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Backsliding Democracy: The Crisis for Civil Society and Philanthropy in Comparative Perspective

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Leibniz-Institut
für Sozialwissenschaften

Mitglied der
Leibniz-Gemeinschaft

Editors: Ansgar Gessner and Mark Sidel

Backsliding Democracy:

The Crisis for Civil Society and Philanthropy in Comparative Perspective

Opusculum 210

Maecenata Stiftung

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Maecenata Stiftung, Berlin 2026

Introduction

This publication originated from the roundtable "Backsliding Democracy: The Crisis for Civil Society and Philanthropy in Comparative Perspective" that was held In July 2026 as part of the 17th international conference of the International Society for Third Sector Research (ISTR) in Lisbon. It was Mark Sidel's idea to convene the group of international experts, Chris Dayson (UK), Ben Gidron (Israel), Rupert Strachwitz (Germany), Ingrid Srinath (India) and himself (US), to share their insights into how threats to civil society and philanthropy are emerging and playing out in their respective countries. Ansgar Gessner chaired the roundtable discussion.

What the experts shared and what this paper underlines is that we are witnessing an international phenomenon of democratic backsliding, in addition to and amplifying the national developments — also for the most part backsliding — that can be explained by local social, economic, or political factors. As if drawing from the same playbook, authoritarian and conservative governments around the world are reversing democratic commitments, undermining democratic processes, dismantling social services and international development assistance, politicizing the judiciary and investigative agencies, threatening changes to tax status or funding, and threatening the pillars that have made civil society and philanthropy significant forces for strong resilient democracies in the United States to India to Germany to Israel to the United Kingdom and beyond.

Each author of this edited working paper outlines and analyses how some of these threats have been playing out in their countries and region. While, naturally, more country insights analyses are desirable to paint a truly global picture of the backsliding democracy phenomenon, this working paper sheds some light on the global scale of the issue.

Ansgar Gessner & Mark Sidel

Berlin and New York and in October 2026

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I. A Perspective from the UK

By Chris Dayson, Bayes Business School, City St. Georges, University of London

1. Introduction

When viewed from a global comparative perspective, it is easy to argue that the UK is not experiencing or currently at risk of the wholesale dismantling of civil society or democratic freedoms. *Prima facie* we have a government that is more sympathetic to civil society than its predecessors, ensuring organisations enjoy significant autonomy free from political interference, and our legal institutions remain relatively robust, including the Charity Commission which has generally maintained its role as an independent sector regulator. Nevertheless, this is not the time for complacency. Most people in the sector, and those who study it, would comment that the operating environment for civil society in the UK has become progressively more constrained over the past decade due to the wider social, economic and political context.

2. Historical context

What distinguishes the UK from some other countries represented in this collection, and more broadly around the world, is not a dramatic rise in authoritarianism, but a gradual narrowing of the spaces in which civil society organisations operate through a combination of legislative change, political rhetoric, financial pressures and organisational self-restraint. What is happening now needs to be understood in the context of a far longer historical trajectory. From the 1980s onwards, and as a consequence of the broader neo-liberal economic project, civil society organisations were increasingly viewed as a contractor or partner in delivering public services as the state retreated. That relationship – sometime transactional, sometimes corporate – continued through successive governments from Thatcher (1979-90) onwards, culminating in an unprecedented expansion of public funding for charities during the New Labour years (1998-2010). However, the post-2010 period marked something of a turning point. Conversative-Liberal Democrat initiated public sector austerity led to declining public investment in civil society organisations. This, coupled with growing political scepticism towards advocacy organisations, brought the end of a "golden age" for civil society in the UK.[1]

[1] Whether this was indeed a golden age depends on your perspective – with the benefit of hindsight the term ‘gilded cage’ might actually be more appropriate.

3. Spaces for advocacy and protest

This historical context has paved the way for a shrinking of spaces for advocacy and protest. The UK has witnessed a series of legislative developments—from the Lobbying Act through to more recent public order legislation—that have made it more difficult for civil society organisations to campaign on contentious issues and to engage in public debate and protest. The issue is not the legal restrictions themselves *per se* but the "chilling effect" on public debate. Civil society organisations are increasingly having to consider not what they are legally permitted to say, but whether speaking out will trigger regulatory scrutiny, political criticism, hostile media attention or threaten future funding opportunities. There is emerging evidence that this chilling effect now extends beyond campaigning into wider organisational behaviour. Civil society organisations working on equity, diversity, identity, decolonisation, migration or climate change regularly moderate their language or activities in anticipation of backlash rather than because they are formally prohibited from acting. As such, self-censorship has become an important mechanism through which spaces for civil society have contracted.

