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Author(s): Kontinen, Tiina; Nguyahambi, Ajali M.

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CHAPTER 6

Negotiating CSO Legitimacy in Tanzanian Civic Space

Tiina Kontinen and Ajali M. Nguyahambi

1 Introduction

In this chapter, we scrutinize civic space as an arena for action for organizations, groups, and individuals, the borders of which are continuously shaped and negotiated. One pertinent negotiation concerns legitimacy revolved around the question of what kinds of forms, actions, and goals within civic space are considered legitimate, in other words, appropriate and desirable, evaluated differently by diverse actors. In this vein, the restrictive measures on civic space can be seen as attempts to mould actions conducted by civil society organizations (CSOs) and citizens towards a direction considered more "legitimate" by the government. The chapter focuses on Tanzania, and especially on President John Magufuli's time of office that started in November 2015 and ended with

T. Kontinen (✉)
University of Jyväskylä, Jyväskylä, Finland
e-mail: tiina.t.kontinen@jyu.fi

A. M. Nguyahambi
University of Dodoma, Dodoma, Tanzania

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his unprecedented death in the beginning of his second term in March 2021. The period has been characterized as one of growing authoritarianism, national populism, and shrinking civic space (Paget, 2017, 2021), one when opposition parties, media, and CSOs were restricted and harassed. Internationally, CIVICUS categorized Tanzania as a country with "restricted civic space"[1] and Freedom House located it in the group of "partly free" democracies,[2] citing increased restrictions, deregistration, legal harassment, and the unlawful arrests of CSO activists.

However, some scholars argue that restricting dissent by opposition parties and citizens during Magufuli's term was nothing new, but an ongoing characteristic of Tanzanian democracy (Becker, 2021; Cheeseman et al., 2021; Morse, 2019). Provocatively, one could argue that there had never been a broad civic space to shrink, nor a liberal democracy to transform into a more authoritarian one; rather, diverse forms of authoritarianism have manifested over time since the formation of the independent state of Tanzania (Cheeseman et al., 2021). A multi-party democracy was re-introduced in 1992 after three decades of particular form of "African socialism" building of self-reliance. Nevertheless, the ruling party, Chama cha Mapinduzi (CCM), Party of the Revolution, has held power through all the frequent elections, with successful mobilization of support, especially in rural areas (Morse, 2019). Accordingly, President Magufuli ensured his second term with more than 84% of votes in the general elections of November 2020, which was seen as a consolidation of his "authoritarian turn" (Becker, 2021). As Shivji (2021) argues, however, while many suffered from "Maguphopia" due to his authoritarian tendencies, at the same time, a large part of the population genuinely participated in "Maguphilia", unprecedented support for and admiration of him.

Against this backdrop, we explore the particular restrictions to civic space during Magufuli and connect them with specificities of legitimacy negotiations of civil society action through evolvement of democracy in Tanzania. We identify some pertinent tensions in Tanzanian civic space, which we define as not only an arena for established CSOs engaged with human rights and advocacy, but also one in which individual citizens and informal groups can act to address issues meaningful for them. Such civic

[1] See https://monitor.civicus.org/country/tanzania/.

[2] See https://freedomhouse.org/country/tanzania/freedom-world/2021.

space can be restricted, or conversely enabled, by state-imposed limitations on freedoms or challenges related to citizens' capabilities, which can be manifested and experienced differently by various actors (Buyse, 2018; Malena, 2015), and are related to the political system which has been shaped over time (van der Borg & Terwindt 2014). Based on interviews with representatives of established, urban NGOs, we explore their experiences of restrictions during Magufuli's time and, further, investigate the long-lasting negotiations over CSO legitimacy to which their recent experiences relate, engaging in dialogue between NGO interviews and the findings of our previous research on rural self-help groups (Kilonzo et al., 2020; Nguyahambi & Chnag'a, 2020).

The chapter proceeds as follows. First, we discuss the intertwining concepts of civic space, legitimacy, and democracy, focusing on Tanzania. We then introduce our empirical material and report our findings on experienced restrictions and prevalent legitimacy negotiations. Finally, we connect our findings with a greater evolution of civic space in Tanzania over time and conclude by emphasizing the need to contextualize analysis of civic space and the legitimacy negotiations therein.

