Authoritarian practices on the rise? Reflections from a Médecins Sans Frontières research programme on the engagement between international humanitarian non-governmental organisations and states

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The engagement between international humanitarian non-government organisations (INGOs) and states has long been a contested space. This theme has become more pertinent against the backdrop of a widely perceived global 'rise in authoritarianism'. This paper presents research by Médecins Sans Frontières (MSF) into factors influencing INGO-state engagement. The research examined the principal factors that influence the attitudes that states take towards international humanitarian NGOs working on their territories during situations of crisis. This paper reviews the findings from four field case studies (Bangladesh, the Kurdistan Region of Iraq, Chad, and Italy) as well as findings from a desk study on the current situation in Afghanistan and a review of MSF's history with states. The research was grounded in a theoretical framework which integrates the concepts of authoritarian practices (Glasius), regulatory practices, the differentiation between strategic and tactical levels of engagement, and conceptions of legitimacy.

KEYWORDS

humanitarian access, states, humanitarian crises and aid, MSF, authoritarian practices

Introduction

International humanitarian non-government organisations (INGOs) provide a variety of forms of protection and assistance to victims of humanitarian crises and emergencies across the world, such as the provision of water and sanitation, food, healthcare, and shelter. Such crises may include wars, forced population displacements, epidemics, or natural disasters. Implementing humanitarian operations in such contexts enmeshes organisations in a set of relationships with governments that are often difficult, tense, and contradictory. Because they are external actors, humanitarian INGOs must negotiate their presence and their actions with the government in charge (as well as with any non-state armed actors who control territory). In only very exceptional situations can humanitarian INGOs operate completely independently. In most cases, governmental consent and cooperation will be required and governments will have their own interests which inform whether they tolerate humanitarian operations on their territories. A government might deny humanitarian access to certain populations as part of a war-fighting strategy or they might insist that assistance can only be provided via the government's own agencies. Negotiations between humanitarian INGOs and governments on

acceptable conditions can therefore be a fraught process, and humanitarian organisations often struggle to develop an appropriate negotiation strategy.

With this background in mind the authors, working with the Reflection and Analysis Network at Médecins Sans Frontières (MSF), launched an operational research project to better understand the factors which influence the success or failure of MSF, and humanitarian organisations more generally, to engage and negotiate with states. We asked ourselves: What are the principal factors that influence the attitudes that states take towards international humanitarian NGOs working on their territories during situations of crisis? And more importantly, what do government officials themselves consider to be these factors? It should be noted that this operational research was conducted within the worldview of one particular humanitarian organisation, MSF, which has struggled over the years to find appropriate engagement strategies to use when dealing with what has often been termed in the organisation 'strong' or 'assertive' states. Often these terms have been used to describe governments which put barriers up to thwart the unhindered provision of humanitarian assistance. This multi-year research project aimed to push the conversation forward within the organisation by challenging assumptions, articulating a new vocabulary, and finding a new theoretical framework to use in the organisation's engagement with states.

Médecins Sans Frontières has a long history of working in such fraught contexts dating back decades in countries including Ethiopia, Sudan, Myanmar, Russia, Eritrea, North Korea, Turkmenistan, and Sri Lanka, each context exhibiting different characteristics but all perceived to be 'difficult'. In our own review of this history (partly informed by our personal involvement in many of these contexts working with MSF) (see Healy and Cunningham, 2023), we identified three main trends. The first was the significant role played by MSF's public communications in determining its relationships with governments. In many cases, MSF's public communications about what it had witnessed during humanitarian crises had angered governments and led to significant repercussions, including in a small number of cases expulsions and suspensions. The second was the consistent difficulty of negotiating with governments about particular population groups that a government considers to be an 'enemy' or at least suspect in some way. For example, if an armed opposition group held territory populated by people in need of assistance it often provided difficult, if not impossible, for MSF to successfully negotiate with governments to access those territories and people. In such cases alternative methods of access had to be considered such as cross-border operations. A third theme was found not so much in the moments of crisis but in the years between them, for in fact negotiations with these governments have not always been impossible. Indeed, MSF has often been able to run large, relevant, and successful medical operations in many of the countries listed above during times of relative stability in its relations with the government.

Within the broader international humanitarian community the discussion of engagement with states has generally coalesced around the theme of 'shrinking humanitarian space' (the literature is large; for a broad review of themes see Abild, 2010; Hammond and Vaughan-Lee, 2012; Audet, 2015; Brass, 2016; Roepstorff et al., 2020; Annan et al., 2021; della Porta and Steinhilper, 2021; Kool et al., 2021; Nahikian and Emmanuel, 2023). This concept relates to the perception in the humanitarian world that states actively prevent, obstruct, or restrict humanitarians from helping people in need. The metaphorical and physical 'space' within which humanitarians operate is therefore being actively constricted by states and managing this situation creates ethical dilemmas for humanitarians (Leepora and Goodin, 2013; Lidén and Roepstorff, 2023). But this notion is contested. Collinson and Elhawary (2012) argue that it is misleading, as there was no 'golden age' in which humanitarians were free from politically-imposed constraints, while Hilhorst and Jansen (2010, 1120) argue that the concept is better identified as an 'arena, where a multitude of actors, including humanitarians and the disaster-affected recipients of aid, shape the everyday realities of humanitarian action', rather than as a clearly demarcated, unchallenged 'space'. Shrinking space is also a difficult notion to demonstrate empirically. Possibly the best dataset on restrictions on humanitarian access is produced by ACAPS (see ACAPS, 2023), which uses a set of indicators which clearly show the difficulties that humanitarians face in many countries, but which is less able to define why these difficulties exist, how many of them are due to deliberate government interference and how many to happenstance. On the side of security threats which limit access much work has been done by the team at the Aid Worker Security Database (AWSD)[1] (see also Fast, 2014).

