Civil Society Responses to Changing Civic Spaces

Edited by
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Conceptualizing Civil Society and Civic Space

Introduction: Civil Society Responses to Changing Civic Spaces

Kees Biekart, Tiina Kontinen, and Marianne Millstein

1 Introduction

We are currently in the middle of multiple global crises that leave us with a different outlook than the optimism that characterized the decades of the 1990s and early 2000s. The belief in continuous global democratic and developmental progress has been replaced by concerns for irreversible climate change, global geopolitical instability, democratic decline, new manifestations of authoritarian populism, and a reversal of developmental gains in human rights, health, education, and welfare (CIVICUS, 2021;

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IDEA, 2021; UNDP, 2022). While the contribution of civil society for democratization and development is seen as more important than ever, civil society actors promoting inclusion and diversity are experiencing increasing pressure and constraints on their space of action. Additionally, the sphere of public action, mobilizing, and organizing is increasingly, or at least more visibly, occupied by civil society actors and citizens that advocate for nationalism and exclusion, supporting neopopulist authoritarian leaders, and harassing those defending inclusive democracy. Such groups are vocal in social media platforms and use diverse strategies to re-interpret principles such as freedom of speech.

Increasing constraints on the democratic sectors of civil society have been described as and analysed through the notion of *shrinking civic space*. The term civic space can be traced back to legal and human rights discourses and is often defined based on the realization of certain civic freedoms such as the right of association, assembly, and expression (Buyse, 2018). Sometimes, civic space has been used interchangeable with the notion of civil society (Popplewell, 2018), but in most cases it resonates more with the notion of 'enabling environments' for civil society used in development policy discourses in reference to the conditions to which civil society operates. Therefore, the general starting point of the book is to understand civic spaces as societal spaces where diverse practices by a variety of civil society actors occurs and where a multiplicity of civil society responses to institutional and informal constraints in different contexts appear. This point of departure is premised on a need to nuance our conceptual and analytical understanding about the dynamics between civic space and civil society actors and practices.

This book is a result of several conference panels coordinated by the editors in their role of conveners of the Citizenship and Civil Society in Development working group in the European Association of Development Research and Training Institutions (EADI) since the pre-pandemic year 2019 until 2021. It offers a timely contribution to debates concerning democracy and its decline, changing civic spaces, and civil society action by providing theoretically based and empirically embedded analyses of different civil society actors' responses to changes in civic spaces in various contexts. From the outset, each author was requested to specify the characteristics of civil society actors, settings constraining and enabling their action, and analyse the various responses performed in the context the chapter discusses. The outcome was a rich variety of theoretical definitions and empirical insights drawing not only from development

studies but also from academic fields such as studies on democracy and civil society. Before introducing the individual chapters, this Introduction provides a brief review on recent debates to underscore the relevance of the topic of the book.

2   Civic Spaces and Civil Society Responses: Global Trends and Debates

Several global trends have intensified the need to engage with debates on civic space in development discourses. For the purposes of this book, we focus on three interrelated tendencies and discussions: the decline of democracy; the introduction of the civic space concept in development policies and practices along with that of civil society; and the monitoring and measurement of changes in democracy and civic space, which is informed by (and inform) contemporary global debates concerning liberal democracy and international development.

The global belief in democratization strengthened after the dismantling of authoritarian communist systems in Eastern Europe in the late 1980s and early 1990s, and the intensified spread of ideas and institutions of liberal democracy. These historical moments were seen as part of a 'third wave of democratization' (Huntington, 1991) and nothing less than 'the end of history' (Fukuyama, 1992). Integral in these shifts was a firm belief in the emergence and maintenance of vibrant civil societies within the new spaces created by the adoption of principles of liberal democracy, which subsequently shaped international development agendas at the time. Framed by the optimistic outlook of democratic and developmental progress, donors allocated a wealth of aid budgets for democratization in the global South, combined with conditionalities related to institutional and political reforms (Hermes & Lensink, 2001; Stokke, 1995). Gradually, support for civil society rather than the state was considered a more effective way to enhance democracy, and increased funding was channelled to civil society organizations (CSOs) in the countries of collaboration (Banks & Bukenya, 2022; Jennings, 2013). International development agendas for 'good governance' emphasized advocacy and lobbying activities, and the human rights-based approach stressed the support for mobilizing and strengthening citizens engagement for the realization of human rights (Hickey & Mitlin, 2009).

Since the early 2000s, however, evidence also pointed towards reversing transitions; from democracy to non-democratic regimes in what

Lührmann and Lindberg (2019) describe as a 'third wave of authocratization'. New movements demanding democratic reforms, such as those emerging during the so-called Arab spring in early 2010s, were partly defeated, co-opted, or violently repressed by regimes (Glasius & Pleyers, 2013; Lesch, 2011), and some electoral democracies re-adapted autocratic features (Becker, 2021; Pospieszna & Pietrzyk-Reeves, 2022). The weakening of democratic institutions and changes from democratic towards hybrid and authoritarian regimes were initially seen to be prevalent in young democracies and low-income countries (Erdmann, 2011). Recently, we have also witnessed attacks against democratic principles and institutions in countries traditionally identified as harbingers of democracy, such as the United States (Arvanitopoulos, 2022). Nationalistic and populist political parties have meanwhile gained increasing support across Europe with messages against inclusive societies (Pauwels, 2014). Russia is a striking case of a decline of an incipient democracy back to authoritarianism, violent silencing of dissent, controlling the media, and most recently, justifying military invasion of its neighbours. The COVID-19 pandemic was also used as a pretext by many states to impose special restrictions on meetings and rallies of civil society groups and political opposition (CIVICUS, 2021; Pleyers, 2020). While this book mainly focuses on development discourses and global South contexts, the examples above show that challenges to democracy are a global concern and not specific to the global South (Strachwitz & Toepler, 2022).

A second trend we observe is how civic space has become central in global development discourses alongside the emphasis on civil society. In 2021, the OECD/DAC adopted a *Recommendation on Enabling Civil Society in Development Co-operation and Humanitarian Assistance*[1] where the objective is to support 'DAC members and other development cooperation and humanitarian assistance providers to enhance how they address civic space and work with civil society actors'. This international standard uses both the notions 'enabling civil society' and stresses the importance of 'respecting, protecting, and promoting civic space in line with rights to the freedoms of peaceful assembly, association, and expression'.

So far, however, international development actors seem to have had an ambiguous influence on the enabling environments for civil societies and

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[1] See: https://legalinstruments.oecd.org/Instrument%20s/instruments/OECD-LEGAL-5021.

civic spaces. They may have been potential enablers and encouragers of practices related to human rights and good governance, and thus, facilitated an extension of civic space in authoritarian contexts (e.g. Mutua, 2009). But Jennings (2013) argues that although the above-mentioned emphasis on good governance and support to progressive civil society actors may have opened up space for human rights and advocacy, it also meant that regimes became more interested in restricting their actions. Subsequently, global funding flows have become a central concern in contemporary debates about shrinking civic space, to the extent that political regimes seek to regulate and sometimes restrict funding of CSOs. Bromley et al. (2020) show that regulating and restricting international funding for CSOs has become a widespread tool for authoritarian regimes to restrict civil society actors, especially those engaged with democracy and rights, doomed as 'too politically intrusive' (Carothers, 2016: 358).

