broad appeal can be a useful platform for building domestic constituencies.⁹⁷ Issues such as the price of staple foods or democratic values, provide a platform for strengthening ties across different segments of

92 ICNL, "A Mapping of Existing Initiatives to Address Legal Constraints on Foreign Funding of Civil Society," July 1, 2014, 36, <http://www.icnl.org/research/resources/foreignfund/A%20Mapping%20of%20Existing%20Initiatives%20to%20Address%20Legal%20Constraints%20on%20Foreign%20Funding%20of%20Civil%20Society,%20July%202014.pdf>.

93 Julie Broome, Iva Dobichina, Poonam Joshi, David Mattingly, and Tim Parritt, "Closing Space for Civil Society and Cross-Border Philanthropy," International Human Rights Funders Group, October 20, 2014, <https://ihrfg.wordpress.com/2014/10/20/closing-space-for-civil-society-and-cross-border-philanthropy/>.

94 ICNL, "A Mapping of Existing Initiatives," 36.

95 ISHR, *How to Create and Maintain the Space*, 37.

96 Elsa Dawson, "Gender, Diversity, and Sustainable Civil Society Strengthening: Lessons from Ethiopia," *Development in Practice* 26, no. 5 (2016): 631–32.

97 Rekosh, *Gaining Ground*.

civil society and can facilitate the development of cross-sectoral alliances.⁹⁸

- In Tigray, Ethiopia,⁹⁹ the question of gender and power relations has been used as a cross-cutting issue to provide a remarkable basis for a CSO working on “hard-to-reach” issues including HIV, child marriage, and domestic violence. The Women’s Association of Tigray (WAT) employed the SASA! Methodology,¹⁰⁰ which is grounded in the idea that better understandings of gender and power can, contrary to what one might expect, provide a unifying platform to facilitate strong community engagement on challenging issues. The outcomes of the project included improved gender power relations and increased empowerment of women, as well as advances at the issue-level (HIV, child marriage, and domestic violence). Further, the project garnered the support of local government and strengthened community relations: new CSOs are emerging to work on these issues and are being considered for partnerships with the government. All of this, it should be noted, has taken place in an otherwise significantly restricted space where CSOs face major constraints in their work, including the fact that by law they are not permitted to work on women’s rights. Using the cross-cutting lens of gender and power (political but not exclusively focused on women’s rights) and approaching issues that the local govern-

ment was struggling to address, enabled WAT to both overcome these legal restrictions and simultaneously build domestic constituency at the local level with community members and the government.¹⁰¹

FRAMING THE PROBLEM

There is a wealth of challenges that face CSOs seeking to build strong domestic constituencies. However, opportunities exist too, and many CSOs are making domestic constituency building a priority in the face of increasing restrictions to civic space. Chief among these opportunities is the issue of framing. How can CSOs best frame their positions when it comes to engaging domestic constituencies? A commonplace reaction of CSOs to closing space has been to “reframe” their work, depoliticizing it in the eyes of restrictive governments: “women’s rights” becomes “building women’s confidence.”¹⁰² However, this depoliticization is not problem-free and in terms of building domestic constituencies it is liable to fall flat.¹⁰³ As the International Network of Civil Liberties Organizations succinctly summarizes: “for civil society organizations to fight back effectively, they need to find ways to explain their work using terminology that continues to carry legitimacy with the public.”¹⁰⁴

“Frames” are “rhetorical lenses or “schemata of interpretation” that help actors construct the way

98 Baker et al., “Maintaining Civic Space,” 5.

99 Dawson, “Gender, Diversity, and Sustainable Civil Society.”

100 Raising Voices, *SASA!*, <http://raisingvoices.org/sasa/>.

101 Dawson, “Gender, Diversity, and Sustainable Civil Society,” 632.

102 Suzanne Hammad, “Sustainability: Why Space and Context Matter,” *Building Sustainability of Civil Society: Beyond Resourcing* (Oxford: International NGO Training and Research Centre, 2014), 13–14, <https://www.intrac.org/wpcms/wp-content/uploads/2016/09/Building-sustainability-of-civil-society-Beyond-resourcing.-Reflections-from-INTRAC-staff-and-associates.pdf>.