The concern about fraught relations between INGOs and states connects to a wider anxiety about the rise of authoritarianism worldwide (Cunningham, 2023). Examples include the defeat of the Arab Spring and other popular uprisings, a wave of military coups across the Sahel belt of Africa, the invasion of Ukraine by Russia, and in the West the elevation of far-right parties and candidates to power. Much has been written about modern authoritarianism, from the development of fascism in Europe in the early 20th Century, through the Cold War, the process of decolonialisation, and the rise of China (Hirono, 2013). Much recent work has delved into the theme of authoritarianism in the contemporary world (Svolik, 2012; Escriba-Folch and Wright, 2015; Tansey, 2016; Frantz, 2018; Geddes et al., 2018; Gandesha, 2020; and Berberoglu, 2020). Work by the Bertelsmann Stiftung (2022) shows a clear decline over the previous decade in all reported political, economic, and governance measures, including the rule of law, stability of democratic institutions, economic and social inclusion, consensus-building, and international cooperation. It also shows a marked decline in states' conflict management capacities. Researchers have also shown that this 'autocratization' (V-Dem, 2023) has had dire effects on many forms of freedom of expression and association. Of particular note for humanitarian organisations has been the hardening of barriers to entry and exit for civil society organisations and increasing repression against civil society organisations (CSOs) (Labonte and Edgerton, 2013; Walton, 2015).

One motivation of this MSF research project was to find a new 'mental model' for the organisation to use in responding to these operational concerns and anxieties. For an operational humanitarian organisation with an emergency, 'get things done quickly', focus, a mental model refers to an instinct that guides a response or a lens through which a situation is analysed. During the inception stage of the research project we articulated a set of theoretical approaches that were robust but also resonated with the particular worldview of the organisation. These theoretical approaches informed both the conduct of the research as well

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1 https://www.aidworkersecurity.org/about

as the interpretation of the findings and will form the basis for socialising the findings into operational practice within MSF (the next, on-going, stage of the project). The next section reviews these approaches.

Theoretical approaches

A dominant perspective in MSF has centred on the supposedly increasing number of 'strong' or 'assertive' states in the developing world which it has been argued are willing to exercise their sovereignty over humanitarian actors working on their territories (Magone et al., 2011; Del Valle and Healy, 2013; Kahn and Cunningham, 2013; Rubenstein, 2015; Cunningham, 2018; Mclean, 2018). Focus has been on the examples of 'authoritarian regimes' such as Sudan, Ethiopia, Sri Lanka, Turkmenistan, Myanmar, and Russia, all countries where governments have proved more than capable of directing international humanitarian organisations to align to their political interests, constraining access, or even blocking them from working altogether. Through this research project we have aimed to challenge this limited view and propose alternative ways of conceptualising the INGO-state relationship and offer a new vocabulary, moving away from the use of the term 'strong states'.

Developing a theoretical framework was an iterative process. Based on a pre-existing body of research by the authors which elaborates on the theme of authoritarian practices and humanitarian negotiations (Cunningham, 2023), we choose to adapt Glasius' work on authoritarian practices to help ground the research in a way that would resonate with the organisation's action-based worldview. We added to this a focus on regulatory practices, a theme of a previous research stream within the organisation. In addition, two further approaches were added to the framework which were derived from the inception stage of the study: Differentiating between strategic and tactical levels of engagement and conceptions of legitimacy.

Authoritarian and regulatory practices

Being field-level research for an operational INGO we focused on the type and nature of the practices in which states engage. In particular, when analysing government restrictions we used an adapted form of the authoritarian practices conceptualisation by Glasius (2018):

- Authoritarian practices: These are 'a pattern of actions, embedded in an organised context, sabotaging accountability to people ("the forum") over whom a political actor exerts control, or their representatives, by disabling their access to information and/or disabling their voice' (527). For our purposes we took these as actions that one would instinctively understand to be those implemented by 'authoritarians regimes' (of whatever political persuasion), such as hindering the democratic process and decreasing the space for civil society actors to operate autonomously.
- Regulatory practices: This was a category of our own suggestion, encompassing measures which humanitarians feel to be restrictive but which are not properly authoritarian but rather might be purely administrative or bureaucratic in their nature.