4. Political polarisation

As in other parts of the world, political polarisation is another significant feature of the current environment in the UK. Rather than civil society organisations being viewed as legitimate independent democratic actors, they are increasingly being drawn into wider cultural and political conflicts. Notable examples include the vilification of the Royal National Lifeboat Institute for its lifesaving support for migrants navigating the Channel in small boats and attempts to stop the National Trust's work to make visible the historical origins of wealth and accompanying de-colonialising efforts in relation to their many historic properties. These controversies illustrate how civil society organisations can become symbolic battlegrounds in broader disputes about national identity, race, history, culture and social justice. Indeed, in their recent annual risk assessment for the sector, the Charity Commission was moved to comment that parts of the sector are currently *"operating in an environment where a section of the public is actively hostile to their work and in consequence are responding in some instances to unacceptable circumstances and risks."*[2]

These pressures can come from disparate wings of the political spectrum. While much discussion has focussed on so-called right-wing 'anti-woke' critiques of civil society, there are also concerns about rising left wing antisemitism linked the ongoing conflict in Israel and Palestine, and increasing hostility directed towards organisations and individuals seen to be supporting one side of the conflict over another. Similarly, trustees, volunteers and staff working on both sides of the gender debate are increasingly subject to online abuse and personal intimidation regarding their legally protected views.

5. Financial uncertainty

Alongside these social and political pressures many civil society organisations are facing significant financial challenges. Indeed, the Charity Commission has gone as far as describing 'structural vulnerabilities' affecting some parts of the sector, including organisations working in vital areas such as health,

[2] https://www.gov.uk/government/publications/charity-sector-risk-assessment-2026/charity-sector-risk-assessment-2026

social care and housing. These are the long-term consequences of declining public expenditure, which mean that civil society organisations are becoming increasingly dependent upon a smaller number of funders and philanthropic foundations, many of which are themselves under growing pressure. There are also longstanding concerns about the shift away from grant funding towards social investment and payment-by-results models, which may reduce organisational independence by tying civil society activity more closely to government priorities and investor expectations about financial and monetisable returns.

6. In comparative perspective

Although this commentary raises some concerns for civil society in UK, the wider contributions from other authors in this collection are an important reminder of the importance of understanding the scale and scope of democratic backsliding in global comparative perspective. In comparison with other countries where the threats might be considered existential, the trajectory in the UK is better understood as gradual democratic erosion rather than abrupt democratic breakdown. The comparative perspective, and trajectories of other jurisdictions, does raise concerns for the future, however. Could regulatory independence become more vulnerable under future less progressive UK governments, or does the greater risk lie not with any one political party but instead with an increasingly broad political consensus that adopts more restrictive approaches to campaigning, protest and the role of civil society in championing democratic freedoms. The overarching concern in the UK is that exceptional measures introduced in an otherwise supportive political context could become normalised or even weaponised by subsequent governments of different political persuasions.

7. Concluding remarks

Taken together, these reflections suggest that the principal challenge facing UK civil society is not limited to organisational survival, but extends to maintaining independence, legitimacy and willingness to speak truth to power in an increasingly polarised political environment. The UK remains far from the most severe examples of democratic backsliding represented in this collection. However, the cumulative effect of legal change, political polarisation, financial constraint and organisational self-censorship may gradually reshape the relationship between the state and civil society in ways that deserve serious comparative attention.

Acknowledgements

This commentary builds on an engaging panel discussion at the International Society for Third Sector Research Conference in Lisbon in July 2026. I am grateful to Professor Mark Sidel for inviting me to participate in the panel, my fellow panellists, attendees at the session for their questions and feedback, and Ansgar Gessner for excellent chairing. I'm also grateful to Professor Jen Sigafoos at University of Liverpool for providing comments on an earlier version of this commentary.

In preparation for the session, I invited colleagues at the Centre for Charity Effectiveness to share their views on and evidence about the topic. It that sense this commentary very much reflects our combined

perspective and builds their broad range of experience studying and teaching about civil society in the UK over the past 20 years.

II. A Perspective from Israel

By Benjamin Gidron, Ben Gurion University of the Negev

This short paper includes two parts: (1) The threats to the democratic regime posed by the Netanyahu government since 2022, and (2) The response by civil society.

1. The Threats to the Democratic Regime

The Netanyahu government, formed after the November 2022 elections, declared right away, in a famous speech by the Minister of Justice, that it intends to engage in a "Judicial Reform". The suggested reform covered a variety of institutions and legal procedures, including the procedure by which Supreme Court judges are appointed, the role of the Prosecutor-General and other gatekeepers, the idea that the Knesset (Parliament) can overrule decisions by the Supreme Court pertaining to Basic Laws and other steps, which were not initially disclosed.