2 Civic Space, Legitimacy of CSOs, and Democracy

We define civic space as "practical room for action and manoeuvre for citizens and CSOs" (Buyse, 2018: 969). It can be restricted or expanded by a "set of conditions" (Malena, 2015: 14) introduced by state legislation and bureaucracy, as well as citizens' capabilities. We consider civic space not only the locus of action by formal civil society organizations struggling with issues such as registration (Anheier et al., 2019), but also a space where the "full spectrum" (Malena, ibid.) of activities by individuals as well as informal groups takes place. We do not treat civic space as synonymous with civil society (Popplewell, 2018) but contend that it is where "civil society actors" engage in "civil society action", which refers to a wealth of forms of organizing and mobilizing in which people voluntarily come together to address shared issues, not necessary only those critical of power (Kontinen & Millstein, 2017). The notion of civic space overlaps with that of "political space" for the operations of civil society (Popplewell, 2018; van der Borgh & Terwindt, 2014), which, similarly, entails threats to and opportunities for efforts to be legitimate actors in "political society" (Goertzel, 2010)—articulating diverse interests to be

acted upon by the government—which are experienced by individuals and groups in certain political contexts.

The foundation for civic space is the extent to which freedoms of expression, assembly, association, and participation, among others, are guaranteed (Malena, 2015: 14); it has been discussed both in reference to a general decline in democratic rights and to specific legal restrictions placed on CSOs (Dupyu et al., 2021: 5). The international "pushback" against democratization (Carothers & Brechenmacher, 2014: 1) has been seen as grounds for closing, shrinking, or restricting civic space, with Tanzania featuring among those states regarded as having "shrinking civic space" (Kwayu, n.d.; Paget, 2017), given its increasing restrictions on civic freedoms and CSOs since 2010. The discussion of shrinking civic space has often focused on freedom of the press, the existence of opposition parties, room for political dissent, and restrictions on well-established human rights CSOs mostly located in urban areas, while less attention has been paid to the kinds of action taking place within civic space in rural areas, where some 65% of the Tanzanian population resides. Therefore, this chapter reflects on both kinds of civil society action.

Drawing on Buyse (2018: 969) we suggest that civic space is not a static state of affairs but shaped in continuous interaction and negotiation between governments, civil society organizations, and citizens' groups. One central negotiation concerns the legitimacy of CSOs. In development research, CSO legitimacy has been discussed, first, in terms of performance, with a focus on how well they execute the promised roles (Edwards & Hulme, 1995). Second, investigations of representative legitimacy have tackled the question of whether CSOs really represent the voices and needs they claim to do (Atack, 1999; Banks et al., 2015). Third, the examination of the political legitimacy of CSOs (Popplewell, 2018; Walton et al., 2016) has extended the Weberian discussion of legitimacy as state authority to analysing whether CSOs have the legitimacy to exercise the power contracted by their assumed constituencies. Fourth, redefining the Weberian tradition, Dodworth (2022: 4) argues for legitimation as a "negotiated practice" whereby different institutions, including CSOs, "reproduce and compete for public authority". Fifth, drawing on the literature of organizational legitimacy, CSO legitimacy is seen as a social construct (Lister, 2003), involving perceptions of desirable and appropriate organizational action (Suchman, 1995: 574) continuously negotiated with different audiences (Deephouse & Suchman, 2008: 62; Lister, 2003).

In this respect, CSO legitimacy can be seen as a "balancing act" (Matelski et al., 2021) between different and often even contradictory expectations of appropriateness on the part of governments, communities, and international partners. Asymmetries in the balance between donor legitimacy demands, which stress professionalism and accountability, and community legitimacy as the ability to respond people's needs and priorities, have been extensively researched (Buchard, 2013; Claeyé, 2014; Dar, 2014; Girei, 2014, 2022), but the negotiations and processes connected with legitimation in multiple relations including those with the government at different levels, have received less attention (Dodworth, 2014, 2022; Matelski et al., 2021). We scrutinize CSO legitimacy as perceptions of appropriateness constructed in negotiations with different audiences, and seek to identify the themes that are pertinent to these negotiations in the Tanzanian context.

The legitimacy negotiations of CSOs take place within national political contexts (van der Borgh & Terwindt, 2014); the widening of civic space is typically connected with democratization, while restricting civic space has been seen as a feature of pushback against it (Carothers & Brechenmacher, 2014). In analysing changes in civic space, the kinds of democratic settings which shape it need to be acknowledged. "Democracy" can feature, for instance, as formalized rather than substantiated (Stokke, 2018), as electoral autocracy rather than liberal democracy (Morse, 2019), or as governed by informal patrimonial and ethnic networks rather than formal democratic processes (Cheeseman, 2018). Tanzania has adopted democratic institutions, allows multiple political parties, conducts regular elections, and has maintained the limitation of two presidential terms per incumbent (Cheeseman, 2018). Nevertheless, it has been ruled by one party, CCM, that has continued to be a "credible ruling party", dominating elections without extensive manipulation (Morse, 2014, 2019) while continuously hindering large-scale mobilization by opposition parties (Cheeseman et al., 2021; Paget, 2017). In the general elections of 2015, the opposition posed a serious threat to CCM hegemony, which initiated restriction of both opposition and civic society actors.[3] Therefore, the political context offered fertile ground for

[3] Magufuli used executive orders and informal interactions to silence criticism. There was also judicial harassment of critical individuals and their organizations. For instance, Mr. Aidan Eyakuze, Director of TWAWEZA, an organization focusing on citizens' rights and responsive governance, had his passport seized after the organization published opinion

Magufuli to undertake authoritarian actions more openly compared to the previous presidents.