Although Glasius is focused on domestic actors, international aid actors are also objects of governmental attention. Authoritarian practices attempt to disrupt accountability to humanitarian norms, limit access to populations to be assisted, and constrain action, advocacy, and public communications. As seen throughout its history of engagement with governments there is a reason why MSF's public communications is often so sensitive for governments, as this is an attempt to call them to account which they do not appreciate. Certainly, the pattern of action states direct at international aid actors will be different than the authoritarian practices targeted at their own people. Sabotaging accountability, however, remains a key concept in both cases and the two dynamics surely intersect.

Authoritarian practices, however, need to be distinguished from other forms of government regulations. Not every measure that obstructs humanitarian action can be considered authoritarian, as every government has border regulations, customs controls on drug importation, tax procedures, reporting requirements for registered charities, and so on. Sometimes these measures can be politically motivated; sometimes they are entirely legitimate exercises of a government's responsibilities. Often, they are a complex mix of both.

Strategic and tactical levels of engagement

It became apparent early on in the study how important it was to clearly distinguish between different levels of analysis. In our study of engagement efforts we sought to differentiate between the 'strategic' and 'tactical' levels. The 'level-of-analysis problem' has been discussed in the literature for many decades (Singer, 1961). Choices must be made about how objects of study will be arranged, framed, and studied. In our research, the decision to examine practices helped narrow down the choices, yet we were still left with a divergent set of practices which had to be properly ordered. The distinction between strategic and institutional legitimacy (Suchman, 1995) is useful, whereas organisations either obtain their legitimacy from their operational environment in an instrumentalist way (strategic) or from the cultural environment within which they operate in the form of constitutive beliefs (institutional). In a similar way, it is important to examine the institutional (values and beliefs) as well as operational (activities) levels of analysis of state-INGO engagement and define their unique properties. In our research, we break this down into the concepts of 'strategic' (aligning negotiations with values) and 'tactical' (getting things done) levels of engagement, which should not imply that these levels actually exits as objective categories but are useful theoretical constructs allowing for the proper analysis of practices.

To be more precise, tactical-level engagement aims at solving problems in the here-and-now. This is the level of the tax and customs authorities, visas and travel permits, or lower-level negotiations about reporting mechanisms. Strategic-level engagement aims at higher-level relationship building. These are political discussions with government officials involved with policy formulation rather than implementation. Topics of discussion may include humanitarian principles and values. Strategic-level does not always imply 'longer-term' in time but does imply longer-term in outlook as opposed to the pressing needs of the present.

Framing legitimacy

Humanitarians often frame humanitarian engagement with states in an overwhelmingly negative manner: Why are they blocking us?

Why are they so suspicious of us? What causes all these problems we have with them? But we would argue that humanitarians can also fruitfully start one step back and ask themselves on what basis might governments and societies see us as legitimate actors? And what might be the sources of that legitimacy?

When working with practices, framing legitimacy is highly useful (Collingwood and Logister, 2005; Walton et al., 2016). Legitimacy can be defined as a 'generalized perception or assumption that the actions of an entity are desirable, proper or appropriate within some socially constructed system of norms, values, beliefs and definitions' (Suchman, 1995, 574). In our study, the system of norms under investigation relates to humanitarian principles and international humanitarian law. These are the formal and informal rules which surround the humanitarian act. Taking this as the basis of analysis, the next step is to differentiate between types of legitimacy. Three different types have been suggested (Suddaby et al., 2017, 451). First, legitimacy as 'a thing—that is, a property, a resource, or a capacity of an entity'. This is then 'legitimacy-as-property'. The second is legitimacy as 'an interactive process' and 'from this view, the term "legitimacy" is perhaps less revealing than the term "legitimation."' This is 'legitimacy as process'. The third is legitimacy as 'perception or evaluation'.

Against these categories, humanitarian INGOs can gain legitimacy through association with the humanitarian act and can attempt to gain legitimation through the process of implementing humanitarian action. INGOs will be continually evaluated and are objects of perception by external agents, including governments. If an INGO is considered to be legitimate by a government it can use this resource in negotiations. In all three ways our study considers legitimacy as a social process that can be looked at from a sociological perspective (Johnson et al., 2006) and demands careful analysis. Related specifically to the practices surrounding legitimacy in humanitarian action, Calain (2012), building on work by Slim (2002), sought to define the sources of MSF's legitimacy and identified these:

- Sources derived from law (such as international humanitarian law).
- Sources derived from moral values (particularly 'a universalist view of distributive justice and collective responsibility').
- Generated sources (such as its technical expertise, its performance, and its relationships with and support from civil societies and medical communities).
- Intangible sources, such as trust, integrity, and reputation.

These are clearly a mix of property, process, and perception. As we will see in the findings described below, in each of the four case studies we saw a mix of these sources at play in a complex and dynamic relationship.

Within these theoretical considerations an operational research methodology was established, as discussed below.