Scholars have pointed to the ambivalent responses by donor countries to these and other restrictive measures. Brechenmacher and Carothers (2019: 13) argue that even if donor countries are concerned with the legal, bureaucratic, and rhetoric means to restrict civic space in the countries of collaboration, they have only selectively addressed these challenges, perhaps due to other geopolitical or business interests in countries with (semi-)authoritarian regimes.

Donor-recipient power relations and the imposition of donor agendas thus remain problematic, and not only in the eyes of political elites critical towards international funding of dissenting voices. Evidence also suggests that local mobilization and networks have been more decisive in civil society actors' successful resistance to proposed regulatory restrictions, while international actors have played varied, and not necessarily important roles (Berger-Kern et al., 2021; Brechenmacher & Carothers, 2019). Donor agendas and funding regulatory frameworks can themselves be constraining and interact with national restrictions in different ways. Sander (2023: 14), for instance, argues in the context of Jordanian women NGOs, that donor practices such as imposing Western gender agendas, introducing administrative restrictions, and enhancing competition between CSOs, can 'reinforce the mechanisms put in place by the state to narrow the civic space'. By imposing Western ideas of women rights for their partner strategies, donors jeopardize their partners' aims to be identified as authentic Jordanian NGO to avoid restrictions, and with the short-term project approaches the donors push NGOs to charity

rather than advocacy, in alignment of the state aspirations related to 'acceptable' civil society practices.

It is important to keep these histories and geographies of democratization and development in mind when considering the third tendency and discussion we address: the global monitoring of the state of democracy and of 'shrinking' civic spaces. Global monitoring frameworks seek to capture general trends, as well as categorizing countries in terms of different levels or forms of democracy and civic space. Although the institutions use slightly different indicators and methodologies, they largely focus on the state of and changes in political regimes, which in turn inform the space of civic action. Freedom House, for instance,[2] places countries in three categories of realized freedoms: not free, partly free, and free, and in five regime categories from consolidated authoritarian regimes to consolidated democracy. Varieties of democracy initiatives[3] assess countries against five high-level democratic principles: electoral, liberal, participatory, deliberative, and egalitarian.[4] An intergovernmental organization, the International Institute for Democracy and Electoral Assistance (IDEA) has established global state of democracy indices, which are based on 28 aspects of democracy, based on five core attributes of democracy: representative government, fundamental rights, checks on government, impartial administration, and participatory engagement.[5] It categorizes countries in democratic, hybrid, and authoritarian regimes, which are further divided in more nuanced groups. A global alliance of civil society organizations, CIVICUS, has reported on the state of civic space since 2012 and developed a monitoring tool,[6] which categorizes civic spaces as closed, repressed, obstructed, narrowed, or open. Although the focus is on the manoeuvring space for civil society, the categorization is based on a definition of civic space as the extent of state protections of the rights to associate, assemble, and express views and opinions. Similarly,

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[2] See: https://freedomhouse.org/.

[3] See: https://www.v-dem.net/.

[4] According to their *Democracy Report 2022*, the liberal democracies that peaked in 2012 are now in lowest level in over 25 years and closed autocracies are in rise (26% of world's population), while the electoral autocracy remains most common regime covering 44% of world's population.

[5] See: https://south.euneighbours.eu/wp-content/uploads/2022/07/the-global-state-of-democracy-2021_1-1.pdf.

[6] See: https://www.civicus.org/index.php/what-we-do/innovate/civicus-monitor.

the OECD[7] defines civic space as a 'set of legal, policy, institutional, and practical conditions necessary for non-governmental actors to access information, express themselves, associate, organize, and participate in public life, and has introduced a *Civic Space Scan* with four fundamental aspects of civic space ranging from civic freedoms to civic participation in policy.[8]

Global monitoring provides important knowledge on democratic trends and challenges that raise concerns about democratic decline and shrinking civic spaces (CIVICUS, 2021; IDEA, 2021). Yet, there are limits to monitoring frameworks both in what is being measured and the discourses underpinning them. The policies and strategies that continue to shape international development agendas and subsequently what is being monitored and how reflect continuities rather than changes in how we perceive democracy, civil society, and civic space, and their importance for development. For instance, when it comes to the broader discourses, scholars have criticized the emphasis on formal institutions of liberal democracy such as elections, rather than democratization as a relationally produced political space (Stokke, 2018) and the need to pay attention to the politics of development and democratization (Hickey & Mohan, 2004; Stokke & Törnquist, 2013; Törnquist et al., 2009).

There is also a more fundamental decolonial critique of eurocentric theories and concepts of development and democratization, with implications for how we conceptualize and analyse civic space and civil society in various locations in the global South (Comaroff & Comaroff, 2012; Escobar, 2020; Lewis, 2002; Obadare, 2013). Scholars argue that a liberal perspective on civil society as a sphere of 'free' and 'autonomous' actors operating between the state and the market is problematic. Especially, in contexts where political and economic relations are intertwined in governance systems labelled with terms such as clientelism (Comaroff & Comaroff, 2012), and neo-patrimonialism (Kelsall, 2012), civil society actors are embedded in rather than external to such networks. Moreover, Howell and Pearce (2001: 39) argue that the belief in associations as schools of democracy exemplified an 'Americanized' view on democratization in development. However, this ignores contexts characterized by exploitation and poverty; a view also held by Encarnación (2000) as it

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[7] See: https://www.oecd.org/gov/open-government/civic-space.htm.

[8] See: https://www.oecd.org/gov/open-government/oecd-civic-space-scan-brochure.pdf.

proved to be more of a 'myth' than a reality. In this book, we suggest taking these critiques seriously; but rather than abandoning the notions of democracy, civil society, and civic space, we propose to explore them in a more nuanced and less normative way.

3   Conceptualizing Civil Society and Civic Space

The book discusses civil society responses to changing civic spaces. Here, as we will argue, civil society is understood to be constituted of people organizing outside government and immediate family to address joint issues and to mobilize for joint claim-making. Hence, we prefer to speak of civil society actors and practices rather than civil society as a clearly demarcated sector. Accordingly, as we will establish below, civic space is understood broadly as the legal, bureaucratic, and political environment, which enables, constrains, controls, and guides the kinds of civil society actors functioning and practices taking place within the civic space. Further, we hold that civic spaces are shaped by the political regimes and the political histories of nations. In so doing, civic space overlaps with the notion of political society, occupied by political parties and interest groups with aim to influence the government agendas. Civic space in this understanding is closer to how scholarship on the politics of democratization and development has conceptualized 'political space' of civil society actors as relationally (re)produced involving state and non-state actors, as a dynamic space continuously shaped in diverse relationships. We also see increasing mobilization of and widening spaces for illiberal populist forces, challenging a generalized narrative of 'shrinking' civic space, and guiding the discussion towards changing forms and contents of civic space.

