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Civic Space for Advocacy Non-governmental Organizations in Developing Countries

An Illusion Project?

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Abstract

The civic space is under attack globally and even more so in developing countries as a result of democratic recession. Civil society organizations are especially affected. However, the experience of advocacy non-governmental organizations (NGOs) in the civic space has not been significantly explored. The aim of this study is twofold: to undertake a systematic review of the literature from developing countries using the PRISMA protocol; and to look at the experience of advocacy NGOs in the civic space in Tanzania. A thematic approach is used to analyze the primary data. The results confirm that advocacy NGOs are more affected and show that the nature of their advocacy determines their position in the civic space. In Tanzania, advocacy NGOs focusing on checking state power and advocating policy changes, good governance, and human rights are subject to more restrictions because of their criticism of the government.

Keywords

civic space – developing countries – advocacy NGOs – Tanzania

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1 Introduction

Civil society organizations (CSOs) play significant humanitarian roles, such as promoting democracy and broader civic engagement (Hansson and Weiss 2023; Brass 2022; Pallas and Sidel 2020). For them to fulfill these roles effectively, an enabling environment is essential (Kaba 2021; Cheeseman and Dodsworth 2023; Pallas and Nguyen 2018). A favorable legal, economic, and political civic space are all features of the aforementioned environment, characterized by freedom of association, peaceful assembly, and free expression (Kontinen et al. 2022; Jezierska 2023). Together, these elements constitute a “civic space.” This study defines the civic space as an environment granted by the government to enable individual citizens and CSOs to assemble, associate, and express their thoughts on issues affecting their lives without restrictions (Cheeseman and Dodsworth 2023; De Silva and Plagis 2020; Jezierska 2023; Nguyahambi 2021).

Global trends reveal an extreme shrinkage of civic space (Van Wessel 2023; Jezierska 2023; Nguyahambi 2021; Youngs and Echagüe 2017), which has drawn the attention of academic researchers (Biekart, Kontinen, and Millstein 2023; Hansson and Weiss 2023). Figure 1 from CIVICUS Monitor (2023) shows the global shrinkage of civic space. The graphic shows that only 3.1 percent of the world’s population resides in open civic space, while in other parts of the world the civic space is narrowed, obstructed, restricted, repressed, or closed.

A major reason for the progressive shrinkage of civic space is increased democratic backsliding and the rise of authoritarianism (Van Wessel 2023; Berlucci and Kellam 2023; Lutscher and Ketchley 2023). Diamond (2021) describes this as a democratic recession. Asia-Pacific (89 percent), Sub-Saharan Africa (79 percent), and Eastern Europe (73 percent) are global regions characterized by autocracies and democratic recession. Reportedly, the number of democratizing countries in 2022 saw the biggest reduction since 1973. Nearly 72 percent of the world’s population lives under authoritarian regimes. This is reported to be a global threat to democracy. Democracy is under attack and autocracy is making gains in many parts of the globe (Wiebrecht et al. 2023; Berlucci and Kellam 2023; Tomini, Gibril, and Bochev 2022).

Diamond (2021) establishes three major indicators for the global democratic recession. First, democracy has contracted since 2006, with the percentage of people living in a democracy falling from 55 to 47 percent. Indeed, 2019 marked the first time since the Cold War that the majority of the world’s population did not live in a democracy. Second, the percentage of countries gaining freedom from oppressive regimes fell from 62.4 in 2006 to 58.7 in 2019, with the situation critical in Africa, the Middle East, and Latin American. Third, the rate

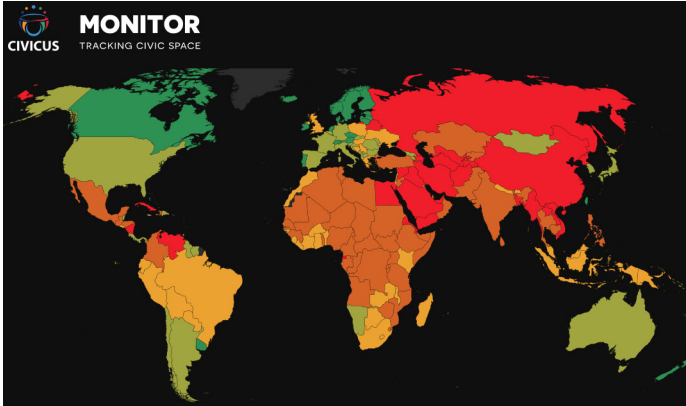


FIGURE 1 Global trends in civic space

Note: Red: Closed; Brown: Repressed; Yellow: Obstructed;
Green: Narrowed; Blue: Open

SOURCE: CIVICUS MONITOR (2023)

of democratic breakdown has been accelerating. This is supported by V-DEM (2023), who state that the level of democracy enjoyed by the average global citizen in 2022 was back at 1986 levels. This is confirmed by the fact that freedom of expression has been deteriorating, government censorship of the media is worsening, and government repression of civil society is increasing.

The debate among researchers has been focused on the reasons for the decline in democracy. Lüthmann and Lindberg (2019) and Fong (2023) found that democratic recession is triggered by an increase in military coups and election fraud. In addition, the decline of democracy is promoted by autocratic superpowers who perpetuate and promote alternative political systems to neighboring states (Fong 2023). Moreover, we see an increase in electoral autocracies (Haggard and Kaufman 2021), that is, leaders who gain power democratically but subsequently undermine the democratic climate by perpetuating undemocratic tendencies and limiting freedoms, especially of those who are seen to be criticizing their regimes. To ensure they remain in power, electoral autocracies secure their competitive advantage through tactics such as censoring and harassing the media, restricting civil society and political parties, and undermining the autonomy of election management bodies (Hall and Ambrosio 2017). These tactics are said to be less risky than abolishing multi-party elections and are generally referred to as democratic backsliding. Bermeo (2016) defines democratic backsliding as the state-led elimination of political institutions that sustain an existing democracy. Although sometimes these organizations may not be eliminated completely, they may be weakened in such a way that they cannot influence or question autocratic governments.

Democratic backsliding is further perpetuated by the pernicious effects of polarization, rulers' control of state legislatures, and the incremental nature of abuses of power that divide and disorient opposition groups (Haggard and Kaufman 2021).

