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## NGO SECTOR IN RELATION TO THE POLITICAL SITUATION IN TANZANIA

### SEKTOR ORGANIZACJI POZARZĄDOWYCH W STOSUNKU DO POLITYCZNEJ SYTUACJI W TANZANII

**Streszczenie:** Tanzański sektor organizacji pozarządowych jest uznawany za jeden z najefektywniejszych w regionie Afryki Wschodniej. Od początku lat 90. NGO angażowały się w tworzenie przestrzeni dla aktywności społecznej i dążyły do uniezależnienia się od scentralizowanej władzy. To one rozpoczęły falę krytyki pod adresem partii rządzącej – w okresie, gdy opozycja była zbyt słaba, by wypełnić ten obowiązek. Pomimo różnorodnych trudności, udało im się zrealizować wiele z zakładanych celów. Obecnie jednak, niektóre z tych osiągnięć ulegają zniszczeniu na skutek decyzji podejmowanych przez partię rządzącą – które dodatkowo zaburzają równowagę pomiędzy sektorem pozarządowym a władzą. W związku z powyższym, celem niniejszego artykułu jest rozważenie sytuacji w sektorze NGO w odniesieniu do najistotniejszych zmian politycznych zachodzących w Tanzanii. Artykuł został przygotowany w oparciu o literaturę przedmiotu, materiały prasowe oraz wyniki badań terenowych, prowadzonych przez autorkę metodą wywiadów pogłębionych z reprezentantami sektora NGO w Tanzanii. Badania te były finansowane w ramach grantu z Narodowego Centrum Nauki – PRELUDIUM 9 Nr: 2015/17/N/HS5/00408.

**Słowa kluczowe:** NGO, partia polityczna, ustrój polityczny, demokracja, John Magufuli, Tanzania

**Summary:** The non-governmental sector in Tanzania is recognized as one of the most powerful in the East Africa region. NGOs have worked laboriously since the beginning of the 1990s to create a space for social activity and to gain independency from the government. They started waves of criticism against the ruling party at times when the opposition was too weak to fulfil this duty and, despite difficult economic and political conditions, they accomplished many of their goals. The current situation in the political sphere is destroying some of former achievements and is disturbing the balance between NGOs and the ruling party. Therefore, the aim of this paper is to examine the present situation in the NGO sector in relation to crucial political changes. The paper is based on a content analysis of subject literature sources and press releases as well as the field research and interviews that the author has conducted with the representatives of the NGO sector in Tanzania. The field research was funded by a grant from the National Science Centre – PRELUDIUM 9 Number: 2015/17/N/HS5/00408.

**Keywords:** NGO, political party, political regime, democracy, John Magufuli, Tanzania

## Introduction

The Party of the Revolution (Swahili: Chama Cha Mapinduzi – CCM) has ruled in Tanzania since the gaining of independence in 1961<sup>1</sup>. Therefore, one may assume that CCM enjoys hegemonic power and that this political situation is difficult to change. This observation seems to be even more valid if one takes into account the recent parliamentary and presidential election held in 2015. Initially, this electoral race was considered as the first step for a major transformation within the political sphere. For the first time in the Tanzanian history, opposition parties have formed a coalition, named the UKAWA (Swahili: Umoja wa Katiba ya Wananchi; English: Coalition of the People's Constitution<sup>2</sup>). Despite the differences between the programs of particular groups, the UKAWA nominated a joint presidential candidate, who was Edward Lowassa. Eventually, after a close race for power, John Magufuli – the CCM candidate won, receiving 58% of the vote (The New York Times).

On the other hand, despite the CCM victory and continuation of the ruling party's dominance, the atmosphere of waiting for changes persisted, resulting in John Magufuli promising his commitment to developing and strengthening the process of democratization and announcing a battle against corruption in the state (The Guardian). As far as the present political situation is concerned, two general narratives dominate. According to the first one, the recent elections may be recognized as ground-breaking and strengthening for the process of democratization due to the mobilization of the opposition. Meanwhile, the second one includes critical voices which argue that after almost two years of the Magufuli presidency, the country has not become even slightly more democratic. On the contrary, both the CCM and John Magufuli face a significant wave of criticism for breaking the trias-politica principle and the rule of the state of law as well as for repressions against political pluralism and non-governmental activity (Paget, 2017, 155-159).