3.1   *Civil Society: From NGOs to Civil Society Actors and Practices*

The notion of civil society is extensively discussed in political philosophy (for reviews see Chambers & Kymlicka, 2002; Ehrenberg, 1999; Kaviraj & Khilnani, 2001; Keane, 1998). Here, we scrutinize selected critical debates concerning civil society in development discourses and practices. In development discourse and practices, as Howell and Pearce (2001) elaborated, there has been a tension between defining civil society based on theoretical traditions emphasizing the role of people's associations in democracy (de Tocqueville, 2003) versus critical traditions focusing on civil society as a potential space for counter-hegemonic

action (Gramsci, 1971, 1978). Underlying differences in defining civil society is evident in development practices supporting, on the one hand, associations, and organizations, and on the other hand, critical social movements. In the 1960s and 1970s, the solidarity movements in the global North often supported political movements struggling for independence (Saunders, 2009) or against apartheid (Thörn, 2009) in Africa or resisting anti-democratic regimes (Kelly, 2013). From the 1990s onwards, however, the civil society support in Africa, Asia and Latin America has focused predominantly on supporting formal organizations such as NGOs.

Such NGOization of civil society has been criticized (Banks et al., 2015; Choudry & Kapoor, 2013) as it means channelling support to formal, 'professional' organizations, able to fulfil the managerial demands of the development aid system and to align their actions with their collaborators in the global North, rather than with the needs and grievances experienced in the society. Professional NGOs, often situated in urban centres and run by well-educated staff fluent in English, have been able to adopt the international human rights agendas and, most recently, also connect their work with the Sustainable Development Goals (SDGs). They align with certain characteristics of a 'modern organization' (Meyer & Bromley, 2013), able to build strategies, plans, and monitoring and evaluation frameworks. Hence, the focus on such a restricted definition of civil society as equal to NGOs excludes other kinds of organizing and mobilizing. Therefore, the development vocabulary has adapted the term civil society organization (CSO), which captures a wider array of actors and practices, but still emphasizes their formal, organizational nature.

The negligible attention given to critical approaches on civil society in development discourses has influenced the kinds of changes support for civil society is expected to bring about. Mitlin et al. (2007) argue for a focus on transformative rather than incremental change, drawing on the Gramscian definition of civil society. Transformation here refers to the ways in which people within civil society organize, mobilize, and build alliances to contest hegemonic power, to advocate for progressive changes, to claim rights, to resist authoritarianism, and to perform a watchdog role to keep the power holders accountable. Analytically, however, the Gramscian idea does not only refer to civil society as a potential space for anti-hegemonic struggles, but at the same time, the very arena where consent to hegemony is produced (Gramsci, 1971: 12–13).

It facilitates understanding of the cultural embeddedness of hegemonies, taken-for-granted in people's 'common sense' (ibid.: 15–16) and thus, the difficulty of promoting transformative change. Authoritarian regimes do not always resort to coercion but can maintain in power through producing consent by 'softer' cultural means that secure support, as well as mobilize growing support for authoritarian populism, as Scoones et al. (2018) discuss in rural contexts.

The opportunities for transformative claims within civil society are related to the degree of democracy, state capacities, and political regimes, that can repress the transformative initiatives with varying exercises of power (van der Borgh & Terwindt, 2014). Here the dynamics between civil and political society becomes relevant. Political society is often understood to be comprised of political parties, interparty alliances, and elected leaders (Keane, 1998: 48), whom civil society actors can support, contest, monitor, or influence through advocacy. In democratic societies, there are usually well-defined channels for civil society actors to influence the agendas of political parties and decision-makers. However, in authoritarian contexts, not only civil society but also political society is restricted. For instance, opposition parties may not be tolerated, or they are weakened through a variety of measures. Accordingly, one of the justifications for restricting civil society actors is to label them as opposition party supporters, in contexts where opposition is not seen as democratic contestants but as an enemy to be crushed (Cheeseman, 2018). In authoritarian and hybrid regimes the strategies of civil society actors and citizens can thus be less visible and more 'unruly', hidden from the authorities and practised outside formal structures of political participation (Gaventa, 2022).

Most definitions of civil society are normative as they portray civil society as equal to a 'good society'. It is often understood as a 'civilized society' inclusive of organizations and groups with democratic and progressive aims and means, pursued by peaceful means, and with 'good manners' (Kaviraj & Khilnani, 2001: 20). In contrast, notions such as uncivil society (Glasius, 2010; Keane, 1998: 114–156) refer to non-state actors such as gangs, militia, extremists of various kinds, which use violent and coercive means to forward their agenda as well as exclusive and involuntary mobilization of members. Development policies promoting 'good forms' of organizing in civil society often exclude the contextual logics of organizing along kinships, ethnicities, and mutual help initiatives from the agendas for support to civil society, democratization, and

good governance, where the focus often has been to establish new and 'proper' civil society organizations (Kelsall, 2008, 2012). Approaching civil society as inherently good along liberal values and norms does not capture the complex politics of actually existing civil societies. This politics includes illiberal forces and modes of 'uncivic activism' (Alvarez, 2017 in Hossain et al., 2018) or 'unruly protests' of protest movements and struggles emerging 'in response to elite civil society' that diverge from the 'civic modes of NGO and CSO organisation' (Hossain et al., 2018: 23).[9] These dimensions also suggest that restrictions on civic space for progressive actors may also 'come from within civil society' (Pousadela & Perera, 2021: 41). This politics of civil society is deeply contextual and embedded in longer trajectories of political regimes and state-society relations (van der Borgh & Terwindt, 2014), which are also partly captured in the notion of civic space we discuss next.

3.2   Civic Space: Towards Relational Conceptualization

The initial research agenda on civic space seems to have been informed by the human rights and democracy discourses and global policy debates noted above, focusing on various regimes' attempts to limit CSOs' space of action, i.e. the shrinking of civic space. However, there is no agreed definition on the concept of civic space in the literature. In a recent review, Dupuy et al. (2021: 5) distinguish three main approaches used in research. First, there is an approach based on the realization of civic freedoms that defines civic space as the extent to which these are respected in policy and legislation, and how these are protected by states (CIVICUS, 2021; Malena, 2015). Second, civic space has been analysed in relation to the restrictive measures on the autonomy of civil society organizations (Brechenmacher & Carothers, 2019), where scrutiny is on the legal, bureaucratic, regulatory, rhetoric, and violent strategies states use

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[9] When we speak of 'civil society actors' in a theoretical sense, we should be including civic as well as uncivic actors. After all, there is (always) conflict of interest within civil society. 'Civicness' is clearly becoming a very important normative notion. For example, the civil society actors that violently occupied the Capital building in Washington DC on 6 January 2021 started as concerned civil society actors (such as the Proud boys) even though they may not have been embracing progressive nor democratic norms. However, the moment they violently entered the Capital their civicness immediately ended and they became uncivic actors, trying to stage a coup d'état in favour of outgoing (and outvoted) President Trump.

to control their practices. Third, civic space is defined more broadly as the manoeuvring space for both civil society organizations and citizens (Buyse, 2018).