The impacts of democratic recession are many (Haggard and Kaufman 2021). One of the most notable is the shrinkage of civic space for CSOs, especially those advocating for democracy. CSOs are seen to be continually attacked by autocratic governments. This proves the relationship that exists between civic space for CSOs and democracy. The reduction of civic space for CSOs is a global issue. In Europe, reported attacks on CSOs include the increased registration and certification requirements that Greece placed on non-governmental organizations (NGOs) supporting immigrants in 2020. Among similar laws in Greece that have been modified are Law 4662/2020 of February 7, 2020, Ministerial Decision 3063/2020 of April 14, 2020, and Article 58 of Law 4686/2020 of May 12, 2020 (CIVICUS 2020), which were created to monitor NGOs. These laws are believed to increase registration and certification requirements for NGOs helping immigrants in Greece. The government of Poland also imposed additional regulations to punish CSOs and activists who aid refugees. CSOs there are accused of planning an illegal border crossing, a crime carrying an eight-year prison sentence, and four members of Grupa Granica, an NGO that assists refugees in Poland, were imprisoned for people smuggling on March 23, 2022.

In Asia, CSOs have been subjected to similar restrictions as democracy deteriorates (Fong 2023). In countries such as Taiwan and Hong Kong, democracy is under external pressure to impart undemocratic practices internally (Croissant and Haynes 2021). In Thailand, the government has created administrative and legal hurdles to registration for NGOs, as well as issuing limitations, threats, and intimidation. Laws such as the Computer Crimes Act (CCA) B.E. 2560 (2017), the Public Assembly Act B.E. 2558 (2015), and the Act on the Maintenance of the Cleanliness and Orderliness of the Country B.E. 2535 (1992) restrict the freedom of peaceful assembly and expression of members of CSOs. Meanwhile, in Cambodia, local officials require NGOs to make payments in exchange for granting the necessary permission to carry out their activities (Springman et al. 2022). In most Asian countries, internationally funded CSOs are labeled as foreign agents. A similarly constrained environment has been reported in Bangladesh, Bolivia, India, Indonesia, Lebanon, Russia, and Vietnam (Hansson and Weiss 2023; Lardner 2018; Simsa 2022).

In Africa, the confinement of civic space is also an issue. Data shows that most of the population live in countries where the level of security and rule of law is worse than it was in 2012. The deterioration of civic space for CSOs has also been reported in terms of limits on freedom of expression, assem-

TABLE 1 Civil freedoms in African countries, 2019

Country	Legislation	Civil Freedom Status
Algeria	Law on Associations 12–06 of 2012	Not free
Burundi	Law 1/01 of January 23, 2017	Not free
	Law 1/02 of January 27, 2017, Organic Framework of Non-Profit Associations	
Egypt	Law 70 of 2017	Not free
Ethiopia	Charities and Societies Proclamation of 2009	Not free
Rwanda	1. Law 55/2008 governing NGOs 2. Law 04/2012 governing the organization and functioning of national NGOs 3. Law 05/2012 governing the organization and functioning of international NGOs 4. Law 56/2016 establishing the Rwanda Governance Board	Not free
Sierra Leone	NGO policy regulations of 2009, revised in 2017	Partly free
South Sudan	NGO Act of 2016	Not free
Sudan	Voluntary and Humanitarian Work (Organization) Act of 2006	Not free
Tanzania	Non-Governmental Organisations Act (amendments) regulations, 2018	Partly free
Tunisia	Law 30 of 2018	Free
Uganda	NGO Act of 2016 NGO regulations of 2017	Not free
Zambia	NGO Act 16 of 2009	Partly free

SOURCE: MUSILA (2019)

bly, and association. Musila (2019) shows that countries including Algeria, Burundi, Egypt, Ethiopia, Rwanda, Sierra Leone, South Sudan, Sudan, Tanzania, Tunisia, Uganda, and Zambia have restrictive legislation, as seen in Table 1.

Tanzania has been chosen as a case study because it is among those developing countries where numerous attacks on CSOs have been experienced (Nguyahambi 2021). Democracy in the country has experienced challenges in recent times, such that government opposition has been curtailed, CSOs have been

undermined, the media has been attacked, and individual disappearances have increased (Kontinen and Nguyahambi 2023). CIVICUS (2023) rates Tanzania's civic space as repressed. That repression is characterized by surveillance, intimidation, incarceration, harm, death, deregistration, and the closure of CSOs and groups who express opposition to the government including the media, journalists, and political organizations. V-DEM (2023) rates Tanzania among the bottom 40–50 percent of countries in terms of the growth of democracy from 2012 to 2022, scoring between 0.25 to 0.5 out of 1.0 in the Liberal Democracy Index (LDI).

Based on the above, the example of Tanzania adds value to the emerging literature on democratic recession. Particularly relevant to this study is the impact of democratic recession on CSOs. Cases of how the civic space have been impacted by democratic recession include the following: on January 24, 2023, the government deregistered a total of 4,898 NGOs, 4,879 of which were deregistered for non-compliance, with the remaining nineteen voluntarily ceasing their operations in order to escape repression. In addition, in 2020, the National Electoral Commission (NEC) refused to grant some CSOs permission to observe general elections and conduct voter education (Human Rights Watch 2021b). In the same year, the government amended the law to make it illegal for individuals and NGOs to file complaints against the government directly with the African Court of Human and People's Rights (Legal and Human Rights Centre 2022). The bulk of these cases were from Tanzania. Influential leaders of NGOs also experienced restrictions. For instance, the CEO of the organization Twaweza, Aidan Eyakuze, had his passport confiscated because it was alleged that his organization had published statistics that were not authorized by the government as compliant with the Statistics Act of 2015 (Cheeseman, Matfess, and Amani 2021).

Some studies claim that advocacy NGOs are more negatively impacted than other CSOs in terms of restrictions and sanctions (Nguyahambi 2021; Lim 2023; Buyse 2018; Cheeseman and Dodsworth 2023; Roggeband and Krizsán 2021). However, this has not been proven in developing countries such as Tanzania. Furthermore, there is still a question over how the different types of advocacy NGOs are engaged in determines the civic space they are allowed and the restrictions they face. This study aims to confirm that advocacy NGOs are more severely restricted than other organizations in developing countries and to establish which types of advocacy conducted by NGOs are most affected. This will inform the experience of advocacy NGOs and help to develop strategies for improving the situation. The study is organized as follows: theoretical review, conceptual framework, materials and methods, results and discussions, study implications, conclusion, and recommendations.

2 Theoretical Review

Civil society has been much studied in terms of liberalism, and the theorization of civil society has changed over time, from equating civil society with the state to our current understanding of civil society as outside of the state and the economy. This study examines CSOs based on three schools of liberalism: the Hegel school, the de Tocqueville school, and the neo-liberal school. Hegel was a German philosopher (1770–1831) and one of the most influential liberal scholars of the 19th century. He completely changed the meaning of civil society, which had been seen as equal to the state. For Laine (2014), Hegel was of the view that the state should mediate conflicts between the needs of society and the stability of interests. According to him, civil society was created with the express intent of uniting interests within a social structure. Based on this thinking, civil society began to be regarded as separate from the state. Hegel positioned civil society between the state and the family, encompassing everything outside those two spheres. In this way, civil society is seen as a mediating area through social interactions. Hegel's thoughts completely separated political society and civil society.