When it comes to the non-governmental sector in Tanzania, it has a long history and is recognized as one of the most powerful in the East Africa region. NGOs have worked laboriously since the beginning of 1990s. to create the space for social activity and to gain independency from the government. They have started waves of criticism against the ruling party at times when the opposition was too weak to fulfil this duty and, despite difficult economic and political conditions, they have accomplished many of their goals. The current situation in the political sphere is destroying some of former achievements and is disturbing the balance between NGOs and the ruling party. Therefore, the aim of this paper is to examine the present situation in the NGO sector in relation to crucial political changes and to consider the research questions as follows:

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<sup>1</sup> This is the date of the gaining of independence by Tanganyika – the land area of present Tanzania. Zanzibar gained independence in 1963. In 1964 Tanganyika and Zanzibar signed the Union Act which established the United Republic of Tanzania.

<sup>2</sup> The UKAWA coalition was created by the Civic United Front – CUF (Swahili: Chama Cha Wananchi), the Party for Democracy and Progress (Swahili: Tanzania's Chama Cha Demokrasia na Maendeleo–Chadema), the National League for Democracy – NLD and NCCR-Mageuzi.

1. What factors characterize the democratic regime in Tanzania?
2. Which actions are perceived as damaging to democracy? May they be treated as signs of dictatorship?
3. How do governmental decisions influence the NGO sector?

The paper first gives an overview of the theoretical background to the concept of democracy. The second section describes briefly the recent actions of the government and President Magufuli. The third part examines the correlation between governmental decisions and the NGO sector. The last section is dedicated to the conclusions. The paper is based on a content analysis of subject literature sources and press releases as well as the field research and interviews that the author has conducted with representatives of the NGO sector and political circles in Tanzania. The field research was funded by a grant from the National Science Centre – PRELUDIUM 9 Number: 2015/17/N/HS5/00408.

## Theoretical background

According to the constitution of 1997 Tanzania is a republic, with the president as the head of state, elected for 5 years in a general election. In addition, the act of union with Zanzibar stipulates that if the president comes from the land of the country – Tanganyika, then the vice president should come from Zanzibar (or vice versa). Legislative power is exercised by the National Assembly. Executive power is exercised by the government headed by a prime minister, appointed by the president from among the members of the parliament (The Constitution of the United Republic of Tanzania, 1977). Therefore, from a formal point of view Tanzania is a democratic state.

Simultaneously it is noticeable that an elitist model of democracy has gained the advantage over the participatory model in Tanzania. Participatory democracy implies, among others, the citizens' right to participation in public life and the right to criticize the government; it also strengthens the development of civil society (Brown, 2001, 70-75) – meanwhile, citizens' privileges in Tanzania are often limited or threatened by restrictions. In addition, the direction of democratic development has been primarily dictated by the activity of political circles and socially legitimized in a symbolic way only – through participation in elections<sup>3</sup>. These issues are particularly important in the context of this paper as in the case of elitist democracy, the risk of it transforming into oligarchy is often exposed. In such a system, the boundary between the government and the ruling party is also indistinguishable (Philips, 2010, 125-128).

Yet, it should be noted that within sub-Saharan democracies certain common features are listed. Firstly, it is pointed out that these are hybrid systems that are those in which democracy is often limited to formally democratic structures without democratic

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<sup>3</sup> At the same time one should be aware that this conclusion on the model of democracy in Tanzania is problematic and not unequivocal. For example, the concept of elitist democracy assumes that political elites have expert knowledge or "political wisdom" that makes them capable of leading the democratization process. With regard to Tanzania, this issue raises doubts due to the numerous corruption scandals involving the representatives of political circles.

content. Secondly, there are several common problems, among which are emphasized: the lack of a trias-politica principle and the concentration of power in the presidential office; the slow development of democratic culture; the popularity of patron-client relations (Philips, 2010, 127-128); political clashes over power or conflicts initiated by the authorities (Trzeciński, 2013, 9-10). Thirdly, it is underlined that the differences between democratic regimes in sub-Saharan states and Western countries are linked to the phenomenon of the 'non-transplantation' of concepts. According to this approach, attempts focused on outright adaptation of various Western ideas – including 'liberal democracy', to the local conditions end in failure. These differences arise from varied historical, cultural and social experiences and influence the perception of concepts and the processes for the implementation of various ideas (Obi, 2010, 483-495).