3 Experiencing Restrictions, Negotiating Legitimacy

In this section, we proceed to our empirical analysis. First, we explore the restriction on civic space under the office of President Magufuli as experienced by urban NGOs.[4] Second, we discuss four central themes in CSO legitimacy negotiations in relation to both urban NGOs and rural self-help groups. The analysis is based in interviews with five urban NGOs conducted during the period from December 2021 to January 2022 and group interviews with nine self-help groups in rural Kondoa district, Dodoma region, conducted in 2018. For reasons of research ethics, we do not provide the names and exact locations of participants.[5] All interviews were conducted, transcribed, and analysed in Swahili, and only the quotes used in the chapter were translated into English by the authors. The NGOs and self-help groups represent two different manifestations of civil society action within Tanzanian civic space. The urban, professional, and formal NGOs are mostly preoccupied with issues such as human rights, gender equality, social accountability, and good governance, while the self-help groups are examples of citizens organizing themselves to address improvements in livelihoods, to administer rotating loans, and to provide social support, all recognized as forms of organizing that have been prevalent since pre-colonial times (Aikaruwa et al., 2014; Rodima-Taylor, 2014).

polls showing decline in Magufuli's support. In 2016, police imposed an indefinite ban on public meetings and in 2018 a regional police commander warned people not to appear in a planned peaceful demonstration with the words, "*Watapata kipigo cha mbwa koko*", meaning that participants would receive bitter treatment, which scared people off demonstrating.

[4] Here we use the term "NGO" rather than CSO, as all the interviewed organizations are registered as NGOs and in their document, webpages, and everyday interaction they identify as NGOs.

[5] When we quote the interviews, we used numbers (NGO1, NGO2…) to distinguish the organizations, and then indicate the number of Atlas.ti quotation cited.

3.1 NGOs Experiences of and Responses to Restrictive Trends

In the interviews, the NGO staff discussed their experience of a number of restrictions that resonated with those identified in the civic space literature. In legal terms, Tanzania fits the common pattern in which the constitution guarantees rights and freedoms but other legislation might be used to restrict civic space (Buyse, 2018: 970; Malena, 2015: 15). The Constitution of the United Republic of Tanzania (1977, with amendments in 2005), discusses, for instance, citizens' freedoms of expression and association; however, several other pieces of legislation were mentioned as having restrictive elements, such as the Political Party Amendment Act (2019) and the Media Services Act (2016). Most frequently, NGO participants mentioned the Non-Governmental Organizations (Amendments) Regulations (2018), which add to the existing NGOs Act (2002). Burdensome and bureaucratic registration and monitoring processes are common restrictions to civic space (Anheier et al., 2019; Buyse, 2018). After the amendments, all NGOs operating in Tanzania had to be re-registered; to "streamline all activities, all should be NGOs" (NGO2, 5). The re-registration included back and forth requests for documents; one participant narrated how they were ordered to submit receipts dating back over 30 years under the threat of not being re-registered. NGOs were especially frustrated with the codes concerning financial transparency and accountability stipulated in the regulations, according to which the NGOs were to disclose the funds raised. If these exceeded 20 million Tanzanian shillings (also referred to as 20,000 US dollars), they needed to submit their donor contracts to the Registrar for approval. In that process, as one NGO representative narrated, "They might tell that you should change what you are doing, even if you had already agreed on it with your partner.…[T]here is screening, or I could say monitoring of the independence of NGOs" (NGO2, 2). The intensified formal procedures enabled the government to monitor and control NGO activities more effectively, meanwhile causing delays in implementation, as each bureaucratic step was very time consuming. As one of the participants said, "You just wait for approval when you should be implementing; the year comes to an end, and you have not been able to implement anything or use the funds" (NGO1, 11). This also threatened the loss of donors, as "they look at their priorities and ask why they should take their money to Tanzania, where it needs to wait for six months, one year [before being used]" (NGO1, 35).