The de Tocqueville school is also known as the associational school (Nguyahambi 2021). In order to balance individuality and the state, de Tocqueville insisted on the network of civic and political associations as tools for aggregating interests. He argued that the effectiveness of civil society as an independent aspect of society depended on its organization (de Tocqueville 1969). Civic groupings, not the government, should therefore be used to settle social and political disputes in society. This requires freedom of association, which should be promoted as an important political right (Hoffmann 2005). According to this school of thought, civil society is the domain of structured social interactions existing between individuals and political organizations. In occupying this space, civil society plays a functional role of strengthening democracy by scrutinizing the state's power, influencing the political participation of citizens, articulating and aggregating public interests, and representing people who are outside of the political sphere.

The neo-liberal school, associated with Thomas Paine, emphasizes the importance of reforming the public sector. These reforms aim to strengthen individual rights and liberties. This school asserts that there should be guaranteed rights and space to check state power and considers society as a driving force towards democratization. According to Arato and Cohen (1988), civil society can help the state become more democratic. This is why CSOs are considered to be non-governmental entities that keep the state from taking over society (Gellner 1995). It is believed that civil society is self-established, free-willed,

and not part of the government or the market. This is where the civic space appears; in civil society, citizens band together in public spaces to voice their opinions, assert their rights, and file grievances to ensure that the government pursues efficiency in its operations (Diamond 1997).

All three of these schools of thought consider civil society as an arena outside of the state, characterized by associational life where citizens are organized to defend their rights, hold the government accountable, and promote democracy. The realization of these roles requires a conducive civic space that is protected by the constitution and laws of a particular state. Globally, most states would see themselves as democratic and follow a liberal path. This is even more the case in developing countries, where constitutions provide for the protection of civic space. However, despite constitutional protections, in practice governments have been developing laws to limit the civic space for CSOs (Hall and Ambrosio 2017). The main target of these constraining laws seems to have been those CSOs engaging in advocacy; this is because they are critical of governments. Governments are not willing to be criticized; hence, advocacy CSOs are seen to be troublesome, foreign agents, or as opposed to national plans. This is why civic space for CSOs is seen to be an illusion. For example, in Tanzania's constitution of 1977, articles 18, 19, and 20 grant freedoms of expression, assembly, and association. However, article 30(02) (e) gives the government the power to develop laws to define how those freedoms will be enjoyed, thus allowing the government to develop laws to constrain the civic space. Moreover, Article 8 (1) (a) to (d) clearly stipulates how Tanzania follows the principles of democracy, and that the government's power is derived from the people and the government should be accountable to the people; however, when citizens try to hold the government accountable or enjoy their freedoms, they are subject to constraints.

This study supports the liberal theory that so long as state governments have the power to define the parameters of civic space, the theoretical criteria for an effective civic space for CSOs will come under attack. Although most governments of developing countries portray themselves to the international community as protecting the civic space, this is an illusion as they continually develop laws targeting CSOs engaging in advocacy.

3 Conceptual Framework

Studies confirm the relationship between civic space and the functioning of CSOs (Zaher 2022; Carothers 2016; Smidt 2018). Theoretically, CSOs require a conducive civic space for them to be able to function effectively. Practically,

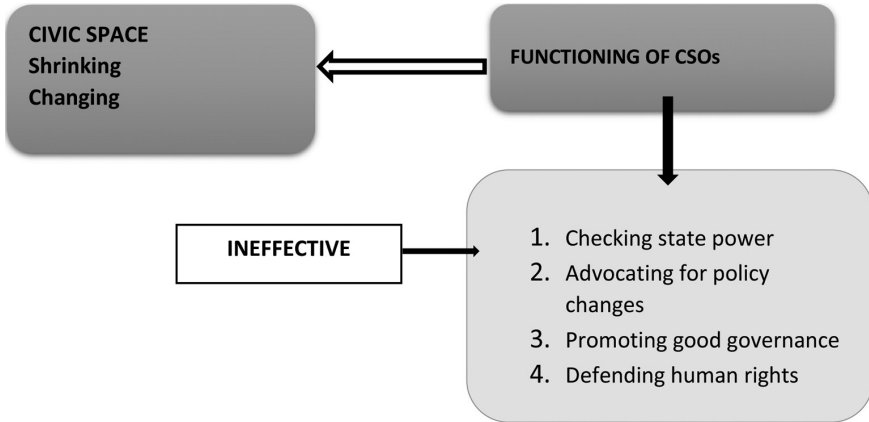


FIGURE 2 Conceptual framework of the study
SOURCE: AUTHORS

governments are required to ensure that they provide freedoms for CSOs. Some developing nations have established in their constitutions that citizens should have access to freedom of expression, assembly, and association (Dahl 2015; Carothers and Brechenmaker 2014). However, at the same time they have been developing laws to limit the enjoyment of such freedoms and to undermine them in practice. These constraints on the civic space for CSOs render the theory of civic space for CSOs an illusion. The laws constraining the freedom of CSOs target advocacy NGOs in particular (Dupuy, Ron, and Prakash 2016; Nguyahambi 2021). The types of advocacy engaged in by NGOs include defending democracy, human rights, governance, policy changes, environmental protection, immigrants' rights, and so forth. This study argues that the type of advocacy NGOs are engaged in determines the civic space they are likely to receive, with some types of advocacy more confined than others, making them ineffective in fulfilling their roles. The experiences of advocacy NGOs can be different from one country to another. This study argues that there is a need to study advocacy NGOs from different countries to establish which types of advocacy by NGOs are more constrained than others. This is an important part of the debate over the shrinkage of civic space, allowing each country to develop its own ways of addressing the problem. A graphical expression of the study's conceptual framework is presented in Figure 2.

4 Materials and Methods

We used bibliometric analysis to review the literature in order to identify the developing countries to include in the study. The co-occurrence analysis approach was used to select articles to be included in the study. We undertook this analysis to identify articles that reported the constraining of civic space for CSOs and that explored which categories of CSOs were subjected to more constraints. We applied the PRISMA (Preferred Reporting Items for Systematic Reviews and Meta-Analysis) protocol, as suggested by Moher et al. (2009).

4.1 Literature Review

Using Scopus, articles from journals published by Taylor and Francis were selected based on the following search criteria: published between 2015 and 2023; open access; focused on developing countries; first-level search term “shrinking civic space”; second-level search terms “advocacy,” “charity,” “services,” “shrinking,” “civic space,” “critical,” “confined,” “repressed,” “closed.” The search was conducted on June 11, 2023 (Figure 3).