103 Banks, Hulme, and Edwards, “NGOs, States and Donors Revisited,” 715.

104 Rekosh, *Gaining Ground*, 61.

in which issues are likely to be viewed or understood.”¹⁰⁵ A recent study found that three distinct frames can be identified as commonly recurring in human rights advocacy materials:

- (1) informational frames, where the focus is to educate the reader by presenting them with facts and statistics;
- (2) personal frames, where a personal narrative is told with the aim of emotionally impacting the reader, and creating a sense of empathy for the aggrieved; and
- (3) motivational frames, which emphasize the reader’s agency and potential efficacy, and include a direct appeal to take action.¹⁰⁶

These frames will be immediately recognizable to anyone who has ever engaged more than casually with human rights messaging. But when considering framing it is also relevant to think about and reflect upon how the frames that citizens are exposed to every day in the media affect their opinions. In doing so, it becomes clear that citizens are already influenced by the messaging that they absorb on a daily basis. In a poignant study by Counterpoint International, considering the frames and messaging used by the UK media on human rights issues, they found that participants’ values were significantly shaped by public discourse; words and narratives heard profoundly influence opinions

and inform narratives used to justify individuals’ own positions.¹⁰⁷ Even in the relatively free British press, Counterpoint found “[t]here was substantial opposition in the media to applying the fundamental principles of human rights to everyone; instead, minority groups such as foreigners, criminals or prisoners were regularly presented as undeserving of human rights protections.”¹⁰⁸

In this light, it becomes important for CSOs to find frames that engage their audiences through compelling new narratives and persuasive storytelling; these must actively create alternatives to dominant narratives and positively challenge assumptions.¹⁰⁹ Achieving this necessitates the use of frames that reinforce the interconnectedness of equality, social justice and human rights, and “engage people’s intrinsic values.”¹¹⁰ In doing so, it is possible to “build support for the values and principles that underpin all of our work.”¹¹¹ Amnesty International has sought to incorporate this approach while maintaining its focus on personal, empathetic frames: “We can’t assume our audiences will make their own connections between personal stories and the broader principles they illustrate. So our communications will explain, every time, which human rights are being highlighted, and why they matter.”¹¹²

It is valuable to note that frames that explicitly

105 Kyla Jo McEntire, Michele Leiby, and Matthew Krain, “Human Rights Organizations as Agents of Change: An Experimental Examination of Framing and Micromobilization,” *American Political Science Review* 109, no. 3 (August 2015): 409, citing Goffman.

106 Ibid.

107 Equally Ours, Counterpoint, and the Public Interest Research Centre, *Building Bridges: Connecting with Values to Reframe and Build Support for Human Rights* (London: Counterpoint, 2016), <http://counterpoint.uk.com/wp-content/uploads/2016/06/Building-Bridges.pdf>.

108 Ibid., 17.

109 Sarah Hinson, *World View and the Contest of Ideas* (Berkeley, CA: Grassroots Policy Project, 2016), http://grassrootspolicy.org/wp-content/uploads/2017/03/GPP_WorldviewAndTheContestOfIdeas.pdf.

110 Equally Ours, Counterpoint, and the Public Interest Research Centre, *Building Bridges*, 29.

111 Ibid.

112 Amnesty International and Eden Stanley, *More People: The Amnesty International UK Communications Strategy 2016–2020* (London: Eden Stanley, 2017), <http://edenstanley.co.uk/wp-content/uploads/2017/03/More-People-Short-Presentation-Version.pdf>.

present counter-narratives—that is, those that directly respond or seek to negate an existent, dominant narrative, rather than independently presenting an alternative—can have unforeseen consequences. “Myth-busting” approaches common to social justice campaigns can “reinforce negative views”; as Equally Ours find, “most people won’t hear your ‘truth,’ they’ll hear the original argument you’re trying to disprove.”¹¹³ Relatedly, meanings cannot be imposed; rather, the recipients of information or messaging interpret words according to their own frames of reference. Understandings of words such as “freedom” and “fairness” can differ dramatically across the political spectrum.¹¹⁴ These findings have significant implications for CSOs in framing their campaigns, and necessitate efforts to better understand the dominant received meaning of words in different contexts.

Personal, informational, and motivational frames common to human rights and social justice messaging have been found to be more effective at generating consensus than in actually motivating people to act. However, the three frames are not equally effective:

*Personal narratives appear to be the most consistently successful, increasing individuals’ knowledge of and emotional reaction to the issue, and as a consequence, leading them to reject the practice and participate in a campaign to demand its cessation.*¹¹⁵