Each of the three intertwined approaches to civic space is relevant for development research and discourses. The overall focus on civic freedoms resonates with the international development agendas concerning democracy and human rights and provides attention not only for freedoms as guaranteed in legislation, but also as protected and implemented freedoms. As noted above, these agendas emphasize liberal democracy as a direction of development, by giving attention to issues such as freedom of press, space for political contestations and opposition parties, and the overall realization of universal human rights (Hossain et al., 2018). The development relevance of the second approach, where civic space is understood within the scope or autonomy of CSOs, has been extensively discussed in relation to funding. Constrained civic spaces denote changing funding regimes of CSOs, where an increasing unease of the role of CSOs among the political elites leads them to influence and design funding conditionalities and requirements that may 'impinge' on the autonomy of CSOs (Verbrugge & Huyse, 2020: 760). Regulatory restrictions may also involve discursive struggles through which powerful interests can 'label and frame' (Buyse, 2018: 969) civil society actors in ways that may de-legitimize their work. Such discursive and regulatory strategies may affect national and global funding policies (Buyse, 2018; CIVICUS, 2021; Verbrugge & Huyse, 2020) with 'far-reaching consequences for CSOs', who, in the contexts of increased restrictions, are afraid of 'becoming nothing more than implementers of government policies' (Verbrugge & Huyse, 2020: 761). The understanding of civic space as a broad manoeuvring space (Buyse, 2018), on its part, is relevant for development discourses as it guides attention also to shaping citizens' actions beyond institutional manifestations such as media and CSOs. Here, rather than the legislation or restrictions, the starting point for the analysis is the variety of actions and practices undertaken by citizens, and how they are either enabled or constrained by governmental actors.

Moreover, recent scholarship has argued that 'shrinking' civic space is not a unified phenomenon, and that we see shifting or changing rather than shrinking civic spaces (Dupuy et al., 2021; Hossain et al., 2019; Roggeband & Krizsan, 2021; Sogge, 2020; Toepler et al., 2020). Straightforward connections between authoritarianism and the increase in

restrictions on civil society actors have also been challenged and nuanced (Dupuy et al., 2021; Toepler et al., 2020). Civic space can be expansive in some elements while closing in others (Anheier et al., 2019; McMahon & Niparko, 2022), and governments can use many mechanisms to 'reconfigure' civic space rather than closing it (Roggeband & Krizsan, 2021: 23). Deliberate government strategies of inclusion and exclusion of certain actors open opportunities for some, most likely those who are seen to be ideologically and/or politically aligned with the political regime and elite, while imposing legal restriction as well as using extra-legal strategies exclude others (Roggeband & Krizsan, 2021; Toepler et al., 2020). The types of restricting legislations, burdensome bureaucratic procedures, and de-legitimizing rhetoric used are globally circulated. For example, restricting civil society actors by claiming them to be 'foreign agents', or arresting activists with charges related to terrorism, are used in many countries around the world (Buyse, 2018).

Recent policy and research agendas have also shifted towards exploring the multitude of impacts and responses to civic space constraints that inform relations between differently positioned CSOs and the government (Dupuy et al., 2021; Taka & Northey, 2020; Toepler et al., 2020). CSOs that challenge the vested interested of elites (van der Borgh & Terwindt, 2014) and aim to contribute to the 'public sphere' (Lewis, 2013) or engage in claim-making (Toepler et al., 2020) experience increasingly restrictive measures. On the other hand, CSOs engaged in service provision or self-organization are encouraged and supported. While independent CSOs may face restrictions, organizations that legitimize the governing regime as its allies enjoy more freedoms to act (Toepler et al., 2020). In constrained settings, there is, therefore, a division between what the political regime considers 'political' and 'non-political' activities, which is most problematic for those CSOs engaged in rights and citizenship issues. This can be perceived as illegitimate and as a threat to the regime, while 'service-providing organisations' are more often deemed useful (Buyse, 2018: 970). However, engaging with service provision through collaborations with a regime may also be a strategy to enable some level of influence, advocacy, and support for democracy under difficult conditions (Aasland et al., 2020; Braathen et al., 2018; Herrold & AbouAssi, 2023; Toepler et al., 2020).

Although research agendas have moved from debates on 'shrinking' to 'changing' civic spaces, most scholarship and debates focus on the regulative and restrictive actions on 'formal and collective manifestations' of civil

society (Buyse, 2018). Less is known about how such legal and extra-legal measures impact on other kinds of practices, and how differently positioned civil society actors seek to mitigate, adapt to, or resist constraints. There are vast differences in capacities to respond to changing regulations and constraints between larger CSOs with international connections and smaller organizations and groups with limited capacities and power (Buyse, 2018; Hossain et al., 2018). In a Nepali context, for instance, Uprety (2020) shows that Indigenous People's Organisations are not as visible as 'universalistic CSOs' in advocacy against attempts to limit civic space through legislation and registration, and that this limited visibility is a result both of the state's 'reluctance towards the rights of indigenous people as well as non-representation through other and more visible CSOs' (Uprety, 2020: 259). Moving beyond formal organizations, less formal actors such as informal associations and community-based organizations may be more vulnerable to extra-legal measures and actions of regime actors as well as non-state groups working as allies of the regime, even if they have relations to more formal networks and CSOs.

Furthermore, changing civic spaces are not one-sided impacts of state action. Civil society actors themselves may inform civic spaces in different ways, as they respond to, adapt, mitigate to, or resist different kinds of restrictive measures (Buyse, 2018: 969; Vertes et al., 2021; Zihnioğlu, 2023). Such responses may not be spectacular or formal, but also located in everyday politics. A recent study from Poland highlights the importance of 'uneventful protests, the formation of agency … and the enabling role of informality in collective action in adverse contexts' (Jacobsson & Korolczuk, 2020: 125). In the context of Vietnam, Vu and Le (2022: 1) argue that there are intricate dynamics of state-society relations even within autocracies that might be obscured by the shrinking space rhetoric, and that the Covid-19 pandemic also opened opportunities for 'ideological struggles and legitimacy building between these [state and civil society] actors'. Case studies from hybrid regimes in the Middle East also make visible the interrelations between particularities of political regimes, different forms of sectarianism and informal spaces of state-civil society interactions (Hafidh & Fibiger, 2019). In Lebanon, Vertes et al. (2021) refer to the multiple formal and informal interactions between the state and civil society as 'instances of negotiations' to 'convey that delineating civic space is not a one-way street of government pressures, as associations and other citizen groups have a capacity to respond to pressures (Baldus et al., 2019)' (Vertes et al., 2021: 257).

This brief review of current scholarship suggests moving beyond the institutionalist and static concepts of civic space that focus primarily on restrictions of certain civic freedoms or constraints to formal civil society organizations, which is prevalent in global policies. We need to pay more attention to how the relational dynamics of civic space play out in different contexts, and in what ways states, regimes, and civil society actors continuously shape civic space in their different relationships (Dupuy et al., 2021). Current dynamics discussed above make visible the hegemonic and counter-hegemonic struggles that play out in and through state-society relations, between what Gramsci (1971) would describe as political and civil society. In this contested field, civil society actors may both serve the elite and legitimize their power, but also contest, mitigate, and resist powerful interests seeking to restrict their space of action. Some civil society actors can vocally promote their own freedoms while advocating restrictions for the freedoms of others, adding to the current dynamics of civic space. In the emphasis on changing civic space, even if we acknowledge that we see conscious attempts by regimes to include and exclude certain kinds of civil society actors, we tend to pay less attention to how civil society actors—progressive or not—have *agency* and to varying extent capacities, to *shape* civic space (Buyse, 2018; Dupuy et al., 2021).