In the months that followed a much more detailed plan was revealed, which included a variety of measures that would have shattered Israel's liberal democratic regime as it was known and would have left it with almost no checks and balances – a regime resembling the one in Hungary during Victor Orban's tenure as prime minister.

One of the major parts of the plan was the dismantling of an advocacy-based civil society. Civil society in Israel is active around a variety of issues that do not align with the ideologies and policies of the right-wing government that is power (with a short intermission of less than 2 years) since 2009. These include policies regarding peace with the Palestinians, Jewish religious pluralism, gender equality, Israeli Arab minority and more. Civil society organizations around these issues have been active over the years and attracted support not only from the Israeli population but from Jewish and non-Jewish sources abroad.

Thus, a major new step within the "judicial reform", which directly impacted civil society, was forbidding funding by both governmental and private *foreign* sources, of organizations that were characterized as "political" (of a certain nature…).

Additional steps of the proposed "reform", which obviously have an impact on civil society, included:

- Terminating government support of cultural institutions (theaters, museums, cinema) if they presented content that was critical of government. This included abolishing the Ministry of Culture-sponsored prizes for outstanding artists.
- Introduction of laws and regulations that would limit the freedom of the press and control the media
- Attempts to endanger academic freedom of universities and colleges, by changing the structure of the institution that governs those - the Council on Higher Education, which supervises those institutions, and indirectly their academic freedom.

- In addition to these formal steps, police received "new instructions" to deal with demonstrations, and people were unjustifiably arrested and beaten during rallies.

Finally, and most importantly, a coordinated campaign of fake news and lies to spread hate of those opposed to the government measures, depicting them as "traitors" and "enemy-agents".

2. The Response by Civil Society

The reaction by civil society was remarkable. It should be divided into three periods and analyzed along two dimensions:

Periods:

a. Between November 2022 (the declaration of the Minister of Justice after the elections); and October 7, 2023.
b. Right after October 7, 2023.
c. Six months later till the present.

Dimensions:

1. Organizing
2. Funding

1. The Sequence of Events

Before October 7, 2023: Roughly 8-9 months of steady weekly demonstrations and rallies of hundreds of thousands of participants in all parts of the country. Also measures such as blocking Ben Gurion airport, and supreme court petitions by different actors. Altogether, that period constituted an impressive struggle by a variety of groups, each of which would have been potentially affected by the "reform", but jointly the attempt was to protect the liberal democratic regime. The campaign was loosely coordinated and was mostly based on mobilization by social media.

Right After October 7: Considering the crisis on many civilian fronts caused by the Hamas attack – a massive mobilization of the *same demonstrating populations* in service provision capacity to a variety of populations: Providing housing for those who had to leave their homes, helping identify victims of the attack taken hostage from pictures and short films, transportation of families, helping farmers pick fruit, to name a few examples.
For a while the noisy advocacy civil society activists have turned into service providers.

(Roughly) Six months later till the Present. While the fighting in Gaza and later Iran and Lebanon persisted, the government did not freeze its "Judicial Reform" and continued with its plans, trying to finalize as much as possible of the planned "reform" before the elections (planned for October 2026). It attempts to weaken the Prosecutor-General office, who is a major gatekeeper for democracy, and move forward with its other planned "reforms" that could have left it in power. Civil society has reacted to these developments with renewal of demonstrations, supreme court petitions against proposed legal and administrative steps and raising public awareness to its consequences.

We analyze these renewed campaigns from two dimensions: Organizing and funding. The patterns of activity described below were present along all phases of civil society's response.

2. Dimensions

Organizing

The campaign was organized by a loose coalition of groups and organizations, many of them formed as a direct result of the judicial crisis, but each with a distinct agenda or identity. These included *Brothers-in-Arms* – a veteran organization, *Building an Alternative* – a feminist organization, *No Academy without Democracy* – academics, *No Education without Democracy* – teachers and parents of school-children; *The White Coats* – doctors and health professionals, *The Black Gowns* – lawyers, *The Hi-Tech Protest* – entrepreneurs and personnel in startups, *LGBT for Human Rights*. The common denominator was obviously their anxiety that the current government will be successful in implementing its plans, which will affect the nature of the democratic regime and impact all of them. Thus, while each had a specific identity and agenda, the danger of a non-democratic framework united them to coordinate their struggle.

The mode of operation of all these groups was based on social media and informal, decentralized decision-making, encouraging initiatives by individuals. Thus, if a member had a creative idea – say demonstrating in front of an office where a meeting in which the Minister of Justice participates takes place or placing signs in a major cross-roads - he/she will not need to bring this proposal before the board and get an approval; the group encourages such an individual to mobilize the personnel and resources and engage in this activity without any long procedures.