When researchers prompted online participants to

act based on the messaging they had been exposed to, by way of signing a petition (defined as a particularly “low-cost” action), neither informational nor motivational messaging had any statistical effect on participants’ choice to act: the only one that did was the personal frame. Based on this finding, the authors concluded, “we are not optimistic about the prospects of either the informational, or somewhat more unexpectedly, the motivational frames on their own to mobilize individuals around an issue area.”¹¹⁶ Nevertheless, while the study showed personal framings to be the most effective at mobilizing participants to act, such framings do not always prove the most effective. For example, research undertaken by FrameWorks in Canada showed personal, empathetic frames to actually have a negative influence on public opinion around drug rehabilitation policies, and revealed motivational frames focusing on community benefit to be most effective.¹¹⁷

As this case illustrates, for CSOs working under conditions of closing civic space, creating strong self-directed narratives is an important strategy, especially for those working on more divisive issues that do not curry favor in the mainstream. To provide another such example, the 2008 Human Rights Watch report, *This Alien Legacy*, challenged assumptions about the history of LGBTI in India, Malaysia, and Uganda, where the governments in each country have made claims about the “foreignness” of some sexualities and gender identities.¹¹⁸ In each of the three countries, repressive colonial-era laws remain in place, sometimes newly

113 Equally Ours, “Talking about Human Rights,” 2014, <http://www.equally-ours.org.uk/blog/wp-content/uploads/2014/10/Talking-about-human-rights-1-page-summary.pdf>.

114 Hinson, *World View*.

115 McEntire, Leiby, and Krain, “Human Rights Organizations as Agents of Change,” 417–18.

116 *Ibid.*, 419.

117 Heather Joslyn, “Words That Change Minds,” *Chronicle Of Philanthropy* (September 2016), http://www.frameworksinstitute.org/assets/files/PDF/chroniclephilanthropy_wordsthatchangeminds_2016.pdf.

118 Alok Gupta, *This Alien Legacy: The Origins of “Sodomy” Laws in British Colonialism* (New York: Human Rights Watch, 2008), https://www.hrw.org/sites/default/files/reports/lgbt1208_web.pdf.

strengthened; however, the report seeks to change perceptions by changing the narrative. To do so it details a meticulous history of the colonial origins of “sodomy” laws that were first implemented by the British during their imperial rule. Anecdotally, this redressal is something CSOs are implementing in practice too, by tracing stories and experiences of LGBTI people locally and historically. In another way, Open for Business, a consortium of companies around the world, is seeking to create a new narrative that highlights the economic benefits of LGBT+ inclusion with a view to influencing policy in countries hostile to LGBT+ people.¹¹⁹ To achieve this, it is seeking to mobilize and create constituency among business communities domestically, and push new narratives:

*Cities that are LGBT+ inclusive are better placed to develop their global competitiveness: evidence shows they have stronger “innovation ecosystems”, greater concentrations of skills and talent, and better quality of life. LGBT+ inclusive cities may be more likely to become globally integrated hubs for high value businesses.*¹²⁰

While shifting opinions takes time, the unpacking of dominant discourses and singular narratives can slowly contribute to this process and help build domestic constituencies along the way. Gathering data and weaving narratives can be a participatory process and can also help to build a community around a project. CIVICUS point to several instances where campaigns and documentation efforts were the project, and not a byproduct or an afterthought as can often be the case.¹²¹ These projects help to strengthen communities by telling their stories, but the very act of storytelling serves to build capacity

and strengthen relationships in turn.

As CIVICUS assert, “there is a need for stronger, clearer and more popular messaging on why civil society matters, why civic space is important, and what needs to be done to defend it.”¹²² Popular messaging on the role of civil society in Kenya resulted in broad public support domestically and aided the withdrawal of legislation aimed at restricting CSO access to foreign funding. In this instance, “arguments emphasizing the importance of civil society to Kenya’s economy and development in sectors such as health and education were especially persuasive.”¹²³ Considering what messages are important, what context they are heard in, and how it is possible to shift dominant narratives is key to making progress on individual human rights and social justice issues, but also to creating strong supporter bases among domestic constituencies and strengthening civil society as a whole. Taken together, these factors can contribute to the creation and sustenance of an enabling environment, as will be discussed in the following section.

LEVERAGING DOMESTIC CONSTITUENCIES TO CREATE AN ENABLING ENVIRONMENT

This paper is strongly premised on the idea that closer links with domestic constituencies would go a long way toward addressing some of the issues currently faced by civil society, including both those resulting from restrictions to civic space, as

119 Jon Miller and Lucy Parker, *Strengthening the Economic Case: Report Highlights* (N.p.: Open for Business, 2018), https://www.open-for-business.org/wp-content/uploads/2018/01/BRU2_0558_Summary_Report.pdf.