4 Towards Contextual Analysis of Civic Space: The Chapter Contributions

The chapters of this book add to this emerging research agenda that nuances and challenges the state-centric focus on civic space. The aim is to better understand the multiple and contextual dynamics of state-civil society relations and the diversity of civil society experiences, strategies, and practices responding to changing spaces of action. Rather than drawing on universal indicators and definitions, the chapters offer contextualized analyses of the dynamics of civic space, defined in a variety of ways; civil society practices, taking multiple manifestation; and the interactions and negotiations between state and society in shaping civic space. Additionally, the chapters also discuss the capacities of civil society actors, which also present restrictions for the kinds of practices in the civic space. The capacities do not refer to managerial skills required by the aid system, but to the implications of situations such as poverty and hunger for the scope and volume of civil society practices (Kabeer, 2006; Hossain &

Oosterom, 2021). While civil society practices are restricted by authoritarian politics, they nevertheless are also constrained by a need to focus on daily survival and ensuring basic livelihoods (Buyse, 2018). The volume offers conceptual insights and empirical analyses on how civil society groups and initiatives that experience limited room of manoeuvre to organize and/or mobilize can still be empowered agents for change in their daily lives. The examples underline the ways in which the practice of civil society actors is restricted, how they try to deal with this, and how they find ways to function despite the constraints.

The first section 'Conceptualizing civil society and civic space' introduces contemporary debates on civil society, civic space, and civic action. The Introduction is followed by two chapters that discuss theoretical and general ideas. Chapter 2, *Interrogating Civic Space: Applying a Civic-Driven Change Perspective* by Kees Biekart and Alan Fowler, continues and deepens the conceptual discussion on the understanding of civil society, civic space, and civic agency. Embedded in a critical discussion of dominant discourses of civil society and civic space in development, they propose the concept and analytical framework of *civic-driven change* in which they emphasize the explicitly 'political dimensions of civic agency', and how it is influenced by historical latency. In Chapter 3, *Repertoires of the Possible: Citizen Action in Challenging Settings*, Colin Anderson and John Gaventa draw out findings from an extensive research programme *Action for Empowerment and Accountability*. Based on detailed case studies in four countries characterized by closing civic space and authoritarian histories, they offer an analysis of both visible and hidden citizens' action that takes place in such contexts.

The second section 'Contextual dynamics of civic space' includes six chapters with case studies on civic space and civil society practices from different parts of world. The chapters illustrate extremely well the contextual differences and particular characteristics that occur despite some general commonalities. In Chapter 4, *Philanthropy During Covid-19 Emergency: Towards a Postcolonial Perspective?*, Patricia Maria Mendonca, Cassio Aoqui, and Leticia Cardoso focus on diverse forms of philanthropy that emerged in Brazil during the COVID-19 pandemic and show how, in that situation, diverse forms of community philanthropy disrupted the traditional, colonial, and market-oriented ones. Chapter 5, *Sandwiched? Sri Lankan Civil Society Between a Repressive Regime and a Pandemic* by Udan Fernando, analyses how two contextual changes—a new political regime and the Covid-19 pandemic—impacted upon and restricted

advocacy- and human rights-oriented civil society actors in Sri Lanka. Some established CSOs did challenge the subtle and not so subtle tactics from the state to restrict their space of action. However, regional and local actors had limited capacity to withstand these pressures, using different coping mechanisms ranging from adapting and compromising, to self-censoring and laying low to survive under an increasingly constrained setting.

Chapter 6, *Negotiating CSO-Legitimacy in Tanzanian Civic Space* by Tiina Kontinen and Ajali M. Nguyahambi, scrutinizes the kinds of legitimacy negotiations CSOs engage with in Tanzania especially during the time of President John Magufuli, a time allegedly characterized by 'shrinking civic space'. They discuss experiences of both urban professional NGOs and small self-help organizations in rural areas and locate the specific period within the overall evolvement of the politics in the country. In Chapter 7, *Spaces for Peace in Mitrovica, Kosovo: Women's Voices for Change*, Cíntia Silva Huxter explores and develops the notion of *spaces for peace* in the context of women's cooperation in post-conflict Mitrovica. The chapter argues that understanding women's cooperative activities as spaces for peace highlights their voices and agency in a context constrained by both ethnic boundaries and prevalent patriarchy.

In Chapter 8, *The Algerian Hirak: Civil Society and the Role of Artists in a Civic Space Under Pressure*, René Spitz presents and discusses artists as actors of change and culture as a domain and instrument to enhance civic space in the context of the Hirak (movement) for political reform in Algeria from 2019 onwards. The chapter shows how artists expressed their support to the aims of the Hirak, and how they actively contributed to this process with their songs, poems, pictures, and other forms of creativity. In Chapter 9, C*onstrained Humanitarian Space in Rohingya Response: Views from Bangladeshi NGOs*, Abdul Kadir Khan introduces the concept of *humanitarian space* as an arena of social negotiations among multiple humanitarian actors and their access to the affected communities, explores the views of Bangladeshi NGOs on how this space is constrained in the context of local responses to the protracted Rohingya crisis.

The third section 'Global connections and civic space' continues with contextualized analyses but scrutinizes on the relationships between local and global actors and processes. Four chapters discuss not only the local civil society practices, but also how these can be potentially influenced

by international interaction, including development partners with intentions to support civil society and civic action. In Chapter 10, *Advocacy in Constrained Settings: Rethinking Contextuality*, Margit van Wessel argues for a broader understanding of contextuality in advocacy in development context in an attempt to reflect on basic assumptions, such as a presence of a liberal state that has authority, and competences to make and enforce policy decisions. She provides a set of considerations for advocacy in authoritarian, hybrid, and fragile contexts.

Chapter 11, *The Changing Amazonian Civic Space: Where Soy Meets Resistance*, is written by Lee Pegler, Juliana Rodrigues de Senna, Katiuscia Moreno Galhera, Solange Maria Gayoso da Costa, and Marcel Theodoor Hazeu. They describe how communities in the Amazon are affected by and resisting the soy Global Value Chain in recent years and analyse how different community groups are damaged by capital and state in the regions of the Lower Tapajós and the Lower Tocantins in Brazil. While investigating the role the Convention 169 of the International Labour Organization in resistance, the chapter argues how building international coalitions can help the struggles of traditional communities to guarantee their lands, identities, and rights. Chapter 12, *Local Civil Society Initiatives for Peacebuilding in North-East Congo* by Niamh Gaynor, explores the successes and limits of local peacebuilding in a context of a long-term violent conflict in Ituri province in the Democratic Republic of the Congo (DRC). She argues that local actions need to be accompanied and supported by national and global actions in establishing interventions which engage in resource extraction, as well as include greater cooperation with local actors in land reform, service provision, and resource management.

In the concluding chapter, *Conclusions: Spaces of Hope and Despair?* by Kees Biekart, Tiina Kontinen and Marianne Millstein, the findings of the chapters are brought together and analysed through the initial questions concerning diverse definitions of civic space, the contextual characteristics of civic space as well as the variety of civil society responses emerging from the chapters. Additionally, the chapter discusses the limitations of the book and identifies new research agendas to make sense of the current global situation where spaces of hope and despair intertwine in the changing civic spaces where state-citizen relations are reshaped in multiple ways.