4.2 Study Area, Data Collection, and Analysis

The study area was split into two categories. The first category was developing countries in which the reviewed studies showed advocacy-based CSOs to be present. The cited countries included Algeria, Armenia, Azerbaijan, Belarus, Bolivia, Cameroon, Cyprus, Egypt, Ethiopia, Hungary, India, Jordan, Kazakhstan, Kenya, Kyrgyzstan, Lebanon, Libya, Moldova, Nigeria, Pakistan, Poland, South Africa, Syria, Tajikistan, Tanzania, Turkey, Uganda, Uzbekistan, Venezuela, Vietnam, and Yemen. More detail on this category is given in Table 2.

The second category of the study area focused on Tanzania. We conducted interviews with three advocacy NGOs in Tanzania. Tanzania was selected because it demonstrated that advocacy-based NGOs are more affected by the shrinkage of civic space than other types of CSOs. Tanzania was also selected as a case study as it could reveal the type of functions that receive more confinement in the civic space. In the systematic literature review, Buyse (2018) stated that the NGOs subject to most restrictions are those engaged in human rights protection, influencing policy, and defending democracy. We therefore selected the Legal and Human Rights Centre (LHRC), HakiElimu (“Right to Education”), and the Tanzania Human Rights Defenders Coalition (THRDC) for our case study. These are notable NGOs that have occasionally been subjected to severe confinements in Tanzania. They have also been established for more than ten years and operate at the national level; hence, they have ample experience of the civic space situation throughout Tanzania. They were also selected

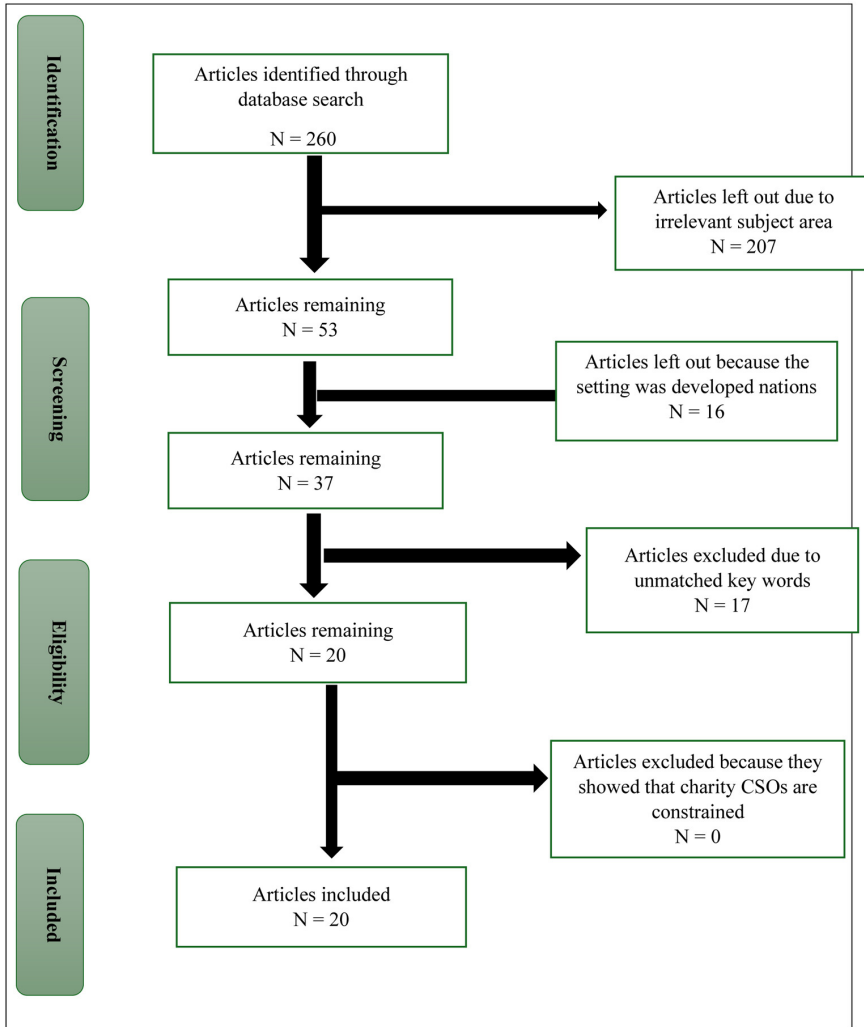


FIGURE 3 Literature review
SOURCE: AUTHORS

because they defend the civic space and fulfill other advocacy functions shown to be subject to constraints (Buyse 2018). The headquarters of all these NGOs were located in Dar es Salaam. HakiElimu is a registered NGO established in 2001. Its history is rooted in the ambition of its founder members that “citizens, if actively involved in education governance, can make a difference in the education sector.” It is an NGO that employs top-tier national professionals in advocacy, policy analysis, and education. THRDC is another NGO used in this study. The main focus of this organization is protecting and defending human

rights. Since its founding in 2010, the THRDC has grown to include 250 organizational members. Membership in this organization is open to groups working to uphold human rights in Tanzania. Another NGO used is LHRC. The LHRC was founded in 1995 as a volunteer, nonpartisan, non-governmental, and non-profit sharing organization with the aim of empowering and raising Tanzanians' awareness of their legal and human rights. The purpose of LHRC is to empower the public to promote, uphold, and defend human rights and good governance in Tanzania, with the ultimate goal of creating "a Just and Equitable Society." This group works to raise public awareness of the law and human rights, with a focus on the poorer segments of society. It does this through research, civic engagement, legal education, advocacy, and human rights monitoring.

The study involved interviews with the staff of these NGOs, including national coordinators, legal officers, program coordinators, advocacy officers, policy officers, research officers, and projects officers. In total, twenty interviews with staff were conducted. The NGOs' staff were targeted because they are involved in the organizations' day-to-day operations. The study also involved interviews with what we call independent activists (IAS)—members of the media, journalists, and individual activists—to testify that advocacy NGOs received more confinements compared with other CSOs. Fourteen IAS were selected using the "snowball" technique, whereby the advocacy NGOs were asked to recommend some of the IAS they worked with, who were then asked to recommend other IAS working with NGOs that they knew. Finally, the study conducted interviews with the office of the registrar of NGOs, concerned with registration and coordination of NGOs in Tanzania, to obtain its opinion on the civic space for advocacy NGOs. This resulted in a total of 35 interviews. To ensure that participants' identities were not revealed, interviewees were assigned a number from 1 to 35, with their responses anonymized as "P1" to "P35." We used a thematic approach for the data analysis, including familiarization with the data, developing categories and subcategories, coding, double-checking, and reclassifying as necessary. The codes we developed were "advocacy," "civic space," "power," "governance," "policy," and "human rights." The analysis was conducted using the Nvivo computer program (Simister and James 2020). All ethical clearances and participants' consent were sought before data collection.