120 Ibid., 7.

121 CIVICUS, *State of Civil Society*, 244.

122 Ibid., 136.

123 ICNL, “A Mapping of Existing Initiatives,” 36.

well as problems embedded deeper within the current functioning of civil society itself. This is not to suggest that flourishing relations with domestic constituencies would be a panacea for all of civil society's ills. However, as has been shown, the distancing of CSOs from the communities they seek to serve, as well as from one another, is a cross-cutting theme linking, in part at least, many of the challenges and/or lack of responses that characterize civil society today. The question that therefore remains is, How does leveraging certain kinds of domestic constituencies result in an enabling environment for CSOs?

First and foremost, strong domestic constituencies legitimize the claims that underpin CSOs' work and mobilize in support of their campaigns.¹²⁴ This is a key factor in ensuring the sustainability of civil society and provides CSOs with "long-term influencing power."¹²⁵ That is not to suggest that domestic constituencies are the only source of CSO legitimacy, but certainly in contexts of closing space, they are the most visible manifestation of it, and prove harder to negate than other sources such as international norms and values.

Correspondingly, the second pivotal way in which strong ties with domestic constituencies serve to create an enabling environment for CSOs is precisely in this function of pushing back against government restrictions on civic space. Organic community associations perform key functions as both a "counterbalance to government and [a] durable base for democratic change."¹²⁶ However, the stress here is on the indigeneity of the associ-

ations and their mutual trust-based relationships; civil society that is injected from the outside rarely succeeds at pushing back on account of its own weak roots, and is particularly susceptible to critiques around legitimacy and representation of domestic interests. As has been discussed, a key tactic of governments is to stigmatize CSOs, invoking populist motifs grounded in nativism, xenophobia, racism, homophobia, and misogyny (among other fear-based value systems) to stoke public distrust and delegitimize CSOs.¹²⁷ However, where CSOs have well-established domestic constituencies, these should prove less effective narratives.

Finally, strong ties with domestic constituencies facilitate an enabling environment through the provision of local expertise. "Strategic alliances and issue-based partnership[s] with broader civil society [can serve] to co-convene initiatives, amplify voice, obtain early warning, undertake joint research, tap expertise and advance civic-driven change."¹²⁸ It is key to reorient assumptions about expertise, too often understood as coming from above or outside, toward recognizing the value of local expertise. This has implications, not just for INGOs and other international actors, which may not have an ear to the ground nor perceive the nuance of local contexts, but also for domestic CSOs, which as we have seen, can also exist walled-off from domestic constituencies' needs. This means recognizing "locally grown solutions to everyday challenges" and acknowledging that these stem from being "geographically, culturally and thematically" closer to domestic constituencies.¹²⁹

124 Claessen and de Lange, "Lessons for Supporting Policy Influencing," 549.

125 *Ibid.*, 553.

126 Cubitt, "Constructing Civil Society," 100.

127 Rekosh, *Gaining Ground*, 61.

128 UNDP, *UNDP Strategy on Civil Society*, 10.

129 Cubitt, "Constructing Civil Society," 108.

CONCLUSION

Speaking at the 2017 Human Rights Funder Network Conference, Deborah Doane stated that:

*The closing space agenda requires us to think and work systematically, outside our silos. We need to be proactive rather than defensive. How do we move to offense? To a strategic approach to pushing back and opening up?*¹³⁰

Ties with domestic constituencies cut across many of the issues faced by civil society today. The strategies discussed show how some CSOs have successfully (re)built ties with local audiences by building upon existing spaces within society, for example through the reinvigoration of local leadership bodies, and creating new spaces, as with the use of digital technologies to open up debate on topics stifled by societal norms. These strategies have enabled them to attract new audiences to build momentum in the face of restrictions, and nurture existing alliances to strengthen civil society across a breadth of causes. Perhaps most importantly, they give primacy to local knowledge and offer a platform to otherwise marginalized or silenced voices in society.

Considering the question of framing, it was demonstrated that how we communicate about social justice significantly affects the impact of those stories. Used thoughtfully and creatively, frames can help to build domestic constituencies and create new alternatives to prevailing mainstream narratives. Strong domestic constituencies present a clear opportunity for CSOs, not only to push back against restrictions to civic space, but also to increase the relevance of their work, pursue fruitful

collaborations across organizations and sectors, amplify their causes domestically, and effectively create an enabling environment for civil society.