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Interrogating Civic Space: Applying a Civic-Driven Change Perspective

Kees Biekart and Alan Fowler

1 The Emergence of Civic Space as a Concept

One of the recurring problems in the study and analysis of civil society is that one cannot see it. This has at least one unpleasant side-effect: civil society strength is very hard to measure (Biekart, 2008). The main reason for this is that civil society is more than just an empirical concept: it entails more than a certain number of organisations and/or conditions for their existence (Edwards, 2014). In addition, the specific histories and national context of civil societies significantly co-determine its composition and strengths as well as its limitations. When a group of researchers a decade ago tried to develop a 'civil society index' to give a quantitative indicator to civil society strength, they had to admit that this was causing a whole

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range of methodological problems that were hard to solve (Heinrich, 2005).

Added to the confusion generated by the variety of civil society definitions, the concept of civil society as a liberating concept was soon abandoned, at least by civic activists. It is now only present in the term Civil Society Organization (CSO), which is vague enough to comprise every organisation in civil society we do not automatically reject as a potential ally. Generated by World Bank and UNDP circles in the late 1990s, the CSO concept seems to be here to stay as a proposition that does not have negative connotations of low accountability, undemocratic behaviour, and aid-driven connotation of NGOs (nongovernmental organisations) (Fowler, 2011: 43). However, by abandoning the rich concept of civil society and by no longer linking it to its dialectic relationship with the state that, as followers of Gramsci have convincingly argued for many decades, a vacuum had emerged. After all, isn't civil society *de facto* co-defined by the state? Its presence depends on the associational life of citizens thanks to state intervention measures or lack thereof. The vacuum now seems to be filled by the concept of *civic space*, a term that was coined in legal circles in the USA and gradually found its way to international institutions, including NGOs in North and South. This chapter will examine the meaning as well as the relevance of the term *civic space* for development discussions. It does so by employing the concepts of civic agency and civic-driven change to interrogate the notion and connotations of a nationally bordered 'space' that both houses and connects political actors and forces.

Civic space has all the attractions that civil society lacks: it can be 'visualised' as bounded, dynamic—a space that can grow or shrink. And it is general enough to include a whole range of actors and process factors. It, therefore, comes not as a surprise that civic space has firmly entered the vocabulary of donors, development NGOs as well, in recent years, by activist groups (Buyse, 2018; Hossain et al., 2018, 2019; Malena, 2015). In these discourses, civic space is often used interchangeably with civil society itself, or as a particular public arena conditioned by relations to the state and the market that co-determine civil society organisations' room for manoeuvre to mobilise and organise and to (critically) engage or, in the name of 'rights', resist public policies, rules, and interventions. This makes the term useful for a variety of actors and interests and it makes the concept more mentally tangible: a 'visible space' so to speak. One with boundaries that can be identified reflected for instance in the debates

concerning shrinking or changing civic space for civil societies of all kinds across the globe. In particular, years of past efforts have been applied to measure what is called the *enabling environment* for civil society organisations, implying a causal relationship co-determining the size and quality of 'space' for agency in the public realm. Also implying that—enabling or otherwise—the 'environment' is an interactive 'space' co-created by a myriad of transactions between citizens and ruling regimes generating uncertain political outcomes.

However, the rather simplified understanding of the various meanings of civic space leaves unexplored the more complex theoretical and empirical dynamics between civic space and citizenship, or between civic space and civil society, not to speak of civic space and the politics of (un)democratic development under conditions of interdependent, globalising capitalism as the prevailing economic system—be it 'owned' by private investors or by post-communist states.

Conceptually, it can be argued that the recent animation of civic agency—seen amongst others in civil disobedience and violent public protests—can provide a three-part theoretical enhancement as well as a deepening analytic coupling that interrogates what energises civic space: "(…) agency is an interplay between (i) past routine, experience, and learning, energized by (ii) images of a desired future situation, which is then (iii) situationally judged for achievability and risk, from which action may or may not be taken. In this reflexive sense, inaction is also an action" (Fowler & Biekart, 2020: 2). The first is an experiential element which can be partly understood in terms of historical pre-conditions discussed below. The second element can be interpreted in terms of Polanyi's double movement. In reconstruction of critical theory, Block (2008) updated Polanyi's (1944) original formulation in terms of global development propagating 'neo-liberalism' and 'market fundamentalism' generating popular discontents invoking counter-movements seeking to check, modify or control market forces (Block, 2008: 1). This results in destabilising inequality (Milanovic, 2018) and other social ills, including escalating mistrust in (democratic) governance (Harari, 2019). The third element is one of personal and collective imagined futures inspiring action in the public domain that—depending on positionality within the double movement—are potentially confrontational. Akin to prospect theory (Kahneman & Tversky, 1979), past and present are calibrated in terms of the probability of bringing about the desired future.

Here the Gramscian view of civil society as a site of political struggle against hegemony is in play.

Thus, in our reading the term civic space remains poorly defined, ahistorical and insufficiently scrutinised academically; neither in relation to the more elusive idea of 'civil society', nor in relation to development as a globalising economic process. Conceptually and theoretically, it is here that 'space' can be understood from the citizenship base of civic agency associated with a legal attribute of modern statehood (Fowler, 2009) which can be functionally observed and interpreted through five lenses of civic-driven change (Fowler & Biekart, 2013).

The purpose of this chapter is, therefore, to explore how useful the term 'civic space' is for better understanding social resistance opportunities and whether civic space can help us understand better what civil society is (un)able to do in a political sense. The treatment homes in on the term 'civic agency' and especially its invisible historical reference points—what we call *the latency of civic agency*—as potential reservoirs of popular energy acting as drivers of socio-political processes. In addition, the dynamics of *civic-driven change* are discussed, as a potentially more useful lens to look at resistance and social change. Examples will be drawn from recent country studies (Fowler & Biekart, 2020).

2   Theoretical Foundations: From Civil Society to Civic Space

It is good to recall that the civil society discourse only re-emerged broadly in the late-1980s, after the breakdown of authoritarian regimes in Southern Europe and Latin America had preceded the end of the Cold War and of Soviet domination of Eastern Europe—which is often summarised a bit dramatically by speaking of the 'fall of the Berlin wall'. But authors studying these processes, like O'Donnell and Schmitter (1986: 55–65), already wrote about the 'resurrection of civil society' as a trigger for democratic politics when nobody in the development business had even used the term civil society. Bobbio (1987) re-introduced Gramsci's ideas to the community of Latin American refugees in Europe which contributed to several ideological transformations in the Latin American left (Howell & Pearce, 2001).

However, while the notion of civil society soon was extensively used in development discourses, it also was constantly challenged. First, the implied universalism of civil society proved to be a limitation, as we

have previously argued (Biekart & Fowler, 2013), when it was applied to countries such as Laos, Vietnam, or China. One of the reasons was that too little respect was given to *historical latencies*, such as the stigma of military defeat and the indignities of slavery and colonial subordination, embedded in the psychology of a polity that politicians could rely on to mobilise popular, nationalistic support seen assertively in China. These countries are adopting market economic principles while maintaining socio-political configurations deeply rooted in communism (Howell & Pearce, 2001). In other words, an implied universalism of civil society as both instigator and product of democratic dispensations associated with market capitalism is clearly open to challenge. Secondly, historical latencies (discussed further below) may be rooted in a perceived glorious past as a nation, sometimes phrased as *lost empires*. A third historical latency present in civil societies is struggles of resistance that have been repressed and which tend to re-emerge only decades later in a surprising similar format (Hirschman, 1984). It is against such a backdrop that what civil society is and means in the field of development studies becomes even more problematic.