Thus, NGO activities were restricted by bureaucratic harassment (Anheier et al., 2019), reporting requirements, and the definition of permissible activities (Buyse, 2018: 971), while the operations of advocacy organizations were hindered by the Statistics Act of 2013, amended in 2018. One participant argued that "the Statistics Act closed civic space, the freedom of expression" (NGO5, 7), as it introduced a mechanism whereby only statistics approved by the Ministry and National Bureau of Statistics could be used. This curtailed the independence of CSOs to collect and publish data on the area of their interest. As one participant stated, "We do advocacy, and advocacy needs to be evidence-based; it became impossible" (NGO1, 18): NGOs first needed to have permission to collect data and then, later, to disseminate the results.

Restrictions on media also affected NGOs. The Electronic and Postal Communications Act (Online Content Regulations) (2018) required everyone producing online content to register, pay their fees, and thus get a licence. The implementation of the Cybercrimes Act (2015), promulgated under President Kikwete, intensified. This criminalizes online publication of false, deceptive, misleading, and inaccurate information whose intent is to "insult, abuse, threaten or defame", and it was used regularly against opposition and critical activists, but also ordinary citizens, who were charged, for instance, with the offence of insulting the president on WhatsApp. Cross (2021) describes how in Tanzania, "dissent" was increasingly categorized as a cybercrime. Furthermore, the Media Services Act of 2016 (see also Bussiek, 2015) created two new state-sponsored bodies empowered to grant and revoke the licences of news outlets and the accreditation of journalists, leading to possible state control over both journalistic production and its dissemination. One participant reflected that "media itself could not discuss much, freedom of speech was restricted" (NGO4, 2). For NGOs, this meant, for instance, that "well-established media houses refused to work with CSOs and ceased to publish our announcements" (NGO1, 30). In addition to such state interference, interviewees also discussed self-censorship by NGOs, journalists, and citizens, as there was a "need to be sensitive and selective about what to talk about" (NGO2, 4) everywhere.

The fields in which an NGO could operate were also guided by the government, as explained by a participant: "For the first time, we were censored on the issues we could address: for instance, we should move from awareness of the right to education towards building classrooms" (NGO1, 8); their activities were controlled "in election times, especially"

(NGO4, 3). This was evident during the campaigns before the general elections in November 2020 when several NGOs which used to provide pre-election voter education were now not licensed. NGO activities were also controlled in a novel way by leadership appointed by Magufuli at different governance levels. The Memorandums of Understanding plans signed between the NGOs and previous local government officers were not respected, as one recounted: "We had introduced ourselves to the previous ones, now everyone was changed, and [the new ones] came with a very different orientation" (NGO1, 15).

Vilification is a common means of restricting civic space (Carothers & Brechenmacher, 2014: 5) and, after Magufuli took office, the rhetoric used to speak of CSOs changed, as advocacy organizations observed in their meetings with government representatives. They encountered "stereotypes that NGOs are *wakorofi*, trouble-makers; we talked of basic rights but felt we were interrogated by the police" (NGO4, 3). Most prominently, NGOs were rhetorically labelled "foreign agents", as stipulated in laws in countries such as Russia. One participant described how "in Magufuli's time, those who we call donors or development partners, were labelled as *mabeberu*, imperialists, and were called *mawakala ya mabeberu*, agents of imperialists" (NGO1, 36, 54), a comment complemented by that of another participant: "Magufuli came with different approach, he saw CSOs as *vyombo vya mabeberu*, instruments for imperialists" (NGO3, 2). The label of imperialist foreign agenda was typically used in reference to human rights, with the rights of LGBTQ+ people being the most vocally and explicitly downplayed; Magufuli was very critical of foreign NGOs campaigning for "gay rights".[6] Indeed, he stressed African culture and critiqued the colonial and imperial West in relation to many themes.

The clearest example of this occurred during the COVID-19 pandemic, when Magufuli refused to allow Tanzania to participate in the international Covax-vaccination scheme, suspecting it was part of a conspiracy to harm Africans, who, instead of vaccinations, should use traditional herbal remedies and steam treatment against the virus (Richey et al., 2021). To our interlocutors, the COVID-19 pandemic was among the main hindrances to activities and international contacts. NGO staff

[6] See https://www.newsweek.com/gay-africa-tanzania-john-magufuli-629333. It should be noted that homosexual acts between men are criminal offence under a Penal Code dating from 1945, with a maximum punishment of 30 years in prison.

told us how they started to work online from home and mentioned taking precautions such as handwashing when meeting community members in person. Tanzania never introduced a general lockdown, and in June 2020 President Magufuli announced the country was Covid-free. Both the media and CSOs faced a situation where they could no longer mention the virus in reference to Tanzania; as one participant put it, "You could not do anything related to Covid-19, as it had already been announced that there is no Covid in Tanzania" (NGO4, 11). This forcibly disrupted activities dealing with public education on the pandemic.