As to the major events at which all groups participated, such as the weekly demonstrations in the center of Tel Aviv on Saturday evenings - there was a coordinating mechanism between the groups, to decide on the speakers, their order of appearance, etc.

Funding

The analysis of the funding sources for this civil society struggle shows that there were basically three sources of funding for these campaigns: (1) Crowd funding from participants in the activities; (2) Israeli and foreign Liberal foundations, which supported similar activities in the past; and (3) direct funding from individuals in the Hi-Tech industry who, in recent years, gained significantly from successful transactions.

When one analyzes those three sources, the first two are not surprising and even expected in such campaigns. The third one is a new source.

Historically a major share of philanthropic funds in Israel came from the Jewish population living abroad, which donated, primarily via the Jewish Agency, to institutions in fields such as health, education and culture. This included building schools, hospitals, community centers etc. and funding parts of their programs. This funding pattern was obviously supported by the different governments in power.

A change in this pattern of philanthropy occurred with the establishment of *The New Israel Fund* in the US in the 1980's - a foundation which started funding organizations with objectives not supported by the government. These included civil society organizations struggling to advance an Israeli Palestinian peace, organizations supporting women's and LGTB rights, religious pluralism, etc. At that period such

causes could hardly attract Israeli funding. The fact that an outside source was created to support them, enabled their existence and activity.

The current crisis brought about yet another new and significant source of philanthropic funding, supporting civil society struggle for democracy - namely Israeli Hi-Tech entrepreneurs who made their wealth in the past decade or two. They make a link between the need to protect the democratic nature of the regime and the future of the high-tech industry. They act both individually and collectively. As the high-tech industry has a very significant role in Israel's economy, this group of funders are not only worried about their own financial status and assets but demonstrate that Israel's economic future is dependent on the nature of its regime. Unlike wealthy donors in philanthropic history, who were depicted as "benevolent" or "generous", the pattern we observe in this case is of a different nature - one which combines one's own interests and those of society but is also aware of its responsibilities to protect a political value – that of democracy. One may see this as a new pattern of philanthropy, which may be termed "political philanthropy". However, it should not be confused with support by philanthropists of *political parties* or *figures*. The difference lies in the fact that this pattern supports *civil society* organizations, which may have political objectives, but are not a part of the *formal state* infrastructure of political participation.

3. Summary

The current struggle to protect not just a formal democratic regime but one that is committed to a separation of power between government branches and the rule of law to avoid corruption, amidst a komplex international conflict, in which Israel plays a major role - is clearly a gigantic task. Civil society is a major player in this struggle, the results of which will impact society for decades to come.

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III. A Perspective from the United States

By Mark Sidel, University of Wisconsin

1. Threats to civil society and philanthropy in the US in the Trump era

The threats to civil society and philanthropy in the United States in the Trump era are almost too numerous to catalogue. In particular, the Trump Administration seeks to rein in, defund, and in some cases close down a range of policy- and advocacy-oriented nonprofits and foundations (as well as other parts of US civil society and higher education).

The *threats and challenges* include sharp reductions in funding for social services and assistance at home and abroad, many of which are carried out through and with the nonprofit community. Those threats also include challenges to the formation of nonprofits, foundations and other entities; threats to the tax exemptions held by nonprofit organizations; and threats to organizations working in particular fields, such as climate change, the environment, and voting and civil rights; threats to increase taxation on endowments and on organizational income.

The threats also include restricting partnerships and grants across borders (for example, to China, Cuba and other countries, some of which are already under sanction and some where sanctions might be strengthened); and the strengthening of threats based on accusations of terrorism.

The *forms that these threats take* are also diverse. The Trump Administration and its allies in Congress have initiated Congressional investigations of nonprofits and foundations and other threats of Congressional action; they have initiated executive branch investigations of nonprofits and philanthropic groups, by the Department of Justice, Internal Revenue Service, the FBI and others.

They have threatened or understand executive branch regulatory action, including executive orders by the President targeting the nonprofit community. Federal prosecutors have initiated criminal investigations. Throughout, the Administration has ramped up its diatribes against the nonprofit and philanthropic community, particularly on issues of diversity, equity and inclusion (DEI) and other issues of particular concern to the Administration.

The *forms of resistance* undertaken by the nonprofit and philanthropic community against these challenges and threats have been multi-faceted. Key umbrella nonprofits and groups directly affected by the Administration's actions have taken judicial action, sometimes with some success. Nonprofits have worked with the media to explain what they do, and to push back against diatribes and other actions. Nonprofits have joined in public protests and demonstrations against the Administration's overreach.