Methodology

The objective of the research was to examine real-world practices aligned with the perspective that a case is 'an edited chunk of empirical reality where certain features are marked out, emphasized, and privileged while others recede into the background' (Lund, 2014, 224). In this case, the 'chunk' is comprised of a set of case studies which together form a snap-shot of current conditions. The approach chosen was qualitative and involved extensive contextual, discursive, and historical research methods. A pre-field research inception report clarified the purpose and aims of the research, established our theoretical approaches as described above, and articulated several themes to help frame the questions examined. These statements acted as starting points for our investigation:

- States have their own views on how to engage with international aid actors seeking to implement projects on their territory.
- Each state has its own historical and cultural understanding of aid. Policies are never made in isolation from what has gone before.
- States are influenced by international trends in aid policy and learn from each other.
- Humanitarian aid is not a static concept and the humanitarian norm is adaptable. The humanitarian sector develops swiftly and states pay attention to these developments.
- Situating properly the locus—the central point, for engagement is the first step to negotiating an acceptable outcome for humanitarian organisations.

The field research centred on key informant interviews with government officials in four countries in which MSF worked: Bangladesh, the Kurdistan Region of Iraq (KRI), Chad, and Italy. These countries were selected to ensure a broad range of geographical, cultural, and socio-economic contexts, as well as being cases inhabiting differing locations on a spectrum of 'difficult' governments. Research on state-humanitarian engagement has tended to focus on the most difficult cases (see, for example, the countries chosen in Weissman, 2003; Magone et al., 2011; and Cunningham, 2018), but in our view this choice of cases skews the findings towards situations where truly successful negotiation strategies are unlikely to be found. Instead, the four countries we chose to investigate all have governments that pose considerable challenges to humanitarian INGOs, of various kinds from bureaucratic impediments to outright criminalisation of humanitarian actors, but in which MSF has been able to launch and maintain significant operations. Such cases present an increased likelihood for understanding both the failings and successes in state-humanitarian INGO engagement.

The political form that the governments took varied considerably. One was an advanced liberal democracy; another was a military dictatorship; the other two were 'hybrid' regimes. The levels of development differed widely between contexts, from high-income, to rapidly developing, to one of the world's poorest. The poorer the country, the deeper the impact of 'aid dependency'—this was certainly the case in Chad. The degree of social conflict and political violence differed between cases, as did the level of corruption by extent and type. The regional geopolitics within which governments acted differed greatly—some neighbourhoods are rougher than others, although all four were troubled in their own ways. The role of the media was not always high. In two cases, KRI and Chad, there was barely an active press at all, but in Italy and Bangladesh the media was crucially important to political decision-making. The nature of civil society, and even what constituted civil society, was multi-faceted, messy, and layered, and differed in each case. Clear distinctions between types of civil society organisations and formal political actors were often hard to make and were specific to each context. Social and

cultural aspects and experiences with colonialism differed widely, which influenced how governments engaged with the 'international community' and international actors. The history of aid in each country was an important specific variable. In all cases, humanitarians have played vital roles over decades, albeit in very different ways. Of especial note, criminalisation of aid was not pervasive in all cases. We saw a very clear example of this phenomenon only in Italy, where humanitarians have been charged with criminal offences for providing humanitarian assistance.

Each case study was researched by a small team of international and local researchers.[2] In each case, one international researcher (two in the case of Chad) was chosen on the basis of having direct experience negotiating with governments on behalf of MSF, and one national researcher chosen on the basis of their deep contextual knowledge of the particular country, linguistic capacity, as well as the strength of their networks. One potential difficulty with this methodology was whether government officials would agree to meet with our researchers and, if they did, whether they would be willing to discuss their points of view openly and honestly. In all four cases, however, such concerns did not eventuate and many government officials readily accepted our requests for interviews. The tenor of the interviews did vary—some were more formal and diplomatic in nature, and some informants were guarded or in a few cases suspicious until the researchers were able to adequately explain the purpose of their work. But in most cases researchers were able to build rapport and have substantive conversations with officials who were willing to share many aspects of their thinking.

Informants consented to be interviewed on the basis that what they said would be kept confidential and their names (and sometimes positions) were not reported. In each of the four cases, 20–30 government officials were interviewed, including at capital, provincial, and local levels. These informants came from various ministries, including foreign affairs, health, refugee affairs, and civil administration. They also included governors, members of the security agencies, and Members of Parliament. In addition to interviewing government officials we also interviewed a number of representatives of civil society, including local and national humanitarian responders, human rights monitors, academics, representatives of political parties, and journalists.

In addition to the four case studies we also conducted three 'desk studies': A review of OCA's history of engagement with a larger set of cases, focusing on the 'hard' cases, such as Ethiopia, Sudan, Turkmenistan, Russia, and Sri Lanka; a desk review of MSF's current engagement with the new government of Afghanistan; and a desk review of MSF's engagements with governments on epidemic response during the still-ongoing COVID-19 pandemic.[3] We also reviewed a recent internal MSF report on access constraints which focused on bureaucratic barriers.