3.2 Legitimacy Negotiations Civic Spaces

Having depicted NGO experiences of restrictions during President Magufuli's office, we now identify more general and long-lasting fields in which negotiations take place over the legitimacy of CSOs on the basis of different views of what is appropriate: *donor relationships*, *embeddedness in communities*, *the focus of CSO activities*, and *being "political"*. We discuss each theme in relation to two organizational manifestations in civic space in Tanzania: urban, professional NGOs and rural self-help groups.

When it comes to legitimation, for the professional NGOs *donor relationships* are central. The statement articulated by one of the participants—"first, we are donor-dependent" (NGO1, 35)—applies to most professional NGOs in Tanzania; hence, they need to negotiate their legitimacy both with the donors and the state. In general, while donors often emphasized rights-based approaches and advocacy, the restrictions hampered the NGOs' capability to engage such activities. NGOs reported how, in this new situation, their donors were "sympathizers", willing to "share the risks" (NGO2, 25) and change plans. Labelling donors as "*mabeberu*" (NGO3, 12), or imperialist, intensified the debates on NGO legitimacy in terms of their aligning with donor agendas or the needs of communities (Banks et al., 2015). The rural self-help groups, on the other hand, were not donor-dependent. Some had received occasional seed funding from NGOs or local government, but mostly they mobilized resources through member contributions. Such groups were, however, taking legitimating action, such as preparing official constitutions and opening bank accounts, in order to be in a strong position to receive potential donor funding in the future (see also Green, 2014); many also continuously sought opportunities to acquire new skills and assets from any potential source.

Nor did self-help groups struggle much with the second theme of legitimation negotiations, *embeddedness in communities*. Most of the groups had been around for over a decade and were part and parcel of the social fabric of the communities; indeed, many members reported that they had never visited even the nearest town of Kondoa. The groups mostly addressed livelihood aspirations and social needs, focusing on activities such as rotating loans or joint improvements in agricultural production and marketing. They also provided a safety net for members in case of illness or death in their families. In a different vein, NGOs mentioned working both at "national and grassroots levels" (NGO5, 16), emphasizing the connection between the two. As one participant observed, "We get our legitimacy from society; we are on the ground making sure that everything we say is the voice from below" (NGO1, 54). Connections between rights and lives of ordinary people were drawn: "NGOs complain about the absence of freedom of expression and freedom of assembly because they want the lives of citizens to improve" (NGO2, 32). Thus, some NGO staff reflected that their legitimacy comes from the ability to mediate between citizens and the state. At the same time, however, some intentionally strove to change the ideas and attitudes held in communities: "We can help with the big challenge we have among our citizens: understanding the different issues and establishing their position on them.… [N]ow, citizens see the relationship with the government as being like those with their mother or father" (NGO3, 20); in other words, the government should not be criticized or counteracted. Yet, this promotion of change in citizens' ideas might concomitantly decrease the legitimacy of NGOs vis-á-vis the power holders, as explained by one of the participants: "When CSOs and media, at the end of the day, enlighten the public, it is something that the politicians do not like" (NGO4, 23).

Therefore, a considerable part of the negotiations over legitimacy concerned *the focus of CSO activities*. In simple terms, there was a need to strike a balance between claiming that citizens' rights should be realized by the government and supporting community development initiatives in the best possible way. The NGOs worked with rights and good governance, which was justified with statements such as, "Working on themes of human rights are all legitimate according to the Tanzanian constitution" (NGO2, 7). However, many restrictions pertaining to collecting and distributing information, as well as conducting rights-based programs in rural communities, hampered the legitimacy of CSOs purporting to show gaps in the implementation of policies or raise awareness of rights

among citizens. On the other hand, for the self-help groups, the vocabulary and practices of "rights" was not in active use; rather, they stressed the notion of *kuchangia,* contributing (Kilonzo et al., 2020). The groups contributed not only to the well-being of their members, but also to community development through activities such as cleaning the surroundings of the health centre or the mosque, caring for orphans, and making food and performing for the visitors the village received from higher levels of governance.

Occasionally, self-help groups linked up with national advocacy NGOs. In our study areas, active groups were recruited to participate in a social accountability monitoring (SAM) project where the realization of health services in the community was audited. Eventually, however, rather than claiming their rights to health care and transparency in budget spending, in line with the aims of the national project, the SAM committee members established better relationships with the service providers and mobilized villagers to contribute to cleaning the clinic's surroundings (Nguyahambi & Chang'a, 2020). Therefore, self-help groups tended to continue to self-identify as contributors to development in the community in collaboration with the local government, rather than as actors aiming to challenge, criticize, or claim from them.