### Against democracy

Several issues initiated by the CCM and Magufuli after 2015 and which are indicative as being contrary to the idea of democracy can be found. This part of the paper is dedicated to their characterization. Firstly, in May 2015 the CCM introduced the Cybercrime Act which has restricted online space. The Act states, among other things, that the online publication of information with intent to insult, abuse or threaten is a criminal offense if the publisher knows the information to be inaccurate (The Cybercrimes Act, 2015). These broad provisions create the risk for abuses and over-interpretation. A good example may be the individuals who were criticizing Magufuli on a Whatsapp group and have been convicted under this Act (Paget, 2017, 156).

Secondly, in November 2016, the president signed into law the Media Services Bill, which replaced self-regulatory and independent media oversight mechanisms with a government-controlled one (The Media Services Act, 2016). These changes are considered as significant signs of repressions against the freedom of the press. For example, according to the Act all journalists obtain accreditation from a government-appointed board, which again creates the risk of abuses and constricts the room for independency. The current laws give the authorities broad discretion to restrict the media on the basis of national security or public interest and this opportunity is used by the government to control this sector and to eliminate critical narratives about the president or the ruling party. The government has also ended live television coverage of parliament, which now releases only selective material. Moreover, they have forced the closure of several newspapers, such as *Mawio* and *Mseto*. The president accused two radio stations of broadcasting improper material and has warned them about upcoming closure (Freedom House).

Thirdly, and one of the most repressive is a ban on public meetings, announced by the Police in June 2016. This case not only narrowed the scope for society but also for political freedom. Public assemblies have important status in Tanzania as they serve as a source of political information for citizens and are a significant part of political strategy used outside the election seasons by the biggest opposition party – CHADEMA, to strengthen the party's support and structures. Simultaneously, it should be noted that CCM officials

and the president have permission for public meetings when they themselves address rallies (Paget, 2017, 157-158). These double standards vividly demonstrate the potential danger to political pluralism and democratic principles in the state.

Moreover, the ruling party has made more effort to limit the space for opposition activity – one of the basic elements in any democratic system. As an example, the conflict in the second largest opposition party – CUF, can be cited. In 2015, Ibrahim Lipumba resigned from the CUF chairman position and left party secretary-general Seif Sharif Hamad and his allies in control. Lipumba formally declared this change to the Registrar for Political Parties and received the confirmation but in 2016, the Registrar unexpectedly revoked his resignation and suspended state funding for the CUF in relation to the Lipumba fraction. The consequences were obviously damaging for the party in which the conflict broke out (Paget, 2017, 157).

The examples presented above cause concern and provoke the question as to the state of democracy in Tanzania. However, they do not allow one to formulate any decisive conclusion as to whether Tanzania is at risk of dictatorship. Taking into account the specifics of the hybrid democratic regime in the state, it may be rather assumed that the president and the CCM are trying to maintain their former hegemonic position within the political sphere and to make certain of their dominance for further years. Therefore, Magufuli and the ruling party use various methods which are clearly non-democratic or that are simply very often desperate ones. At this point it should be noted also that before the election John Magufuli wielded little power in the CCM himself and won the nomination through a compromise among party fractions (Paget, 2017, 158). Therefore, even though it is true that the president cuts an authoritarian figure it seems that in fact he holds rather a symbolic position and merely follows the CCM agenda (as a member of the ruling party). So, it may be assumed that the current political situation in Tanzania illustrates more cross-party competition than Magufuli's dictatorship per se.

On the other hand, the role of John Magufuli should not be marginalized. The president uses proven and effective political strategies that serve to maintain public support. He refers to sentiments related to the socialist period and the legacy of Tanzania's first independent president – Julius Nyerere. This creates the illusion of continuing Nyerere's great masterpiece and restoring pride for the Tanzanian nation (Fouéré, 2014, 4-7). It should be also emphasized that while one side criticizes Magufuli, the other one admires him for the determination and courage shown in his battle against corruption. The best example of Magufuli's significant influence may be served by the action named '#WhatWouldMagufuliDo?', which has become a popular trend on social media, in which people post pictures of themselves applying Magufuli's values to their daily lives (Huff Post)<sup>4</sup>. This social support is important as it legitimizes the president's decisions. A part of citizens simply believe in his words about 'better future' instead of focusing on 'abstract ideas,' such as democracy. At the same time it seems that this support gives Magufuli the courage to continue crossing democratic borders.