5 Results and Discussion

5.1 *Advocacy NGOs' Experiences in Developing Countries*

Here we address the first research question, which aimed to confirm whether advocacy NGOs are subject to more restrictions than other types of CSOs. After

a systematic search, the database revealed 260 open access articles. Of these, 207 had unmatched subject areas and were therefore excluded. This left 53 articles, sixteen of which were excluded because they were based on developed nations. An analysis of the remaining 37 articles showed that seventeen articles did not match the search terms, leaving twenty articles. These were analyzed to identify whether they explored the situation of charity or advocacy CSOs. None of the articles discussed the constraints faced by charity CSOs; all of them focused on advocacy activities, especially those dealing with human rights, policy advocacy, gender, good governance, watchdog activity, and democracy. Thus, we answered the first research question and confirmed that advocacy CSOs are more affected by shrinking civic space compared with charity CSOs in developing countries.

The findings of these twenty research articles demonstrating that advocacy CSOs are constrained are summarized in Table 2. They show that while the constitutions of many developing countries allow for the freedoms of assembly, association, and expression, the governments in these countries create laws to constrain the enjoyment of these freedoms. These constraints on civic space have a particular effect on the functioning of CSOs, especially those engaged in advocacy activities. Studies such as that of Bethke and Wolff (2023) claim that the major reason advocacy-based NGOs are more affected is because they are perceived as a threat or challenge to government power. This became even more evident during the COVID-19 pandemic, which undermined the ability of CSOs to organize and criticize the government. Fundamentally, the nature of the advocacy in which NGOs are engaged determines the level of restrictions they are subject to, and experiences of this differ from one country to another.

TABLE 2 Articles included in the study

S/N	Article title	Authors	Name of the journal	Year of publication	Study setting	Nature of NGOs' functions
1.	Lockdown of expression: civic space restrictions during the COVID-19 pandemic as a response to mass protests	Bethke, F.S. and Wolff, J.	Democratization	2023	Algeria, Bolivia, and India	Checking state power
2.	Navigating through depoliticisation: international	Irgil, E., Jung, A., Schieren-	Third World Quarterly	2023	Jordan and Turkey	Refugee rights

TABLE 2 Articles included in the study (*cont.*)

S/N	Article title	Authors	Name of the journal	Year of publication	Study setting	Nature of NGOs' functions
	stakeholders and refugee reception in Jordan and Turkey	beck, I., and Spehar, A.				
3.	The politics of civil society narratives in contestation between liberalism and nationalism in authoritarian Vietnam	Ngoc Vu, A. and Quang le, B.	Contemporary Politics	2023	Vietnam	Social, economic, and environmental causes Checking state power
4.	Counterinsurgency, community participation, and the preventing and countering violent extremism agenda in Kenya	Mesok, E.	Small Wars & Insurgencies	2022	Kenya	Citizen participation Government accountability
5.	Exploring civil society perspectives on the situation of human rights defenders in the Commonwealth of Independent States	Chaney, C.	Central Asian Survey	2023	Armenia, Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan, Moldova, Tajikistan, and Uzbekistan	Human rights
6.	Extending contestation: opposition party strength and dissenting civil society engagement with autocratic elections	Sjögren, A.	Contemporary Politics	2023	Kenya and Uganda	Democracy Elections
7.	Coming out of the liberal closet. Think tanks and de-democratization in Poland	Jeziarska, J.	Democratization	2023	Poland	Influencing policy

TABLE 2 Articles included in the study (*cont.*)

S/N	Article title	Authors	Name of the journal	Year of publication	Study setting	Nature of NGOs' functions
8.	Urban communities for transition toward sustainable behavior in the context of authoritarianism: analysis of non-profit community-based organizations in Budapest, Hungary	Kiss, G., Neulinger, A., and Veress, T.	Society & Natural Resources	2023	Hungary	Voice Environment
9.	Human rights leadership in challenging times: an agenda for research and practice	Hoddy, E. and Gray, J.	The International Journal of Human Rights	2023	Egypt and Venezuela	Human rights
10.	Civil society, peacebuilding from below and shrinking civic space: the case of Cameroon's "anglophone" conflict	Annan, N., Beseng, M., Crawford, G., and Kewir, J.K.	Conflict, Security & Development	2021	Cameroon	Peace
11.	Negotiating civic space in Lebanon: the potential of non-sectarian movements	Buysse, A., Vaortes, S., and van der Borgh, C.	Journal of Civil Society	2021	Lebanon	Accountability
12.	Squeezing civic space: restrictions on civil society organizations and the linkages with human rights	Buysse, A.	The International Journal of Human Rights	2018	Azerbaijan, Ethiopia, Tanzania, and Uzbekistan	Human rights Policy Democracy
13.	Shrinking communicative space for media and gender equality civil society organizations	Kassa, B.E. and Sarikakis, K.	Feminist Media Studies	2022	Cyprus, Ethiopia, Hungary, South Africa, and Spain	Gender

TABLE 2 Articles included in the study (*cont.*)

S/N	Article title	Authors	Name of the journal	Year of publication	Study setting	Nature of NGOs' functions
14.	Women and protest politics in Pakistan	Jawed, A., Khan, A., and Qidwai, K.	Gender & Development	2021	Pakistan	Women's rights
15.	Women organising in fragility and conflict: lessons from the #Bring-BackOurGirls movement, Nigeria	Aina, T., Atela, M., Makokha, R., Ayobami, O., and Otieno, M.	Gender & Development	2021	Nigeria	Women's rights
16.	The resistance strikes back: women's protest strategies against backlash in India	Chopra, D.	Gender & Development	2021	India	Women's rights
17.	Women's rights agenda and fragmented advocacy for safe abortion in Kenya	Saharan, T. and Schulpen, L.	Development in Practice	2022	Kenya	Women's rights
18.	Negotiating international civil society support: the case of Ethiopia's 2009 Charities and Societies Proclamation	Birru, J.G. and Wolff, J.	Democratization	2019	Ethiopia	Democracy Governance Human rights
19.	Strategizing post-protest activism in abeyance: retaining activist capital under political constraint	Zihnioğlu, Ö.	Social Movement Studies	2023	Turkey	Human rights
20.	The Arab uprisings and the return of repression	Edel, M. and Josua, M.	Mediterranean Politics	2021	Egypt, Libya, Syria, and Yemen	Human rights