The nonprofit and philanthropic community have also undertaken actions to unify their efforts against government harassment and investigations. They have worked to strengthen compliance with laws and regulations to try to protect the sector. Several umbrella groups within the sector have played an important role in helping the sector unite to meet these challenges.

In short, the Administration's actions against the nonprofit sector and philanthropy in the United States have provoked three interlocking crises for the sector – the crisis of policy and legal threats to the sector broadly; threats to individuals nonprofits and foundations; and a longer-term crisis for the sector in trying to figure out how to move forward as nonprofit organizations and as philanthropic groups in the midst of the broader crisis.

2. Three Aspects of Foundation Life in the United States Under Crisis

Amidst this crisis and these threats, there are some interesting aspects to foundation life in the United States that are worth mentioning. In most cases these features reflect the crisis and its pressures, though in some cases they also precede or have arisen somewhat separately from the crisis.

1. The dynamics of the turn toward democracy funding – "Meeting the moment"

A certain range of American foundations began to strengthen and expand their work on democracy (or democracy and the rule of law) during the first Trump Administration, and have further accelerated that work during the second Trump Administration. There are now at least several dozen US foundations working heavily in this field, some with substantial resources and some with less.

This turn toward democracy funding – what is often called "meeting the moment" in parts of the American philanthropic community – does not come easy. Even foundations with substantial resources such as the Open Society Foundations, the Ford Foundation, the Hewlett Foundation and others, have had to make hard, sometimes wrenching choices about what to support and how to support in the democracy field, particularly during the second Trump Administration.

The breadth, velocity and loudness of the Administration's attacks have made those programming choices very difficult, for not all foundations can support each element of a democracy-supporting agenda. And as some foundations devote even more of their resources to work on democracy and related themes, other themes will suffer. That is as inevitable as it is sad.

2. Middle-market democracy funders face even harder choices, as they begin to become smaller players over time in the changing market of US philanthropy

There are also a range of important but somewhat smaller funders interested in supporting democracy-preserving work. Those somewhat smaller funders – what I'm calling middle-market players – generally work in the range of $50-150 million in grantmaking per year across a range of fields, often considerably smaller than Open Societies, Ford, and others.

That makes their choices in the "meeting the moment era" even more complex. To add to these dilemmas, some of these smaller, middle-market foundations (groups like the Rockefeller Brothers Fund and the Luce Foundation) have also undergone transition to new leadership – which means that programming choices, including choices of how to work on democracy, are even more up in the air than usual.

And in some cases, some middle-market funders are already programmatically fragmented, so finding resources and staff space to work significantly on democracy and rule of law may be a problem. In addition, some of them are in effect becoming smaller philanthropic actors as large new pools of artificial intelligence (AI) and technology money make their way into the philanthropic sector, making these middle-market actors smaller in terms of endowment and grantmaking.

The choices that some of these middle-market players face in reviewing their programming and working on preservation of democracy are in some cases truly wrenching questions. But they will need to make some hard choices if they are going to come up with enough funds to have some real impact in the democracy space.

3. Compliance versus trust, and finding a balance: A significant challenge for foundations in a crisis era

In some foundations that should be united in "meeting the moment" of the threats to democracy and the rule of law in the United States, they find themselves at times in internal conflict because of the competing mandates caused by the crisis.

On the programming side, a number of foundations and program staff seek to enable a version of "trust-based philanthropy" in which they have turned to longer-term grants, more openness to administrative and other costs, and requiring fewer burdensome reports from grantees in democracy and other fields.

On the compliance side, often in precisely the same groups, the concerns have been ramping up as the Administration targets the philanthropic sector and a range of foundations working on democracy, rule of law, climate change, voting rights, diversity, equity and inclusion, and other themes. The compliance managers – often based in foundation general counsel's officers – are deeply concerned that Federal or state officials will use inadvertent compliance gaps to attack foundations and seek to withdraw their tax exemptions; bring them under formal investigation; or even seek criminal charges or to force them down.

The compliance reaction is to require more compliance, more checking, more form filling, as a way to protect both the grantmakers and the grantees. This imposes heavier, not lighter burdens on existing and potential grantees.

In some foundations this reduction of grantee burdens by program staff in the furtherance of "trust-based philanthropy," and the enhancement of grantee burdens by compliance staff in the furtherance of meeting regulatory norms and avoiding government action in the midst of a very real crisis, have come into conflict. That is not surprising – many foundations want both to reduce grantee burdens and "trust" grantees more, while also undertaking every potential compliance task to try to protect the foundations.