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<sup>4</sup> Eventually, this action has changed and currently is used to air ironic comments on Magufuli's decisions and actions.

## NGO sector

In the previous parts of this paper it has been stated that firstly, the government breaks some of the democratic rules in Tanzania; and secondly, that non-governmental activity is recognized as one of the basic factors in the process of democratization. Thus, this part of the paper devotes attention to searching for an answer to the question: how does the current political situation in Tanzania influence the NGO sector?

The history of the growth in the non-governmental sector in Tanzania is connected with the liberal reforms implemented in the 1990s, along with Structural Adjustment Programmes (SAPs), which were initiated by the World Bank and International Monetary Fund and were focused on an economic liberalization and political transformation towards democracy. As a result of the implementation of the SAPs, the one party state system ended and simultaneously, space for the activity of a non-governmental sector was created. However, this space was formed at the very beginning of the process of democratization when previous patterns of political behavior were still powerful and harmful for civil initiatives. At that time, despite ongoing transformation, the political culture in Tanzania was strongly dominated by neo-patrimonialism, clientelism and a tendency to maintain a centralized position of authority. It may be assumed, that the government and the ruling party hoped to be able to manage the transformation without risking their own political standing. They also believed that they would be able to stay ahead of the game despite political opposition and the growth of the non-governmental sector (Tripp et al., 2009, 63-70). It should not be surprising then that the authorities tried to restrict these new non-governmental activities.

With the passage of time, however, and under the influence of various events<sup>5</sup> the situation has changed, but despite many positive revisions some harmful patterns have remained the same. From the very beginning the NGO sector in Tanzania faced huge pressure for cooptation with the government. The ruling party has reacted allergically to criticism and tried to retain its hegemonic position using repressive strategies against critics in the state. This situation was especially difficult for the newly-born NGO sector as they took up politically sensitive issues that were rarely addressed by the weak opposition parties. As a result, NGOs started to be seen as the voice against the government and were treated similarly as a form of political opposition. Changes required enormous efforts and patience but eventually, before the election in 2015 many NGOs<sup>6, 7</sup> have claimed that despite some problematic issues they had achieved their aims and had gained more independency and opportunity for dialogue with the government (Interviews with Dr Rose Shayo, 2015 and Anna Stainsby, 2015).

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<sup>5</sup> Among the most significant events may be mentioned: aid fatigue, the development of the NGO sector worldwide, the growing importance of donors and international institutions, the growing importance of the developmental narrative, and so on.

<sup>6</sup> Especially NGOs dedicated to women's rights, so these which are recognized as the most effective and powerful in the state.

<sup>7</sup> NGOs have postulated, for example, constitutional reform and the right to abortion for many years but the government has consistently refused to pass new laws in these areas.

Since the election in 2015 the situation has been changing again; this time in a disadvantageous direction. NGOs have been directly affected by the ban on public meetings. Obviously, the constitution still guarantees freedom of assembly, but the government can limit this right as all assemblies require police approval (Freedom House). This example is indicated as especially harmful to the NGO sector due to the forms of advocacy preferred among non-governmental entities. NGOs in Tanzania are used to peaceful demonstrating and protesting against government decisions. This strategy has helped organizations publicize critical issues in the public sphere, gain public support and thus put pressure on the authorities (Tripp, 2009). The right to demonstrate is also recognized as one of the basic elements of citizen freedom, therefore NGOs advocating a strengthening of civil society have noticed serious difficulties in the further development of this process (Interview with Anna Stainsby, 2016 and Ngunga Tepani, 2016). As an example: in March 2015, police banned a protest that would have criticized the government for failing to protect albino Tanzanians from violence and cited the possibility of violence in banning the demonstration (Reuters).

The next critical issue relates to the current law that gives the government the right to deregister NGOs. It should be emphasized that as there had been little interference in NGO' activity before the election in 2015, now this risk has increased. This belief seems to be even more valid if one takes into account the Cybercrimes Act, which has been mentioned above, or the Statistic Act, which introduces radical changes to the law on generating and communicating statistics through limiting the number of entitled entities and introducing penalties for those found guilty of offences under the bill (The Statistic Act, 2015). As both of the Acts were passed by the CCM and as many of the NGOs in Tanzania publish data and reports that are critical of the government it may be expected that the government will attempt to silence critical voices. Some NGOs alarm that the wave of repression has already begun, as for example the Legal and Human Rights Centre (LHRC), which experienced a police raid on its offices (The Citizen).