SOURCE: AUTHORS

5.2 *Nature of Functions and the Shrinkage of Civic Space for Advocacy NGOs*

The study discovered that the nature of the advocacy in which CSOs engage tends to determine the level of constraint they receive from the government. In Tanzania, activities such as promoting policy changes, human rights, good governance, and checking state power are constrained the most. This was shown during interviews with NGO staff included in the study. For example, HakiElimu, an NGO advocating for changes in policy and basic education in Tanzania, has been attacked several times by the government because of their advocacy. Interviews with HakiElimu revealed the significant issue of pregnant girls returning to school. They were advocating for girls who become pregnant during their studies to be allowed to return to school after the birth of the baby, which the government did not consider necessary. The government, in response to such lobbying, attacked the HakiElimu campaign, saying that it would forbid the students from returning to school. The government's argument was that girls would choose to become pregnant on purpose and then attend school later with the government sponsoring their extended education, which was seen as a waste of government funds. The prohibition, which has its origins in 1960s government policy, was reimposed in 2017 by the government, which stated that pregnant students would not be permitted to complete their education because this was seen to perpetuate and promote immoral behavior. As a result, HakiElimu had to put an end to their public campaign for fear of being punished by the government. Testifying to this, a staff member at HakiElimu said:

The government openly criticized our initiative to encourage pregnant females to return to school after delivery. Even our ongoing efforts had to come to an end.

P2, 13.6.2023

Another example of government restrictions on NGOs was given by LHRC staff members, who described the confiscation of their office equipment during the 2015 general elections. LHRC is involved in the protection of human rights and ensuring justice in all areas, including elections. To make sure that the election was transparent, free, and fair, they were tallying the ballots for candidates, which could aid in verifying the results and guaranteeing that the NEC was reporting the results accurately. To prevent this, their laptops were seized, and it was reported that staff members were bullied and mistreated. During our interviews with LHRC, one staff member said:

In 2015, the police took our computers. At Kimara, we had a unique office and staff. Election results tally and verification were being done; it was routine. If you recall, counting was done freely even during earlier elections in Kenya. They took our computers and spent a lot of time in police stations. They had stopped working when they were released. Although we work to ensure accountability, these kinds of situations still happen.

P4, 14.6.2023

It is likely that other CSOs who were doing the same thing also felt threatened, forcing them to carry out this kind of work in secret. This can clearly be interpreted as an attack on the democratic process by weakening organizations at the frontline of promoting democracy in the country. The NGO THRDC, who work to protect human rights and promote good governance, revealed how the government purposefully constrained their effective functioning by freezing their accounts for a period of eight months in 2020, an incident which was also confirmed by Karaimu (2020). During this time, THRDC could not function because all of their funds were held in those accounts. THRDC is a coalition of 250 CSOs in both Tanzania and Zanzibar. Freezing their accounts therefore affected all of these CSOs. A staff member of THRDC said:

Remember that in 2020 our bank accounts were frozen for no apparent reason, leaving us unable to conduct business for eight months. Election season is when these activities that reduce civic space most frequently occur.

P8, 1, 12.6.2023

On August 19, 2020, the Inspector General of Police admitted that they had ordered the Cooperative Rural Development Bank to freeze THRDC's accounts for a period of fourteen days pending investigation following allegations that it made several transactions amounting to TZS 6 billion whose sources and purposes were unknown. Later on, THRDC received a second letter from the bank notifying them of the decision to extend the freezing of their accounts for another six months (THRDC 2021).

To show another perspective, we conducted interviews with IAS including members of the media, journalists, and digital content service providers relating to the confinement of advocacy NGOs. Some of these IAS revealed how they too have been the target of restrictions due to their collaboration with advocacy NGOs.

I tell you, it comes a time when some of us hesitate to work with some NGOs due to their relationship with the government and activities they are doing.

P23, 18.6.2023

We are hesitant to work with NGOs especially posting their contents because of online content regulations especially if it touches issues of governance.

P33, 19.6.2023

NGOs have been experiencing confinement over time, some regimes are more critical. Although now the space is improving but from 2015, it was intense especially for human rights defenders.

P29, 19.6.2023

During an interview with the office of the registrar, similar issues came up. Again, the nature of the functions they engaged in was shown to affect their access to civic space and their relations with the government. The impression was that advocacy NGOs are seen as more stubborn compared with service-based NGOs. Extracts of the interview with the official from the office of the registrar are presented below.

When you go to the field, service-based NGOs will tell you that the money of the contract you approved, we used to construct this classroom, ward-room, those toilets. Their impact is tangible. Those engaging in advocacy are wordy and their words have impact even compared to charities given by service-based NGOs. The government will appreciate what is seen. Nevertheless, now we produce reports to recognize their contribution.

P35, 9.4.2024

There are some agendas that are carried by advocacy NGOs and you find at the same time an agenda of political parties. The government might think that NGOs are working with parties to promote the agenda. Hence, treated as engaging in politics, a thing which is not allowed in the NGOs Act 2002.

P35, 9.4.2024

The clear implication is that the nature of the functions in which advocacy NGOs are engaged in Tanzania determines the level of confinement they are

likely to face. The interviews revealed that the areas subject to more confinement include checking state power, promoting good governance, advocating for policy changes, and defending human rights. More detail on each of these areas is given below.

5.2.1 NGOs' Civic Space When Checking State Power

The autonomy of CSOs when acting as watchdogs is seen to be restricted both in theory and in practice, with attempts to obstruct, repress, and even close down CSOs in developing countries (Nguyahambi 2021). Government constraints have undermined CSOs' trust in their ability to hold themselves responsible (MO Ibrahim Foundation 2022; Musila 2019). For instance, in Tanzania, CIVICUS (2023) rates civic space as repressed. An example of this repression is the government of Tanzania's deregistering of Baraza la Wanawake Tanzania/BAWATA (National Women Council), an NGO registered in 1994 to represent women. The organization was banned for being too political when it started to challenge the government to accommodate women's needs and be accountable for its actions (Madaha 2014). Kessy (2020) quotes an interview with one NGO officer from Moshi District Council (MDC) on the accountability of political leaders at the local government level:

You must be careful about what you say on the councilor. He is very connected to the system of government, and you could suffer the consequences. The best way is to wait for him at the ballot box for the next election.

Interview with the NGO Officer at MDC, in KESSY 2020, 14

In 2020, Aidan Eyakuze, the CEO of TWaweza, an NGO that promotes democracy and accountability, had his passport seized because it was suspected that his group had published statistics that were not authorized by the government in accordance with the Statistics Act of 2015 (Cheeseman, Matfess, and Amani 2021). In a similar vein, on July 12, 2017, police detained Nicholas Ngelela Luhende and Bibiana Mushi of the Mwanza-based NGO Actions for Democracy and Local Governance while they were leading a workshop for local government officials in a mining area in northern Tanzania's Shinyaga region. The two were accused of acting outside the parameters of their organization's mission and the NGO statute, which led to the prosecution accusing them of "disobedience of statutory duty" under Section 123 of the penal code. Mushi and Luhende were cleared of all charges four months later by the Kishapu District Court (Front Line Defenders 2017).