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Thanks to my colleagues at the International Center for Not-for-Profit Law (ICNL) and others for continuing work and discussions on these themes. Thanks to the Maecenata Foundation in Berlin and to Ansgar Gessner and Rupert Strachwitz; some of these ideas were presented at Maecenata in Berlin in

2025, and for their enthusiastic collaboration on the ISTR Roundtable in Lisbon in 2025 that has given rise to this series of commentaries in Maecenata Opuscula. My thanks also to the Center for Community and Nonprofit Studies at the University of Wisconsin-Madison, where I've spoken on these issues several times.

I would be remiss if I did not mention the extraordinary resources and analysis that the International Center for Not-for-Profit Law (ICNL) has brought to bear on these threats and challenges to the nonprofit community in the US; those resources and analysis are available at www.icnl.org and www.uscnl.org. I serve as chair of the board at ICNL and am deeply proud of the organization's work.

IV. A Perspective from India

By Ingrid Srinath, Centre for Social Impact and Philanthropy at Ashoka University

July 2026 saw an interesting turn of events in India. The Minister for Education resigned his position in response to relentless protest against rampant mismanagement of a national examination that determines the fate of millions. Triggered by remarks by the Chief Justice of India referring to unemployed young people as cockroaches, a satirical website calling itself the Cockroach Janata Party (CJP) drew 27 million followers in a few days. Its creator and his colleagues, successfully mobilised tens of thousands of students at a protest site in New Delhi. They were joined by prominent activists who went on hunger strike in support of their demand that the Minister take accountability for the mess and resign. The brutal response by the Delhi Police, and the protestors' resilience, wit and humour in the face of it, won nationwide support despite a massive disinformation campaign by mainstream media, as the movement multiplied virally on alternative and social media. The movement won promises that its members would be protected from retaliation in the form of criminal charges. It has also catalysed multiple local protests by students across India and issued a national call for volunteers to inspect and report on the conditions in public schools across the country.

The government was not the only entity taken by surprise at the scale, intensity, and speed of the CJP's growth. Mainstream civil society organisations and traditional media alike were slow to notice and respond in a context where, over the past decade, democratic rights and civil society freedoms in India have been progressively throttled via restrictions on international funding, intimidation and harassment of nonprofits, co-option or takeover of mass media, legislative and budgetary erosion of hard-won rights, suppression of dissent at universities, weaponisation of investigative agencies, together with draconian laws against political opponents and activists, persecution of minorities, capture of the institutions that are custodians of national data, assaults on freedom of expression and assembly – offline and online, as well as subversion of the institutions that manage elections and the processes by which campaigns are financed.

India's ratings on global indices from the CIVICUS Civic Space Monitor, the V-DEM indices on Democracy and Academic Freedom, to the RSF World Press Freedom Index, and Freedom House's Freedom

in the World, among others, have slid precipitously over the past decade. India also holds the dubious record for the most internet shutdowns in the world, routinely deployed to curtail expression and assembly. Official statistics report that 37,724 nonprofit organisations have either had their permission to receive foreign resources cancelled or expire, leaving only 14,451 eligible. Yet, the government has twice in recent months been compelled to defer legislation that would have placed further obstacles in this direction, another novelty in a country where legislation proposed by the ruling Bharatiya Janata Party typically sails through Parliament in a matter of hours without substantive debate.

Do these recent developments indicate that Indian democracy and civil society are in much better shape than the ratings portray? Is this a point of inflexion toward restoration of rights and freedoms? Without gainsaying the salutary effects these recent victories have had on civil society morale and confidence, and the inspiration they have provided to citizens, especially youth, to seek accountability on a range of issues, juxtaposing them against the broader picture suggests optimism may be at best premature and at worst unwarranted.

Other countries in South Asia and around the world have witnessed protests by 'Gen-Z'. The CIVICUS 2026 State of Civil Society Report lists 15 countries where young people have risen up seeking greater accountability from authoritarian regimes with varying degrees of success. Traditional nonprofit organisations and domestic philanthropy were starkly invisible in the Indian protests. With those groups, the government's repressive strategies have been more than effective. Faced with constraints and attacks on every front, NGOs have largely been silenced. The combination of ever more stringent funding restrictions through amendments to the infamous Foreign Contribution Regulation Act (FCRA), narrow definitions of permissible philanthropy via the CSR rules of the Companies Act, diminishing tax incentives for philanthropy, as well as allegations of tax evasion, money laundering, and sedition against NGOs and activists, have resulted in widespread fear of reprisals for any work that challenges government data, policies, actions or inaction, that criticizes or lampoons political leaders, or that seeks to amplify marginalised voices, especially in regions like Kashmir or India's northeastern states. Long drawn out, tortuous judicial processes have resulted in activists being imprisoned for years without being brought to trial or given bail. By the time an individual or organisation has been exonerated (as almost all eventually are despite widely compromised judicial independence), their financial assets, reputations, families, livelihoods and lives are irreversibly damaged.