CONSIDERATIONS

It is important to note that there are several situations where domestic constituency building may not be an appropriate or viable strategy. For instance, in some particularly fragile contexts, “engaging in politically sensitive activities is sometimes only feasible with external support and often with very limited overt internal legitimacy.”¹³¹ Likewise, in some settings, the required level of trust needed to build alliances or coalitions may be unachievable.¹³² Localism is not always an unqualified good; entrenched views and community practices may create barriers to cohesive working and to the successful outcomes of civil society initiatives.¹³³

Further, there are a number of considerations that CSOs and—perhaps even more pressingly—international actors and donors, should keep in mind with respect to strengthening ties to domestic constituencies. These can be summarized as follows:

Place sensitivity: Operating in complex environments requires sensitive and ongoing analysis. “This means being more participatory, letting local people, as well as indigenous experts and researchers, be our advisors” in order to navigate deeply rooted geographies, histories, politics, and socio-cultural dynamics.¹³⁴

External constructions and imaginings: Neither civil society nor domestic constituencies have singularly

130 Human Rights Funders Network, “Key Takeaways: Map, Resist, Support: HRFN 2017 New York Conference,” 2, https://www.hrfn.org/wp-content/uploads/2017/07/Key-Takeaways-HRFN-Jul17conf_final.pdf.

131 Hayman, “Unpacking Civil Society Sustainability,” 675–76.

132 Claessen and de Lange, “Lessons for Supporting Policy Influencing,” 549–50.

133 Khan and Khan, “Local Support Organisations,” 363.

134 Hammad, “Sustainability.”

identifiable features or forms. This can lead to failures in recognizing local manifestations of civil society and permits the transplanting of a “civil society bourgeoisie constructed from outside”¹³⁵ that provides a weak basis for generating local as well as broader public support.

Individual interests: Failing to make space and account for individual motivations on the part of local communities can lead to the co-opting of projects to meet individual needs. In multistakeholder projects this can lead to a situation where “all commit publicly to the official project line in order to access the resources, reputation, power and ability to exercise patronage associated with funded international projects, but this public commitment may be tokenistic and self-serving rather than oppressive.”¹³⁶ Such situations provide only a brittle facade of local support that should not be interpreted as genuine domestic constituency and can easily be undermined.

Ripple effects: It is vital to acknowledge the role and impact of external actors on the fates of domestic civil society, positive and negative. For example, the decision by INGOs to situate offices in-country has significant influence on levels of domestic protest (both violent and nonviolent).¹³⁷ Likewise, when organizations pull back or offer only a weak response to restrictions in one country, this can have ripple effects, potentially leading to the increased use of restrictions in neighboring countries.¹³⁸ As such, decisions taken by INGOs and donors must be based on forward-looking analysis that considers not only the immediate impacts, but also potential wider ripple effects on domestic civil societies and more specifically their ability to maintain strong public support among domestic constituencies.

The strategies discussed here represent only a small portion of the ways in which civil society actors are working to (re)build ties with domestic constituencies and generate far-reaching public support for their work. Other strategies for future research include how CSOs are engaging with new audiences through open discussion spaces and education initiatives, and inspiring buy-in through new volunteer and membership structures, funding approaches and other forms of innovative engagement. CSOs are facing widespread restrictions, the scale and scope of which are dramatically worsening in many regions. Considering this, the achievements of civil society thus far require a vigorous defense; however, success will only be achieved with the active and vocal support of domestic constituencies.

135 Cubitt, “Constructing Civil Society,” 91–92.

136 Campbell, “Community Mobilisation,” 52.

137 Murdie and Bhasin, “Aiding and Abetting.”

138 Carothers and Brechenmacher, *Closing Space*, 46–47, 49.

ABOUT THE AUTHOR

Hannah Dwyer Smith joined the Centre for Applied Human Rights (CAHR) as a research associate in October 2017, where she works for the Human Rights Defender Hub. Her role looks to develop research into areas that deepen our understanding of the situation facing human rights defenders (HRDs) around the globe, encompassing the security of defenders and the challenges of closing space for civil society more broadly. She is currently collaborating with Dr. Alice Nah on the *Navigating Risk, Managing Security and Receiving Support* project, which looks at HRDs' experiences of risk. She also provides technical support for UN Special Rapporteur Michel Forst's thematic reports on the situation of human rights defenders, and edits the Hub's *Working Paper Series*. Her current research considers the role of gender in HRD security and protection.

Prior to joining CAHR, Hannah completed an MA in applied human rights at the University of York. She was formerly a project coordinator at Tactical Tech where she worked on the *Holistic Security Manual for Human Rights Defenders* and an accompanying trainers' manual. The Holistic Security project seeks to integrate considerations of digital security and psycho-social wellbeing into traditional approaches to security and protection for HRDs at risk, helping them to develop strategies that better reflect the nature and scope of the risks they face.



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