Additionally, Human Rights Watch attempted to release a report on the mistreatment of Tanzanian migrant domestic workers in Oman and the United Arab Emirates at a news conference in Dar es Salaam on November 14, 2017, but was prevented from doing so by government representatives from the Commission on Science and Technology and the Ministry of Home Affairs (Human Rights Watch 2021b). Furthermore, some NGOs, including LHRC, were prevented by the government from observing the 2019 local government elections and 2020 general elections. This was revealed by LHRC during interviews with its staff. One of the interviewees said:

You need a permit from NEC in order to observe elections in Tanzania. LHRC's request for permission to participate in observing the 2019 local government elections and the 2020 general elections was denied by the NEC.

P6, 13.6.2023

The situation is similar in other countries. In Egypt, the civic space for CSOs/NGOs is rated by CIVICUS (2022a) as closed. Human Rights Watch (2021a) reports that in 2011, the government of Egypt invaded the office of human rights and pro-democracy NGOs suspected of receiving money from abroad. In 2017, the Egyptian government launched a massive block of campaign activity, news outlets, and human rights websites. As a result, 558 websites and news links were blocked. This affected the operations of NGOs which informed the public on the democracy situation. One of the blocked websites was the Al-Manassa website, which was one of the few operating from inside Egypt, leading to protests by some NGOs (CIVICUS 2022a). Other examples include the closure of the Arabic Network for Human Rights Information (ANHRI) in 2021 as a result of increased repression, including the violation of the rule of law, growing violations of human rights, and police harassment (CIVICUS 2022b). In 2007 in El Salvador, thirteen NGO members were arrested when they demonstrated against the decentralization and the de facto privatization of water provision in Suchitoto (province of Cuscatlan) (Borgh and Terwindt 2012).

In Guatemala, the civic space was rated to be obstructed (CIVICUS 2022c). Representatives of NGOs, especially those dealing with human rights, were reported to have received death threats, were stigmatized in the press, and experienced administrative problems (Bureau of Democracy, Human Rights, and Labor 2011). Together with the Rural Workers' Organization, civil society groups coordinated rallies against corruption and impunity in 2022, coinciding with efforts to re-elect Attorney General Consuelo Porras to a second term (CIVICUS 2022c). In Sudan, it has been reported that the government uses

a combination of security-related laws and espionage to have NGO leaders arrested, detained without trial, or prosecuted for offences that include terrorism and undermining state security and the constitutional order (Musila 2019).

In Kenya (classed as “obstructed”), Nigeria (“repressed”), Sudan (“repressed”), Ethiopia (“repressed”), Tunisia (“obstructed”), and Egypt (“closed”), authorities have used counterterrorism and accusations of money laundering to rationalize anti-NGO measures. To repress NGOs that question or disagree with certain governmental actions, governments in African continent have been developing constraining laws. Additionally, some African nations have included sections to their cyber security laws or enacted such laws affecting NGOs, media, and activists (Musila 2019).

According to reports, NGOs in Uganda have been negatively impacted by the government’s actions. For instance, the Uganda Electoral Commission refused the Citizens’ Coalition for Electoral Democracy in Uganda the opportunity to submit a motion for review on July 4, 2018, the day the organization’s accreditation for its election-related operations was suspended. The Citizens’ Coalition suspension was removed in February 2019. Once more, on November 23, 2020, the government expelled foreigners involved in election-related non-profit work and rejected some foreigners employed by international NGOs like the Democratic Governance Facility, National Democratic Institute, and International Republican Institute (IRI) due to suspicions of supporting regime change. Moreover, two NGOs that watched the 2021 elections had their temporary accounts blocked by the Financial Intelligence Authority (FIA), but this decision was overturned by the High Court a year later (ICNL 2021).

5.2.2 NGOs’ Civic Space When Advocating for Policy Change

Most NGOs that advocate for policy change have been subject to constraints because the government has not been ready to change. When they raise their voice, they are usually punished and sometimes accused of being foreign agents. This was demonstrated in Tanzania by the case of HakiElimu advocating for pregnant girls to be allowed to return to school after giving birth. The *East African* (2017) reported that some NGOs supporting the issue were accused of being foreign agents or being used by foreigners (Kontinen and Ngyahambi 2023). According to Odhiambo (2017), the minister of internal affairs threatened to de-register all NGOs that were advocating for the issue. This resulted in Equality Now, an NGO advocating for women’s rights, filing a case at the African Court on Human and People’s Rights (Equality Now 2020). Attacking NGOs’ activities subverts the liberal idea of Alexis de Tocqueville of CSOs as organizations where citizens can come together to share and pursue democratic ideas in a sense that will be beneficial to them (Hyden 2010).

5.2.3 NGOs' Civic Space When Promoting Good Governance

Most CSOs working to promote good governance have been affected by the shrinking of civic space. This also affects employees working with such NGOs as they are directly targeted by the government and named and labeled as troublemakers. This was revealed during conversations with LHRC officials in Tanzania. They explained that when they were working or implementing the functions of their NGOs they were targeted directly, as if they were working independently. This made them feel threatened and harassed as they lived in fear about what might happen to them or their families. At a time when disappearances of people such as journalists and activists were frequent, they worried that being labeled as activists could lead to their disappearance in the near future. One LHRC staff member said:

You might enter an office and be greeted with remarks like, "This is the one calling him/her an activist." We became concerned about our safety and the families of the workers because of this threat.

P5, 13.6.2023

Another said:

For instance, we were granted permission to observe by-elections during the 2018 by-election that involved the electoral districts of Kinondoni and Siha. During that by-election, a student from the National Institute of Transport was killed in a CHADEMA protest. In our report, which was created in collaboration with more than 20 other NGOs, we made the assertion that NEC's inadequate protection led to a citizen's death. After that, we were required to read a statement, which was being read by Paul Mikongoti, who was serving as acting executive director of LHRC. Mikongoti was named directly by NEC that is deforming the public. This made NEC to stop relationship with LHRC at that time.

P3, 12.6.2023

Some examples of those who have disappeared include Azory Gwanda, a journalist and human rights defender who remains missing, with no report having been issued by the police; the death of Godfrey Luena, the then ward councilor of Namwala ward in Kilosa Morogoro; and Daniel John, a CHADEMA ward leader who was killed with no police investigation having been made and no report issued (THRDC 2021). This naming and labeling affects the employees of NGOs psychologically and is therefore bad for the functioning of NGOs and hence for democracy (Skokova, Pape, and Krasnopolskaya 2018; Makrides 2022).