A second challenge for using civil society in development discourse relates to the variety of definitions and interpretations of civil society, which has made it into a tricky concept in the development business. This is mainly due to the normative use of civil society as the 'good society', as the civil society we would like to see, rather than acknowledging its great diversity and its internal contradictions (Edwards, 2014). But obviously, there are many other views on civil society circulating as well. Edwards (2014) mentions three different approaches: next to the good society is also civil society as the sum of organisations ('associational life') and civil society as the public sphere. Glasius (2010: 1–2) identified five different interpretations of civil society inspired by various thinkers: as social capital (Putnam); as citizens active in public affairs for the common good (DeTocqueville); as non-violent and resisting violence (Gandhi); as fostering public debate (Habermas); and civil society as agency for counter-hegemony (Gramsci). Even if there is overlap, depending on your worldview as development actor, one can pick a particular approach that suits preferred ideologies and strategies. Be that as it may, what these views have in common is that civil society is implicitly defined by its (power) relation with the state, often overlooking power distribution within itself.

An additional challenge facing all these approaches is that civil society is normatively defined, therefore, automatically ignoring the opponents—if not enemies—which are not perceived to be part of civil society. Examples are extreme right, anti-woke, or neo-populist parties, illegal movements, violent-based groups, not to mention 'terrorist' associations. The place of faiths and sects was also often problematic. Moreover, types of conflict which are always present in civil society—it is after all a protagonist in and product of unresolved struggle in any society—are generally ignored or downplayed.

One of the major limitations of researching civil society is that its strength cannot easily be assessed, let alone 'measured'. Relying on an assessment of four dimensions: structure, environment, values, and impact, as previously noted, efforts by CIVICUS and other actors to develop a 'civil society index', which would make it possible to compare the strength of civil societies across the globe, did not really work out (Biekart, 2008; Heinrich, 2005). Basically, three problems were identified. First, national country research teams used different definitions and compositions of civil society. For example, some researchers proposed to include political parties in civil society, whereas others were opposed to that. Obviously, this leads to problematic cross-country comparisons. A second problem in designing a universal 'civil society index' was triggered by the predominantly Euro-American interpretation of civil society, in which issues like 'donor dependency' or 'conflict'—crucial, for example, in the African context—were not adequately considered. A third problem had to do with the use of a participatory research methodology, generating a quantitative index based on predominantly subjective criteria. This additional element obstructed cross-country comparisons (Biekart, 2008: 1177–1179). While establishing a sort of baseline, portrayal of the condition of parts of civil society in participating countries, the exercise was difficult to repeat year by year. But one value was bringing more critical attention to understand and empirically 'measure' the operating conditions—the environment—which co-determined civil society composition and capabilities. It can be argued that the Index experience—particularly by expanding the environment dimension—was folded into a much more dynamic approach of tracking civil society 'space' seen in the CIVICUS Monitor project on civic space and its parameters.

The above-mentioned limitations and history of concepts and their applications can partly explain why 'civic space' emerged as an attractive complementary term to gauge factors shaping civil society strength.

Rather than locating conflict within civil society, it is located outside this sphere by creating a new label for a domain between civil society and the state in which key civic rights are exercised. Civic space is described by CIVICUS (2020) in the following way:

> Civic space is the bedrock of any open and democratic society. When civic space is open, citizens and civil society organisations are able to organise, participate and communicate without hindrance. In doing so, they are able to claim their rights and influence the political and social structures around them. This can only happen when a state holds by its duty to protect its citizens and respects and facilitates their fundamental rights to associate, assemble peacefully and freely express views and opinions. These are the three key rights that civil society depends upon.

On the basis of this (descriptive) definition, and reflecting a liberal democratic political dispensation, civic space can be loosely defined as: 'the public arena used by citizens and civil society organizations, and provided by the state, to exercise the fundamental rights of association, assembly, and expression'. Often the terms 'civic space' and 'civil society space' are used simultaneously (Hossain et al., 2018: 13, Footnote 1). In practice, civic space thus is viewed as the realm and quality of political environment in which civil society organisations can express themselves, and where they can voice their opinions and concerns. Oxfam International (2019) goes a step further by also adding other dimensions to measure (and thus monitor) civic space, such as the regulatory framework, the accountability of CSOs, their access to funding, as well as the safety and well-being of people. But is this in practice not basically the space that has already been defined as 'civil society'? Take, for example, the comprehensive definition of civil society proposed several decades ago by Gordon White:

> Civil society is an intermediate associational realm between state and family populated by organisations which are separate from the state, enjoy autonomy in relation to the state and are formed voluntarily by members of society to protect or extend their interests or values. (White, 1994: 379)

This can still be seen as a clear and strong definition because it highlights civil society as an intermediate realm (or call it a 'space') between public (the state) and private sphere (the family) in which civic rights are claimed and exercised by autonomous associations formed by citizens. Some have argued that civil society is the arena as well as the product of a

social struggle, but this is conflicting with the idea of a civic space (Keane, 1998). One can, therefore, argue that a new 'civic space'—an added realm that apparently would exist between civil society and the regime—is in fact depoliticising this implicit potential of civil society. Bratton (1989: 58–59) and others (paraphrasing Gramsci) argued many years ago that civil society and the state are two sides of the same coin: "the state is the realm of the politics of force (domination) and civil society is the realm of the politics of consent (hegemony)". This dynamic and alternating balance of power between state and civil society is what he called 'the centre of gravity of political life' (ibid.). Both spheres are driven by different forms of political power: civil society is likely driven by power based on civic energy, understood as the energy triggering and motivating collaboration between citizens to work for the public good. Civic energy is the pivotal force for civic-driven change as will be illustrated below.

In this reading, civic space appears to be a depoliticised form of this Gramscian understanding of civil society, since the potential power of hegemony is withdrawn. Why would this conceptualisation be so attractive to replace civil society? Well, there is another important reason that triggered the civic space discourse, preceding Bratton's quotes: the emergence of a digital civic sphere which was important for civic action, but hard to locate inside civil society. With the increased use of social media as a tool for protest and resistance, the internet has quickly become one of the main fora for civic association stimulating (disbursed) collective action not limited to a national space. Following White's definition, social media and other internet communication are not really defined as part of civil society: after all, it is about apps, tweets, and social communications rather than organisations. But social media are certainly part of the Habermasian public sphere (Öffentlichkeit), which comes closer to what the proponents perceive of the key features of a civic space in which critical debate is allowed and encouraged. Obstructions to citizens using this digital public sphere are obviously determined by state interventions as well as a product of business models and their approach to risk. Governments in many parts of the world abuse their power to restrict online access for and online freedoms of oppositional forces (Hellema, 2017).

A pivotal issue in bringing 'space' into civil society debates is the extent to which it is instrumental in enabling a dialectic of power distribution which emerges from processes of 'co-production' between citizen and state. Or does it constitute a location of autonomy for collective civic agency? In one sense, the 'quality' of civic space can be judged in terms

of power with respect to the degree of societal norms and ruling regime's 'tolerance' (Mill, 1860) for any type of agency by a polity, be they by citizens or otherwise, such as (illegal) migrants and refugees. That is, civic agency is simultaneously shaping and is shaped by a civic space that it co-creates.