Understanding government attitudes to international humanitarian actors must be properly contextualised. No single case

exhibited the same set of conditions and government officials we spoke to were often at pains to explain exactly what was specific about their situation and their institutions. Practices are embedded in complex economic, political, historical, social, and discursive environments. Therefore, each government was distinct and specific, each situation nuanced, and all needed to be understood as such. This underlines the importance of deep contextual understanding and the avoidance of generalisations. Contextual specificities will influence what factors are tactical and strategic, how legitimacy in established, and certainly is instrumental is defining practices of concern.

As part of this contextual understanding discourse analysis was also conduced. The objective was to understand what the government and other key actors had said over time, and how they had said it, concerning humanitarian crises and the role of aid actors in their country (see Cunningham, 2018; de Kok and Cunningham, 2023). Sources examined included formal and informal government discourse, official minutes, transcripts from press conferences, text from proxies (such as friendly newspaper editors), and discourse (written or verbal) from any other channels of communication most relevant to the context, such as social media posts. This proved difficult in a number of the cases, as in Chad and KRI there proved to be very little accessible discourse to analyse, as few government policies, speeches, or papers were publicly accessible and they were low-intensity media environments. Finally, a robust process of context analysis was implemented by the researchers prior to starting key informant interviews. The objective was to understand aspects of the context which were relevant to how states engage with INGOs, such as: Governmental structure, political culture, and the country's relations with its neighbours and the international community.

In the next section, we describe the main findings of the research and identify the key factors which influenced the attitude governments had towards humanitarian INGOs.

Findings

No government is monolithic, but more than that, no government is particularly well organised, efficient, or internally well-coordinated (and no aid organisations are either, for that matter). Misunderstandings, misperceptions, institutional frictions, poor communications—all of these were identified as major factors which influenced their engagement with humanitarians at all levels of analysis. We heard this clearly in our interviews with government officials. Vertically from local to provincial to national, and horizontally between departments and agencies, there were discontinuities, tensions, and disagreements within governments. Governmental policies were not always clearly articulated. Sometimes this was by design, sometimes this was the result of uncoordinated internal processes. There were often tensions between policy and practice and between different levels of government. The role that a government department plays had a major influence. Some, such as health or social welfare, might see humanitarians as helpers or resource-providers, while others might have no priority other than administration, and yet others, especially the security and intelligence agencies, see not only humanitarians, but potentially all things, with suspicion. Unclear political structures, mixed signals from above, hierarchical cultures, wide differences in the political and ethical values of officials, contradictions within and between different

government policies and values, and weak information flows up and down within governments, were all reported as affecting the way with which humanitarians were engaged.

It was surprising to us that in the large majority of cases our discussions with government officials were cordial and engaging. Once assured of the confidentiality of the discussions officials were usually willing to talk about their views, thinking, and experiences of engaging with aid actors and humanitarian assistance. This sense of legitimacy was not a foregone conclusion and we had prepared for much higher levels of suspicion or, at least, questioning about our purposes and intentions. This might have simply been a matter of politeness, for as researchers we were guests in people's offices, and as international humanitarians, guests in their countries. But some officials were quite forthcoming, even telling individual stories about what they appreciated about INGOs, and many were forthright in their criticisms even while remaining polite. These conversations might also have reflected the rarity of humanitarians coming to ask their opinions. Many government officials seemed to actively enjoy the discussions. Several in one country even described them as 'cathartic', after a period of high tension in relations.

Concerning engagement as a whole, however, the picture painted for us was quite different. Communications on both sides of the table were described as often being badly-handled with both governments and INGOs failing to communicate clearly. A few officials considered themselves to be 'humanitarian', but most expressed only a limited understanding of 'humanitarianism', and often had little idea about 'humanitarian principles'. Instead, many government officials spoke of an 'information gap' at the level of practices and said that they knew too little about INGOs and exercised too little control over them. They often did not understand what INGOs' intentions were, what they were actually doing, or how and on what basis they made their decisions. Multiple officials in Chad spoke of not being consulted at all by humanitarians about projects in their districts and criticised a 'lack of equity' in the relationship. All international actors were called simply '*les ONGs*' ('the NGOs'), regardless of whether they were from the United Nations (UN), Red Cross, or actual NGOs, and whether they were humanitarian, development, or peace-building actors.

Commonly there was a lack of trust, predictability, and transparency expressed, eroding legitimacy. Officials spoke on many occasions of their own belief, or that of their colleagues, that INGOs were corrupt, or were politically interfering, or were naïve, or did not care about or respect the wishes of the government or even its laws. We heard many conspiracy theories from government officials about humanitarians. In Bangladesh we heard from government officials that INGOs routinely lie about their programme activities in order to justify their funding, that they do not want to resolve the Rohingya crisis because then they would be out of a job, and even that they are conspiring with international governments to carve out a separate statelet for the stateless Rohingya. In Italy we heard from government officials that humanitarians considered themselves to be 'morally superior', and enjoyed that feeling, while being free from the tough decisions of policy and politics that government had to make.