Legislative action by both Central and State governments, and erratic enforcement of existing policies, coupled with crony capitalism have eroded the rights to information, work, food, education and environmental protection that were won by decades of unrelenting work by grassroots movements. A steady campaign that discredits and demonises civil society as a fifth column attacking India's national security, economic progress and cultural values is abetted by a pliant media and armies of online trolls, many of whom advertise the favour in which they are held by senior government functionaries. On August 15, in his Independence Day address to the nation, the Prime Minister warned against 'Dimagi Naxals', entities who allegedly provide intellectual cover and other forms of support to those who seek to undermine the state by violent means.

Independent media, in turn, are subject to funding restrictions, loss of advertising revenue, harassment, intimidation, and censorship (legal and extra-legal) for failure to toe the government line. Beyond news media, the entertainment and publishing industries too are incentivised to promote propaganda, with alternate viewpoints silenced by censorship and intimidation. This extends beyond the traditional film industry to streaming platforms, book publishers, social media, even live performances

and events. Conversely, content that supports or amplifies the positions of the ruling party receives accolades, amplification, access to the powerful, and tax exemptions.

India's data institutions, once globally respected for their quality, are being hollowed out through suppression of reports of poor economic or social performance, vilification of the institutions – Indian and international – that issue such reports, restricting funding to independent research institutions, denying visas to scholars, and by the appointment of leaders more amenable to capitulation. Simultaneously, official reviews of electoral rolls and citizenship records have disenfranchised millions of Indians, especially Muslims. One may be denied citizenship and be deported even when one has submitted multiple documents that establish inter-generational domicile in India.

Most persecuted are India's minority communities. The legitimisation and normalisation of violence – boycotts, beating, rape, lynching, demolition of homes and places of worship – has rendered India's Muslims, Christians, and oppressed castes entirely vulnerable to every form of exclusion, discrimination, and exploitation. Seeking redress often results in prosecution of the victims rather than the perpetrators. Laws such as those that purport to prevent forced religious conversion, that protect Hindu women from 'love jihad', an alleged conspiracy by Muslims to lure them into relationships in order to effect a demographic shift, and Uniform Civil Codes whose stated goal is to standardise personal laws across faiths, are routinely turned into tools of harassment of those in inter-faith relationships and their families.

It is their ability to transcend the pervasive fear, their freedom from institutional structures and encumbrances, their independence from formal funding channels, and their adept use of social media rendering traditional media irrelevant, that allows Gen-Z, the farmers' movement, resistance by indigenous tribal communities, anti-caste movements, and others to emerge, and often prevail, despite the fetters that hold formally organised civil society groups in check. These movements, together with a handful of activists, lawyers, journalists, and, interestingly, stand-up comedians, are currently the main resistance against a majoritarian, authoritarian takeover of India's democracy. Whether these will gain momentum, find mass popular support, build mutual solidarity, and translate into electoral outcomes remains moot.

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V. A Perspective from Germany

by Rupert Strachwitz, Maecenata Foundation

The rise and growth of civil society since the 1990s to a veritable "soft power" (viz. Nye 2004) in world, European, and national politics, prompted by the success of civic action in Central and Eastern Europe including East Germany in 1989/1990 resulted in traditional power centres losing followers and trust with increasing speed. While compared to other countries, human and civil rights, democracy and the rule of law seemingly continue to flourish in Germany after reunification, a closer view reveals that on a number of issues, we may observe a backsliding process. As Merlani Barlai argues, the process is a soft one as opposed to the hard ones witnessed when an authoritarian regime takes over (2025, 25). It is rooted in a German Hegelian tradition of overstating the authority of the state. E.g., 'rule of law' is habitually mistranslated as '*Rechtsstaat*' (a law-abiding state). This however means something quite different, in that the state can sign anything into law provided the constituional process of doing so is preserved, rather than that the state is bound by principles of law that transcend the powers of the state.

CIVICUS, in its latest annual Monitor, saw reasons for downgrading Germany for the second time. In 2023, Germany's civil society had been rated as 'narrowed' rather than 'open' due to police action directed at protests against government Covid policies. In 2025, the rating was 'obstructed'. "This sharp decline reflects a continued and all-encompassing crackdown on Palestine solidarity, with protesters facing severe police brutality, and civil society organisations subjected to raids and funding cuts." (Civicus 2026)

In 2025, the attacks on civil society, on NGOs, as the attackers prefer to call them, prompted by extremist political movements and the conservative Christian-Democratic Party, became a real issue, when the latter fell in to a trap set by the ultra-right wing AfD party and tabled a parliamentary enquiry accusing 17 selected organisations of using government funds to denounce government policies (Strachwitz 2025, 3). The argument was picked up by the media and led to a broad public controversy over government funding for CSOs and their right to participate in political discussions. The strategy entailed influencing public opinion in favour of silencing civil society's watchdog function and to curb government funding for CSO activities in general. The term NGO was part of the argument in that the 'non' was purposefully used to show that CSOs were not the right people, were not legitimate, were extremists, and implied they were inherently left-wing, "woke", and destructive, and were influencing the citizens in an illegitimate manner and to an intolerable degree.