This brings us to the final theme of CSO legitimacy negotiations, which concerns the extent of *being political*, the nature of their political engagement. According to the NGO Act 2002, registered organizations need to be non-partisan, that is, not affiliated with any political party. As one of the participants explained, "We are not affiliated to any party, but we have been working with them. I have gone to CCM, to CHADEMA, and ACT,[7] among others.…But I do not wear green when I go to CCM, and if I go to CHADEMA, I do not wear anything in their colours, so everyone knows I am not one of them but a guest" (NGO4, 18). However, a more general government demand for CSOs to be "non-political" was seen as problematic. First, while "civil society should be the watchdog of government" (NGO4, 21) or a "dissenting voice" (NGO2, 30), this is easily judged as non-legitimate opposition politics by the government. Second, many issues essential for citizens, such as access to water, education, and health services, are inherently political questions

[7] CHADEMA and ACT are acronyms for two Tanzanian opposition parties. The colour refers to the fact that each party has particularly coloured clothes that supporters wear to rallies and meetings.

and, therefore, NGOs cannot avoid entering politics. As one of our participants pointed out, "But what is politics? It is ordinary life, politics is decisions, it is a platform to define who gets what, when, and how. So, you would not like to be part of determining these?" (NGO1, 57). Therefore, questions of "being political" are continuously negotiated, especially before elections when many NGOs wanted to conduct civic education on how to contest and vote; furthermore, "Citizens need to be motivated to be involved in politics, and NGOs are providing political education for citizens, and that is legal" (NGO1, 56).

In contrast, for self-help groups, being openly political was not a problem, at least as long as they supported CCM. One of the groups we interviewed, currently engaged with small-scale livelihood activities, was originally established as a music and dance group to support local CCM campaigns. From there, as the participants proudly narrated, national CCM leaders identified them as "*nyota njema*", a shining star, and the group was invited to perform at national events and electoral rallies. The group's political role intensifies during elections, but livelihood activities such as joint farming, goat keeping, and soap production are conducted in the meantime: "We do politics, but then, we also collaborate and help each other in challenges". The group interacts widely in the village, but CCM membership is a prerequisite to join the group as one of its leaders articulated: "This group is for champions of the CCM who support the government, and it is supported by the government". However, overcoming political fractions was also emphasized: "You go and vote whoever in the elections, but you should not cause discord about somebody supporting CUF, somebody CCM; Nyerere left us good things to follow, like peace and love". This reference to Julius Nyerere, the first president of independent Tanzania, leads us into discussion of the historical evolution of Tanzanian democracy and civic space.

4 Historical Continuities in Shaping Civic Space

In this section, we connect legitimacy negotiations with historical political continuities that shape civic space in Tanzania. According to Dodworth (2022: 205), public life in Tanzania has always been controlled, with legitimation of civil society action taking place in a more or less restricted context. Thus, the recent experiences during President Magufuli's office can be seen as continuities from postcolonial nation-building (Aminzade,

2013), post-socialist liberalization (Green, 2014), and the exercise of electoral democracy characterized by one-party hegemony (Cheeseman et al., 2021; Morse, 2019; Whitehead, 2011).

The political history of Tanzania is often periodized based on presidential terms.[8] Although all the presidents were CCM, they have had diverse personal visions, with large executive powers to implement them. As one of the participants observed, "When the president says he likes certain issues, everyone under him automatically agrees, they dance to his tune" (NGO5, 14). In the interviews, NGO staff compared President Magufuli's time with that of his predecessor, President Kikwete, and one explained, "Before Magufuli, we had Kikwete, we had freedom of expression, it was very open. Now we have closed down" (NGO5, 6); another agreed that "during the 2000s, the civil society movement was vibrant" (NGO3, 1). Yet a few recalled that civic space had already started to close before Magufuli. A review of international reports on Tanzania during 2010–2015 (Kwayu, n.d.), published by TWAWESA, an East African NGO, shows that during this period Tanzania was already being labelled a country with "shrinking civic space". Indeed, many of the legislative restrictions mentioned in interviews were initiated during President Kikwete' second term, when media outlets critical to government and CCM were frequently suspended (Makulilo, 2012: 102), and one of the prominent NGOs, Haki Elimu (right to education), was banned after publishing data critical of Tanzania's educational achievements.[9]

A turning point had been the 2010 general elections when opposition party CHADEMA gained a surprisingly large proportion of the votes, after which "CCM began moving against civil society" (Cheeseman et al., 2021: 84). The restrictive trend intensified after the general election in 2015, when Magufuli won with only 58%, compared to the 40% of votes cast for the main opposition candidate Edward Lowassa (Paget, 2017: 153), an opposition share never seen before. The participants also observed that previously good relationships with the government began to deteriorate "after NGOs started to do public expenditure tracking" (NGO3, 1). Although augmenting the dissenting voice was seen as

[8] Julius Nyerere (1964–1985), Ali Hassan Mwinyi (1985–1995), Benjamin Mkapa (1995–2005), Jakaya Kikwete (2005–2015), John Magufuli (2015–2021), and Samia Hassan from 2021 onwards.