Against this backdrop of suspicion, misunderstanding, and distrust, the research uncovered many examples of government restrictions on the work of humanitarian INGOs. Some constituted outright political interference, while others fitted more into the category of 'bureaucratic and administrative impediments'. It is possible in any given context to articulate an inventory of restrictive practices, relevant to each organisation at a particular period. These will change over time and would need periodic updating.

The critical views of governments were mirrored on the humanitarian side in their views of government and of government officials. We often heard a lack of understanding in how government institutions worked and of the realities of the political systems of countries. And certainly there was a similar level of distrust. In some situations, such as Chad and to a lesser extent in Bangladesh and KRI, humanitarians showed a tendency to underestimate the authorities, undervaluing their role in coordinating and facilitating assistance efforts, or overlooking their influence with communities and the population at large. Yet in other cases there was an overestimation of the level of political motivation of governmental actions. In KRI, for example, difficulties with gaining various permits were attributed to government policy, when they were more likely the result of the suspiciousness of individual officials. In Bangladesh, similarly, problems that arose from the simultaneously demanding and inefficient government bureaucracy were assigned to political interference. There was also a lack of recognition of how divided and dysfunctional governments can be. In Chad, for example, local government officials explained that they often needed humanitarians to advocate on their behalf to their own hierarchy, while in Italy, the different components of government can have entirely different agendas, even from one municipality, or one prosecutor, to another.

The picture which emerged for us was not wholly negative, though, as many government officials also spoke about positive attitudes of respect, trust, and legitimacy they and their colleagues held towards humanitarian INGOs. These positive attitudes are assets to humanitarians and forms of legitimacy they can draw upon in their engagements and negotiations even during times of difficult relations. Humanitarian INGOs bring considerable resources, financial and technical, to countries in situations of crisis. This is often understood by government officials especially more senior ones with a broader or longer-term vision. In many countries humanitarian INGOs have long histories of charitable work and are well-known with good reputations. Governments have long memories and government officials often fitted INGOs into the 'story' of their countries. This is a strong point of contrast with INGOs who often did not know their own history in a country. The personnel of humanitarian INGOs were often seen by government officials showing virtues of hard work, dedication, honesty, and a commitment to helping the worst-off. For example, in Bangladesh one government official recounted a story of going to receive refugees in the middle of the forest and meeting there, for the first time, MSF medics and being surprised by their dedication and hard work. Most fundamentally, humanitarian work itself is still broadly viewed by many governments, and many government officials, as a social good in and of itself.

Against this background INGOs must find ways to properly engage and at what level. The tactical and strategic levels of engagement demand different questions to be asked. At the tactical level, questions include: What are the main daily challenges in government engagement, and what are the ways of solving them? What capacities and contacts are available for this work? While at the strategic level questions include: How deep is the understanding of the interests and motivations of the top government leaders? Which interlocutors are known at these higher levels and who could help with developing a better understanding of the political situation? What resources can be deployed for this work? Networking, representation,

and solid context analysis depend on the development of a robust strategic framework.

In the cases we examined it became clear that in the rush to 'get things done' the tactical level is the one that demands immediate attention by INGOs, while the strategic level is often neglected. To provide one example, an MSF country office received 10 'letters of objection' from a governmental department ordering the departure of a few international staff. The country office started engaging high-level interlocutors they thought might be allies (such as in the ministry of foreign affairs and the commission for refugees). The response by the officials was that such objection letters were not appropriate and that they would themselves write to have them reversed. One senior commissioner called and said: 'Any time this happens, you come to me straight away'. On further enquiry, it seems that MSF had ended the contracts of several doctors who had friends in the security agencies who then drafted the objection letters. But through this strategic networking effort, the letters of objection were withdrawn. In an example from another country, when recounting to high-level interlocutors the organisation's complaints about abusive behaviour on the part of lower-level bureaucrats, the senior politicians stated that they were willing to intervene on MSF's behalf. The message was clear: At our level we set policy, the lower levels interpret and implement, and if they are doing this incorrectly it is our responsibility to intervene as we welcome your presence. The abusive behaviour was at the tactical level, the solution at the strategic networking level.

From both government officials talking about humanitarians, and from humanitarians talking about government officials, we saw a basic level of misunderstanding about how the other party works, both in terms of practices and also in terms of tactical and strategic positioning. The exception to these rules about understanding and misunderstanding were security and intelligence agencies. In the cases we examined they all played a central role in governmental relations, not only with humanitarians but with all actors, but with which it was usually difficult, if not impossible, to build and maintain connections. They were a 'black box', holding all the information but impenetrable to outsiders.

Power balances differed between cases. Each case we examined had a different balance of forces between government and international humanitarians and so different imbalances in power and dependence. In some settings, governments see little need or use for INGOs and perhaps see them mainly as a side issue or a nuisance. This was the case in Italy. But in a number of the cases we examined the government (or at least parts of it), needed the presence of international humanitarian actors at the strategic level. This might be because of the resources that they bring to the country as a whole (Chad) or to the management of a specific crisis within the country (Bangladesh). Or it might be because of the political recognition that INGOs provide now, or have provided historically, as part of the 'international community' (KRI). This need can make it substantially easier for humanitarian INGOs to engage with these governments as humanitarians can help governments meet their own interests. But this need, and dependence, is double-edged. Governments obviously do not like being dependent on INGOs, or the international community as a whole, and would like to withdraw from such dependence as soon as possible.