Serious concerns about NGOs' independency also accompany the issue of Magufuli's declaration that no schoolgirl who becomes pregnant will be allowed to resume her studies after giving birth. The president argued that if such girls go back to school then they will encourage other girls to engage in sex. He also claimed that those NGOs which urge the government to allow teen mothers back to school, most certainly work for foreign agents. This statement met with huge wave of criticism not only from the NGOs that have been advocating women's rights but also from the opposition and from society in general. They have emphasized that Magufuli's decision is contrary to human rights and civil liberties and undermine decades of efforts on women's rights (The Citizen). In response, the Home Affairs minister, Mwigulu Nchemba, warned organizations championing teenage mothers that they would face deregistration (The Citizen). Besides the real risk of losing the right to legal activity, NGOs face also extreme difficulties in logical discussion with representatives of the government.

Repressions against NGOs are harmful not only for those employed in this sector. This kind of abuse hits also the beneficiaries of non-governmental aid and civil society as a whole. Moreover, indirectly, it weakens the process of democratization as it is assumed

that civil society organizations, NGOs and social movements play a key role in this issue (Brown, 2001, 70-73). In the previous part, it has been stated that Magufuli and the CMM simply want to maintain power and their hegemonic position in the state but at this point it should be added that as a consequence, this leads to a damaging of democracy itself and simultaneously provokes the crisis within the NGO sector.

Yet, it is worth to note that for several reasons the current difficulties cannot be perceived as a move back in time to the beginning of the 1990s. Firstly, nowadays NGOs are better organized and much more experienced, which suggests that they are able to use their knowledge to formulating new strategies and create effective forms of advocacy. Secondly, very significant points may be found on the side of political opposition. The creation of the UKAWA coalition is recognized as ground-breaking for the Tanzanian political scene and the current CHADEMA reaction to governmental repressions is indicative as a chance for lasting political transformation towards more developed democracy. One should be aware that as the CCM has become more authoritarian, the opposition has increasingly resorted to protest. In fact this strategy ended with the ban of public meetings but then CHADEMA initiated new legal forms of action against the government. For example, the representatives of this party have implemented a “door to door” strategy which involves visiting citizens and discussing current affairs (Paget, 2017, 161-163). Therefore paradoxically, the CCM ban is working against the ruling party and simultaneously is becoming an opportunity to develop a political culture, consolidate the democratization process, and strengthen the structures of civil society. So when it comes to political parties, on the one hand the CCM repressions restrict the room for the opposition but on the other, encourage them to take action. Firstly, this situation is very similar to the beginnings of the NGO sector itself. Moreover, it means that the NGO critical voice is not the only one in the state. The political opposition and non-governmental sector are obviously not ones to cooperate together against the government but if they protest against the same governmental decisions they will increase the chance of success. Thus, one may observe that undemocratic authority provokes a crisis in the NGO sector but simultaneously encourages the development of forms of protest and new means of advocacy.

## Conclusion

On the basis of the aim formulated in the introduction one may observe that the NGO sector in Tanzania is at risk of crisis. Since the election in 2015 the president and the ruling party have crossed democratic boundaries and use repressive methods to maintain their hegemonic position in the state. The government has tried to narrow the independency of non-governmental organizations as NGOs are recognized as “too critical” towards governmental decisions. And even if one takes into account the specificity of a hybrid regime this undemocratic shift is evident.

Yet, NGOs in Tanzania have a long history of fighting for independency and strengthening the structures of civil society. Moreover, currently they are not the only one who



protests against the ruling party and John Magufuli, as the opposition is doing the same. The next point is that there are no visible signs of direct (physical) violence, which are an inherent element of hybrid regimes in other sub-Saharan countries<sup>8</sup>. This situation is related to historical heritage, and that is the fact that Tanzanians gained their independence in a peaceful way. This part of their history has become a significant factor in the process of constructing the identity and mentality of citizens, which manifests itself in an antipathetic attitude toward violence and disagreement. So, given the current situation in Tanzania, these factors may be a chance to ease the stance of the government as the president and CCM are aware of these dependencies. At the same time, it may alleviate the hardship NGOs are facing.

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<sup>8</sup> As for example in Nigeria; see more: Obi, C. (2010). Oil as the 'curse' of conflict in Africa: peering through the smoke and mirrors. *Review of African Political Economy*, Vol. 37 (126), 483-495.

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