Some conservative politicians soon realized they were on the wrong track; others persisted in their attempts to delegitimize non-governmental activities. In arguing for tight government control, they remembered a clause in the German Constitution which accords political parties a privileged, but by no means an exclusive role in forming the citizens' political will. Clamouring for tighter government supervision of civil society activities was a response to the fear that the party-political establishment might be 'kicked out of the driver's seat' in favour of a plethora of new bottom-up movements.

In the course of 2025, what had appeared to be a game of German party politics in the run-up to the federal election, emerged as part of a bigger picture. Not only did the issue spill over into the European

Parliament, prompted by German MEPs (Strachwitz 2025, 2). As the new government proceeded to reframe and cut down government grant programmes, dialogue between government and civil society experts dropped to almost zero, and the government communication machine saw to it that civil society received virtually no informed media coverage, while the attacks were repeatedly picked up by the more conservative media.

Gradually, by comparing events in Germany with what was happening in other countries and by realizing the extraordinary similarity of the arguments used, the bigger story was understood. Attacking civil society fitted a narrative whereby the age of democracy was supposedly ending due to its inefficiency and a new age of autocratic governance supported by technology rather than by democratic support was due to begin. The MAGA movement in the US and its supporters, notably Peter Thiel were actively supporting this transition and its ultra-right-wing allies in Europe. On 14th February, 2025, only two weeks before the German election, US Vice-President JD Vance, who owes his political career to Thiel, speaking on the record at the Munich Security Conference, denounced the state of civil rights and democracy in Europe and met with the leader of Germany's ultra-right-wing party AfD (Stephens 2025, 82-83).

Colin Crouch, in writing about post-democracy, observed: "We [...] depend massively on organisations and informal groups, often surviving on shoe-string budgets, that make it their business to keep a sharp watch on what governments are doing, and to blow loud whistles when they suspect abuse." (Crouch 2020, 150). He made it very clear that it is not the government that needs to exercise tight control over civil society, but rather civil society's mission to control the government, all the more so since the checks and balances within the system of modern government have apparently ceased to function. The existence of an independent and thriving civic space, "a vibrant civil society" (Levitzky & Ziblatt 2018, 100), is thus defined as a precondition of a functioning and resilient democracy. "Civil society - as well as public and private organisations that promote active and critical citizenship - plays a crucial role in safeguarding democracy". (Herbers 2025, 51) Battling civil society becomes more than just a party-political squabble. It should be seen as part of a broader strategy aimed at destroying democracy. Backsliding democracy and minimizing and potentially terminating the role of civil society and philanthropy are obviously intertwined.

The good news is that civil society has not proved to be so easy to put down as some people believed. Putting a stop on government funding has made life for many civil society organisations difficult, but has not resulted in their activities plummeting. Some politically active CSOs had never accepted any government funding on principle and had their own funding communities, so were not affected by grant cuts nor by the public utterances that accompanied them. Furthermore, the attacks prompted a wave of solidarity within civil society. The Association of German Foundations surprisingly came out strongly in defence of political activism. Large welfare and health organisations like Caritas and the Red Cross, providers of most social and health services employing 2.8 million staff, made a point of publicizing that they too were civil society organisations. When their opponents attempted to make a distinction between "good" civil society service providers and "bad" civil society activists, it was too late. More and more citizens realized civil society was one large, albeit heterogenous arena in the public sphere, all the more so, since service providers made it known that they were advocacy organisations, and intermediaries that they considered themselves watchdogs (Strachwitz 2021, 7). While public officials, anxious to comply with the wishes of their political masters, became ever more careful in authorizing grants to CSOs, academics and citizens supported civil society and encouraged CSOs not to give in to pressure but to see it as a learning experience, revisit their accountability, funding structure,

and communication, and present valid arguments for their legitimacy and programmes. In so doing the civic space will prevail and emerge from this conflict as a stronger and better argued force in an open society, an ally in the battle between democracy and autocracy (viz. Applebaum 2024), and fit to contribute substantially to the necessary debate. But while civic solidarity across borders will certainly be in demand to make this happen, even more transnational cooperation will be needed to give the concept of an open society a new life-span in the face of its enemies (viz. Popper 1945).

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