Humanitarian INGOs do have resources they can call upon in negotiations. In some situations, humanitarians have been able to appeal to international legal and normative frameworks, such as international humanitarian law, in their discussions with governments, and governments have occasionally been willing to meet those commitments, although this has often been more successful for United Nations or Red Cross agencies which have greater standing in international law than non-government organisations. In other situations, they have been able to frame their principles—of impartiality, neutrality and independence, in such a way to reassure governments that their intentions are purely humanitarian and will not clash with pressing political interests. Always central, however, has been whether and how humanitarian INGOs have been able to build and maintain productive relationships with government. Here, humanitarian INGOs face many challenges, as their understanding of the policies, interests, and structures of government might not be adequate; their networks with government figures might be insufficiently well-built; they might lack sufficient internal capacity in context analysis or in negotiation; or they might misunderstand why a government has formed a particular attitude towards them and misjudge their response.

Such political factors were at the centre of the considerations of government officials when describing their engagement with humanitarians. From the point of view of governments, international humanitarian actors are only one part of a much larger web of actors who are responding in various ways to the problems of that society (the 'arena'), and in governments' eyes, the spider in the centre of the web was of course themselves. At the core of governmental views of the actors that surround them are political considerations, specifically an assessment of whether a particular actor is a threat or not. Politics comes at multiple levels, from the day-to-day political calculations individuals make concerning their own positions, to the place of departments and ministries, to longer-term policies set at the highest levels of government. Strategic policies, written or unwritten, define the parameters within which all actors must work, but there is much room for interpretation in translating policy into practice at the tactical level. Indeed, the very process of analysing the specificities of the levels is contested.

Divisions also occurred within governments and each country had its own internal divisions, whether regional, political, resource-related, or ideological, that had to be understood as these divides were both the cause and the effect of the humanitarian crises occurring in each country. How a humanitarian actor engaged with these social and political divisions affected how they will be perceived by government. Here, the properties, process, and perception of legitimacy was key. This was most clear in Italy, as humanitarian INGOs are seen by the government, and seemingly by all social actors, as deeply involved in the political contestation about asylum and migration. In Bangladesh also international humanitarian NGOs were seen as supporters of the 1 million Rohingya refugees who fled Myanmar in 2017, so government and public attitudes towards them were heavily affected, positively or negatively, by their political views towards that issue. In KRI and Chad, this effect was less prominent, but still present on positioning around population displacement.

This situation, where humanitarians become part of the polarisation in society, has considerable implications for the politicisation of aid, which looks very different from a government's point of view. In their eyes, if a humanitarian actor is seen to be deliberately involving themselves in a 'political' matter (that is, in a matter which the government sees as 'belonging to them'), then that humanitarian actor is seen as a

political actor and hence as fair game for whatever political measures they deem appropriate (propaganda, administrative restrictions, even criminal charges). It did not matter if the humanitarian actor proclaimed itself as 'apolitical' and as 'principled', they were not outside the politics of the context and were not seen as such by government or other actors, impacting their legitimacy as humanitarian actors.

One last key factor affecting government attitudes was how humanitarian INGOs fitted into the larger constellation of 'civil society', at a tactical as well as a strategic level, and the extent to which the government felt friendly towards, or more commonly threatened by, civil society actors. In Bangladesh, a country with a large and vibrant civil society, there have been increasing controls placed on local actors and, to a lesser extent, on international actors especially when it comes to supporting any longer-term solutions for the Rohingya refugees. In Italy, another country with many civil society organisations involved in both social mobilisation and charitable works, both local and international actors have become central players in the political contestation about migration and have been subjected to various government attempts to constrain them. In Chad the situation was different as local civil society organisations were split between pro- and anti-regime forces, and the government had sought to crush local opposition while international actors have largely stayed outside the political fray and have instead focussed on humanitarian service provision. In KRI there are fewer independent civil society organisations and the two main Kurdish political parties dominate most of the civic space and international actors are therefore less subject to the political dynamics of state-society relations.

In all of the cases, INGOs were seen by governments as distinct from local civil society actors and were treated differently by them, informing at what level, tactically or strategically, governments chose to engage with international actors. There was certainly less repression of international organisations in comparison to local civil society actors. In one case, civil society activists were being violently attacked while international operations continued entirely unhindered. In another case, local and national NGOs were subjected to far greater scrutiny and control than international organisations. While in another, it is arguable as to whether 'civil society' even exists. Even in the one case where international NGOs were being actively restricted and criminalised local civil society actors told us of the far deeper set of difficulties they were facing.