5.2.4 NGOs' civic Space When Defending Human Rights

CSOs working to defend human rights have been subject to threats, arrests, death, and self-censorship. In Tanzania, such cases include the arrest of human rights activist Joyce Kiria on February 20, 2021, for publishing online content through her YouTube account without a license from the Tanzania Communications Regulatory Authority; the arrest of five online activists from different regions (Charles Mjura-Kinondoni, Tito Augustine-Iringa, Peter Silayo, Mechiory Silayo-Kilimanjaro, and Job Chacha-Tarime) who relentlessly questioned the president's whereabouts when he was inexplicably missing from public life in March 2021; and the arrest and detention of Abubakari Fambo, the chairman for Umoja wa Kudai Katiba Mpya Tanzania (UKUKAMTA, A Union for Demanding New Constitution in Tanzania) on May 20, 2021 (THRDC 2021). In addition, on December 20, 2019, Tito Magoti, Program Officer for the Public Education Department, and Theodory Faustine Giyan, the ICT Officer at LHRC, were arrested by what they called unknown people at Mwenge, Dar es Salaam. On December 22, 2019, the police in Dar es Salaam confirmed the arrest of these officials without stating the charges. It is reported that on December 24, 2019, they were brought before the Kisutu Resident Magistrate Court and charged on three counts: leading an organized crime group, contrary to Section 4(1)(a) of the First Schedule and Section 57(1) and 62(2) of the Economic and Organized Crimes Control Act; possession of a computer program designed for the purpose of committing an offence, contrary to Section 10(1) of the Cyber Crimes Act, 2015; and money laundering, contrary to Section 12(d) and 13(a) of the Anti-Money Laundering Act. On January 5, 2021, both officials pleaded guilty in order to secure their freedom and were forced to pay a fine totaling TZS 17 million (THRDC 2021).

Advocacy CSOs commonly work with the media because they need a platform to promote their causes. As a result, they have been subjected to censorship, leading members of the media to fear their outlets being banned or their employees and journalists being arrested for working with NGOs (DefendDefenders 2018). Elaborating this scenario, a staff member from HakiElimu said:

Because NGOs' advertisements and TV and radio shows were prohibited by media service rules, some media outlets were afraid to carry them. For instance, if you send the media an advertisement advocating that the government act to improve the state of education, they will advise you to let us first read the content. Not out of a desire to conduct business, but out of fear, just a few media outlets could accept our advertisements and programs.

P15, 13.6.2023

In March 2021, THRDC (2021) reported the death of the journalist Blandina Sembu, who was reported to have been murdered and her body thrown by the side of the road in Kinondoni, Dar es Salaam. Sembu was known for her program “Jarida la Wanawake” and was also working with the Ability Foundation, a registered NGO striving to support girls with disabilities at university. Threats against the media have been reported in many countries, including Hungary (CIVICUS 2018), Nicaragua (PCIN 2021; PEN International 2022), and Mozambique (Manhiça et al. 2020). Creating fear among CSOs and the media undermines their capacity to question the government and hold them accountable, speak for the people, and increase citizen engagement in government decisions (DefendDefenders 2018; Gibney et al. 2017; Smidt et al. 2021).

6 Discussion, Conclusion, and Recommendations

While NGOs’ roles are established in the literature and appear to be well known, governments continue to create a legal and political environment that constrains the effective implementation of their roles (Musila 2019; Dupuy, Ron, and Prakash 2016). Governments seem to collaborate more with service-based than with advocacy-based NGOs, allowing service-based NGOs to enjoy their freedom while advocacy-based NGOs suffer (Nguyahambi 2021; Buyse 2018; Cheeseman and Dodsworth 2023). The nature of the advocacy in which an NGO is engaged apparently determines the level of confinement they are likely to face. In Tanzania, advocacy functions such as checking state power, advocating for policy change, promoting good governance, and defending human rights receive more confinement compared with other advocacy functions. The confinement of these functions is also reported in countries such as Azerbaijan, Ethiopia, and Uzbekistan (Buyse 2018); in Egypt and Venezuela (Hoddy and Gray 2023); and in Kenya and Uganda (Sjögren 2024).

This clearly has negative effects on the advocacy work of NGOs. These effects include the inability to make long-term and sustainable plans, not acting as strong democratic institutions, being forced to change focus for fear of being de-registered, and struggling with government constraints or fighting for survival rather than advocating for the democratization of the state. Having weak CSOs is dangerous for democracy and contributes to an increase in autocracies (Escobar 2020).

Contrary to liberal theory assumptions around CSOs (Hall and Ambrosio 2017), although governments in developing countries portray themselves as democratic and even maintain institutions such as CSOs, they continually tighten the environment of their operations. While CSOs exist, they remain

weak, fragmented, and silent even when the government operates in undemocratic ways, and most opt to collaborate with the government to escape repression (Hoffmann 2005). This goes against the assumption that governments should not create hurdles to constrain CSOs, but rather they should work to strengthen them in their increased role in state administration, including promoting participation, raising people's voices, providing alternative plans for development, promoting accountability, and ensuring good governance (Vu and Le 2023). Theoretically, liberal assumptions around CSOs are relevant, but practically, these aims are difficult to implement, especially in developing countries (Roggeband and Krizsán 2021; Toepler et al. 2020). Indeed, these undemocratic tendencies are leading to the reversal of the third wave of democratization (Diamond 2021).

It can be concluded that the nature of advocacy functions determines the civic space NGOs receive. Advocacy NGOs' civic space is confined compared with that of other types of CSOs. The existing discrepancy between theoretical assumptions and practices makes civic space for CSOs seem an illusion. This is because practices constraining the civic space continue. The study's recommendation for policymakers is to change the constitution and laws to better protect the civic space for CSOs. This will ensure that even when there are regime changes, it will be difficult for such regimes to constrain the civic space and perpetuate undemocratic tendencies. The study also supports tolerance of a plural political culture. This can be achieved by engaging stakeholders in debates and raising awareness among government officials and other stakeholders about tolerating alternative thoughts and views. Governments should capitalize on the benefits of advocacy NGOs rather than focusing only on the perceived weaknesses. Moreover, advocacy NGOs are encouraged to form strong coalitions, join hands, and engage citizens to raise their voices for the sake of improving their civic space and freedom. In terms of limitations, this study confined itself to the Tanzanian experience, but more studies are encouraged in other developing countries to establish the experience of advocacy NGOs elsewhere. The study also focused on advocacy NGOs only, whereas other studies could be conducted to reveal the experience of other types of advocacy CSOs.

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