[9] See https://www.thenewhumanitarian.org/report/56596/tanzania-government-bans-education-ngo.

necessary for "any country with good governance" (NGO2, 30), it was nevertheless argued that "in relation to [the] state, CSOs should have their place as a watchdog, but also as advisors, and a partner" (NGO4, 22).

CSO legitimacy negotiations related to being non-political were closely connected to electoral developments. The watchdog roles were easily interpreted as "opposition", a threat to the current regime to be silenced, which under Magufuli was undertaken very successfully. The local government elections in November 2019 ended with a 99% victory to CCM as the main opposition parties boycotted the elections in response to the rejection and harassment of their candidates. In a similar vein, Magufuli had a landslide victory of over 84% in the November 2020 general elections when CCM candidates took 225 out of 230 parliamentary constituencies. Civic space was especially restricted during the campaigns and elections: the internet was slowed down, social media controlled, and the most prominent CSOs were excluded from voter education activities. After the 2020 elections, the opposition prepared for demonstrations protesting against claimed fraud and manipulation, but these were hindered by security forces; many opposition members were arrested, and opposition presidential candidate Tundu Lissu left for Belgium escorted by Western ambassadors.[10]

In Tanzania, the lines between civic space characterized by civil society action, and political space occupied by political parties taking part in formal democracy, have always been blurred. During the final years of colonialism, from the mid-1940s, civic space started to be more open, and cooperatives as well as workers and peasant associations were active (Hunter, 2015)[11]; the language of "freedom" was extensively used in the struggle for independence. Coercive measures were, however, quickly re-adopted in the name of building the new nation (Hunter, 2015: 11) and included abandoning traditional chiefdoms and collectivizing multiple ethnic groups (Aminzade, 2013) combined with the strategic promotion of Swahili as the national language (Fouere, 2014). The Tanganyika

[10] See https://apnews.com/article/tanzania-elections-assassinations-dodoma-belgium-7026f58d16b37083cd4a52b246d12b33.

[11] Additionally, there were multiple political parties such as the African National Congress (ANC), Tanganyika African National Union (TANU), All Muslim National Union of Tanganyika (AMNUT), United Tanganyika Party (UTP), and the Afro-Shirazi Party (ASP), whose activities were more controlled.

Federation of Labour, and later the cooperative movement that had been supporting the ruling party of the new nation, were banned (Lange et al., 2000, 3), and civil society action was coordinated under mass organizations such as the Union of Cooperative Societies, the Union of Tanganyika Workers (NUTA), and the Union of Tanzanian Women (UWT) (Morse, 2019).

Thus, closing civic space and co-opting civil society action was part of the new politics of African socialism, which revolved around one party, TANU, followed by CCM, established in 1977, as well as the personality of the first president, Julius Nyerere. The means of production were nationalized (Morse, 2019), and a political programme based on *ujamaa* and *kujitegemea*, African socialism and self-reliance, was articulated in the Arusha Declaration in 1967, which consolidated a novel contract between state, party, and people (Hunter, 2015: 225) in the name of unity and the participation of all. The voluntary and forced establishment of "villages" as the main unit of self-reliance (Green, 2014: 108) stressed the important role assigned to self-help in the communities (Hunter, 2015: 225)—"allegedly customary" ways of mutual help which were adopted by the socialist governance (Rodima-Taylor, 2014). The participation of the people was not, however, meant to take place in any independent civic space but through the party structures that penetrated the society from elite to grassroots levels (Morse, 2019).

The principle of unity was emphasized in a particular understanding of *maendeleo*, progress or development towards a certain kind of modernity (Becker, 2019: 219–221; Hunter, 2015: 230). Making references to the "unifying legacy" of President Nyerere combined with a romanticized vision of the period of socialism were central strategies used by President Magufuli to justify his actions and ensure his popularity (Cheeseman et al., 2021: 78; Paget, 2017: 160; 2021). He often used the slogan *maendeleo hayana chama*, "development has no party",[12] thereby stressing that politics should be side-lined and everyone should focus on the development of the country. In a similar vein, some of the interviewed NGO staff referred to *maendeleo* as a means to legitimation; as one noted, "For the last five years, the political context was different; it was like the role and opportunities of civil society organizations to bring development was not understood" (NGO1, 17).

[12] See https://www.thecitizen.co.tz/tanzania/news/national/what-tanzanians-think-of-jpm-s-three-years-in-office-2660734.