The role of civil society actors more generally is important. International humanitarian NGOs like to see themselves as the natural allies of local civil society, but the relationship is more complex, and perhaps not as close or as allied as international humanitarian actors think. We did hear examples of alliances and cooperation, but we also heard from civil society activists who questioned whether INGOs were really on their side at all. Certainly, international humanitarian NGOs enjoy many privileges that local actors do not benefit from and they may choose to use (or not) that privileged position in different ways. In all the cases, the level of engagement that INGOs had with local civil society organisations was mixed, as was the level of understanding of the challenges they faced. International NGOs instinctively draw upon their status as actors external to the political context and base their engagement with states on this perspective. This in many ways may be an asset to draw upon, but there are also potential negative consequences to national civil society actors sharing the civic space.

Discussion

We argue that humanitarians need better analytical categories than the ones they have been using, such as 'strong states', 'assertive states', or 'authoritarian regimes', as they lack sufficient explanatory power and hide more than they reveal. Classifying these states by political typology ('authoritarian' vs. 'democratic') or by some measure of their capacity for control ('strong' vs. 'weak') offers little conceptual clarity or pathways to solutions for humanitarians. What matters is not the nature of the 'regime', but what it does, how it acts—its practices. A purportedly democratic government can be as prone to repressive acts and human rights violations as those which are widely considered to be authoritarian regimes, and many, if not most, governments would now be considered some kind of hybrid.

If the starting point is to look at practices, once an inventory of practices which constrain action is compiled we must ask what we think motivates the government's action: Is it seeking to 'sabotage accountability'? In which case, it might be properly considered 'authoritarian'. Is it an infringement on the autonomy and dignity of the person (or population), in which case, it may be considered 'illiberal' or a 'human rights violation'. Or is it an attempt by government to 'limit, steer or control social behaviour', in which case, it might be more properly considered a less threatening form of regulation. Finally, is the action by the government more properly examined as a tactical-level regulation with limited intent or a strategic-level set of policies with longer-term ambition? If we are in doubt about the government's motivations this could be the starting point for more investigation and analysis, to try to understand the relationship better. Based on this reading, a specific engagement strategy could then be defined which may uncover deficiencies of legitimacy that need attention.

As the above process suggests, we would argue that addressing government restrictions on humanitarians must start with being able to correctly diagnose the specifics of each case faced. In the case studies we saw on a number of occasions the risk of misdiagnosing problems with government and how differing diagnoses for a specific problem will lead practitioners towards vastly different solutions. If a particular blockage was actually the result of pressure from central government leaders, then the best way forward might be to address those government leaders directly, understand what their political interests are, and seek to negotiate a solution with them. But if a particular blockage is because an INGO's compliance to administrative requirements was poor, then the solution might be to simply improve the quality of paperwork. Confusing one for the other would result in a failed engagement, a continued blockage, and a detrimental impact on the organisation's legitimacy.

Distinguishing between restrictions that arise from political decision, from administrative requirements, or from rent-seeking, is therefore an important skill for any humanitarian worker seeking to negotiate with government. Much of this is based on perceptions of legitimacy and the role negotiations play in building upon or degrading the properties of legitimacy. This research has confirmed the usefulness of skills in discourse analysis in understanding and properly interpreting governmental perspectives on engagement with aid actors.

Conclusion

The theoretical framework used to frame the research added analytical power to the findings. Authoritarian and regulatory

practices; tactical and strategic levels of analysis; and sources of legitimacy are all factors in how state-INGO engagement progresses and are all useful perspectives. It is hoped that this modest contribution to the on-going sector-wide concern with how humanitarian INGOs and state engage will resonate with the broader humanitarian community.

Much more, however, must be done to improve our understanding how these perspectives contribute to improving engagement. For example, a greater nuance in recording practices should be found. Legitimacy needs further grounding in terms of properties, process, and perceptions. And the explanatory value of the tactical/strategic levels of analysis can be improved. Of particular interest is the improvement of the use of discourse analysis in such research.

Humanitarian engagement with states is a massive challenge and always will be. This fact is written into the very nature of humanitarian crises. We have found no easy solutions, and we did not expect to, because there are none. Rather, we argue that there is no substitute for deep contextual knowledge and for a strong commitment to the process of engagement itself and it is hoped that the mental models and the findings from this research will help INGOs respond to the challenges of engaging with states.

Data availability statement

The original contributions presented in the study are included in the article/supplementary material, further inquiries can be directed to the corresponding author.

Ethics statement

Ethical review and approval was not required for the study on human participants in accordance with the local legislation and institutional requirements. Written informed consent to participate in this study was provided by the participants.

Author contributions

AC: Conceptualization, Methodology, Writing – original draft, Writing – review & editing. SH: Conceptualization, Methodology, Writing – original draft, Writing – review & editing.

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In memoriam

During the final stages of preparing this manuscript my very good friend and long-time colleague, Sean Healy, suddenly passed away. Sean's contribution to our understanding of humanitarian action was immense. Our shared interest in state-INGO engagement had developed over the years and this will tragically be our last collaboration. Rest in peace my friend.

Conflict of interest

The authors declare that the research was conducted in the absence of any commercial or financial relationships that could be construed as a potential conflict of interest.

Publisher's note

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