One of the aspects of President Magufuli's interpretation of the new self-reliance was to envision Tanzania as "a modern, industrialized state free from dependence and foreigners" (Paget, 2017: 63). This drive specifically relates to the continuous and ongoing legitimacy negotiations between CSOs and their international donors, yet civic space and democracy in Tanzania have always been shaped by global connections. Even the restrictive strategies and vocabularies used by Magufuli resemble those circulated in global trends such as authoritarianism (Dodworth, 2022. 205) and civic space reduction (Buyse, 2018: 971). As one participant reflected, "Shrinking space is not only in Tanzania, similar things also happened in other countries; like in the USA, President Trump was a similar story" (NGO4, 23). In the case of Tanzania, however, international connections, especially the donor community, also shaped the current civic space, which emerged after dismantling the socialist unity between state, party, and citizens. What is more, the shift from one-party socialism to a multi-party, free-market society in the mid-1990s was strongly directed by the conditionalities devised by the donor community (Hoffman & Robinson, 2009), meaning that what Hydén (1999, 152–153) called "creeping democratization" in Tanzania was influenced by the international community rather than local civil society or the political opposition.

At the same time, the increased channelling of funding to CSOs rather than to the state from the late 1980s accelerated "NGOnization" in many parts of the world (Choudry & Kapoor, 2013; Jennings, 2013). In Tanzania, CSOs distanced themselves from CCM, and new organizations were established at an accelerating pace (Lange et al., 2000; Mogella, 2006). NGOs became extremely important service deliverers in many regions, mainly funded by donors and, therefore, struggling with issues of sustainability (Duhu, 2005). Later, following international trends, donors shifted their funding from service delivery to good governance and advocacy, and organizations were encouraged to start challenging governments (Jennings, 2013). In Tanzania, human rights and advocacy organizations such as the Legal and Human Rights Centre, the Tanzania Gender Networking Programme, and Haki Elimu (Right to Education) were registered between the mid-1990s and early 2000s. While, in urban civic space, critical CSOs and the state were increasingly distinct from each other, in rural areas, Green argues (2014: 99), despite donor efforts to "develop the civil society sector", no significant differentiation between state, party, and civil society was made, and the new community-based

organizations were established to meet donor criteria rather than manifest a new kind of civil society action (ibid.: 113); meanwhile, self-help groups continued to function with or without external support.

5 Conclusions

Based on our analysis and its conclusions, we make three main contributions to current understandings in the field. First, as our empirical contribution showed, during Magufuli's period of office in Tanzania, urban NGOs experienced vilification and legal and bureaucratic restrictions, especially insofar activities related to advocacy and good governance were concerned. Further, we identified how CSOs negotiate their legitimacy vis-á-vis a diverse audience over themes of donor relationships, embeddedness in communities, focus on action, and being non-political, and suggested how each theme has its pertinent tensions and roots in the evolution of Tanzanian politics. Therefore, we argue that rather than the posited shrinking of civic space under Magufuli, its dynamic tensions—stemming from postcolonial nation-building, African socialism, and the continuous hegemony of one ruling party—intensified towards more overtly authoritarian practices during his term. While it is too early to analyse the situation under President Samia Suluhu Hassan at the time of writing this chapter in early 2022, it seems that these tensions are ongoing but are, again, swinging towards greater tolerance of critical CSOs and opposition parties, and thus, more open civic space.

Second, our chapter contributes the proposition that debates over CSO legitimacy constitute a continuous negotiation of appropriateness assessed by different audiences according to criteria drawn from the themes listed above. As our discussion of "being political" demonstrated, criteria for diverse manifestations of civil society action vary, even in the government's assessment. The established NGOs need to emphasize their lack of political affiliation, whereas self-help groups can explicitly identify with the ruling party. NGOs must strike a balance between donor agendas stressing rights and good governance, and their interpretation as imperialist, foreign agendas or involvement in opposition politics by the government. This highlights the profound complexities of establishing and maintaining CSO legitimacy, and also of defining "political", which require more analytical attention.

Third, we suggest reflecting on civic space in Tanzania not only from the point of view of established CSOs but also from that of informal

groups which gather large numbers of citizens together to address issues that are important and significant for them and their immediate communities. Attention needs to be paid to questions such as how the overall civic space is shaped; how and why certain kinds of civil society activities enjoy more freedom than others; and how these differences relate to the dynamics of the political system and its evolution over the years. This calls for closer examination of the differences and overlaps between civic and political space, and civil and political society.

We also acknowledge, due to methodological limitations, not having been able to include adequate coverage of protest movements or the extremely important financial struggles and economic interests shaping civic space in general, as well as international relations and the local politics, ruling party, and citizens (see Pedersen & Jacob, 2019), which should be integrated into detailed future examination of the contextualized dynamics of civic space in Tanzania, and in any country.

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