By way of a biological analogy, civic space can be viewed, including time, as a four-dimensional living organism with surface irregularities, shapes, and scales that alter day by day. In a spatial frame, a geo-political, legal 'state' provides a bounding membrane for autonomous action civic action within constitutionally determined ground rules and norms, that are modified over time. In the other, a ruling regime—its legitimacy and ideology—is a protagonist in a continual struggle over the distribution of power within civil society as well as towards those who govern. Within the organism, viscous material is provided by a polity's multiple energising motivations—economic, social, theological, cultural, etc.—each trying to claim primacy that is abetted or impeded by the current regime. That is, energy stemming from contestation about who wins and who loses both within the polity and in relation to the ruling regime, each relying on different instruments for assertion. Universal human rights are often a legalistic reference point in how struggles and spatial changes are interpreted. The choice of a spatial frame becomes crucial in how civil society is conceived politically and portrayed in development studies which needs to be made explicit.

A final attractive element (at least for some development actors) of the use of the term 'civic space' is that it has been relied on as a popular instrument for political activism. In fact, the term was popularised by (moderate) activist organisations, such as ICNL, CIVICUS, Carnegie Foundation, and others (Hossain et al., 2018: 13). Reflecting the organic analogy, in its practical use, while there is a tendency to argue that 'civic space is shrinking', seldom do activists and/or human rights defenders point at where there is a selective 'widening' of civic space. Even not when there are signs that this is occurring for some types of prejudiced (neo-populist) citizen expression. In short, a much more differentiated understanding of what lives and expresses itself as (un)civic agency and non-civic CSOs (Monga, 2009)—intolerance of 'otherness' and promoting unfairness—is needed if 'civic space' is to have a firm, normatively aware empirical grounding.

In summary, our argument is that civic space elides from a normative concept of an *enabling environment* relying on three freedoms considered

to be a *sine qua non* for a particular, to be preferred (liberal democratic) political system. Even if other elements are added to the civic space 'measurement', as is suggested by international organisations such as Oxfam and ICNL. The freedom-principles of 'space' do not, however, provide a way to politically analyse how their relative presence or absence plays out in practice. The concept and dimensions of *civic-driven change* may be a way of 'filling' space by applying political dimensions of citizen agency, including drivers from historical latency. Remember that we identified three drivers of historical latency in civil society: (i) loss of dignity; (ii) appeals to a glorious past (a lost empire); and (iii) repressed struggles of resistance. All these latencies may reappear suddenly in a powerful manner as was seen in works by Chimiak for Poland, by Paturyan for South Caucasus, and by Sidel for China, Hong Kong, and Vietnam (cf. Biekart & Fowler, 2022).

3   FROM CIVIC SPACE TO CITIZEN AGENCY

The discussion can now be expanded and theoretically informed by two (related) concepts: *civic* (or citizen) *agency* and *civic-driven change*. Civic agency may be understood as 'a human predisposition toward, and a capability for, leading life together with others in a society with concern for the whole'. Civic agency incorporates a basic principle of a fair, tolerant society (Fowler & Biekart, 2020: 2). This proposition was further elaborated as part of a collective enquiry of international civil society practitioners and thinkers to explore social change being triggered by other factors than development aid. The civic-driven change (CDC) concept—understood as the actions of members of a polity to alter the conditions in which they live—was rooted in case essays provided by scholars from multiple continents (Fowler & Biekart, 2008). Mwaura (2008) applied herself to drivers of religion, faith, and spirituality in Africa; Boyte (2008) examined developmental democracy in America; Bullain (2008) concentrated on law and the role of outside interventions in Hungary; Gumucio-Dagron (2008) analysed citizenship and communications from a Latin American perspective; Tandon (2008) spoke to the deepening democracy in India; and Dagnino (2008) detailed political projects in Brazil. Based on the Insights from these essays, our subsequent presentations, and critical debates, a five-part framework was established to bring politics back in to development discourse (Fowler & Biekart, 2013). A value of this framework is, following our biological analogy, to

see how civic space is shaped and 'filled' through people's agency, which is inferred but insufficiently explicit in existing treatments. In other words, the components involved can be used to unpack, tease out, and help understand the relationship between *space* and *agency*. That is, for any particular 'citizen associational assembly' within (un)civil society, to chart the extent to which space is changing. After their description, components will be laid over country examples.

As an ongoing exercise of expressing relative types of power—power to, power with, power within, and power over—citizens exert agency in interaction with the political space available and spaces to be claimed (Gaventa, 2007). To understand CDC, it is important to bear in mind that citizenship is simultaneously a personal and a collective property operating 24/7 with agency which is analytically distinct from a 'sector' and similar institutional frameworks. Extracted from Biekart and Fowler (2012) such agency can be viewed through five political lenses, described below. The purpose of this chapter steers our treatment towards factors of CDC related to civic space.

The politics of belonging: CDC is based on a rights-based understanding of political agency: *inclusive citizenship*. This individual as well as collective identity is the defining relationship between a state and its political community: the polity. Here is where historical latency can gain a hold in opening space for some associational formations, like nationalist groupings and in their choice of (aggressive) agency. Legitimacy of the former calls for active informed involvement by all of the latter. Where citizenship is not in play and the right to have rights is not honoured by a state, this condition needs first to be fulfilled, which was slowly happening in Myanmar, but not in North Korea. In many parts of the world, rights are granted in principle but not realised in practice. We have seen this with refugees on the Lao border. They have citizenship rights on paper but are unable to exercise those without facing repression. That is also why a CDC lens takes as a maxim the requirement for *equity of political agency rather than equity of economic opportunity* that informs the dominant three sector-based theories of change: namely state, market, and civil society. Equity of political agency exhibits strong gender differences, seen, for example, in the need to 'reserve' a proportion of (local) government seats for women and their exclusion from political systems in some Arab states. Applying this lens to civic space would seek out approaches to inclusion and assertions by those experiencing marginalisation.

The politics of action: A CDC lens focuses on *civic agency* for good or ill throughout all realms of society. A CDC perspective is, therefore, not institutionally 'located'—it is not 'owned' by civil society, as is often assumed with citizen's action. In whatever they do, people's agency contains 'political' choices which co-determine how a society thinks, functions, and evolves. From this mass of choices, what becomes 'political' on the streets, in the (social) media, and in systems of governance emerges from how power has been gained, distributed, and controlled in society. Consequently, civic agency means that CDC does not focus on the mechanics of politics, such as voting. Nor does it zoom in on institutions as such. Rather, it begins with identifying a domain of change where people decide to act to alter the society they live in and beyond to other locations. People's individual and collective decisions bring together past experience, an imagined future and a real-time assessment of the effort and risk involved in changing things. The revolutions in Tunisia and Egypt did not emerge from a 'sector' but from millions of families that lived and coped somehow with the stress of unemployment, giving bribes to stay in business or out of jail, being compromised by security services to spy on neighbours, experiencing denial as political opposition, and so on. Many years of such widespread micro-political circumstances and processes combined into a 'tinder box' of accumulating frustration, (youth) radicalism, and eventual mass public dissent with an unlikely trigger of self-immolation. Such accumulating, subterranean drivers of oppositional civic agency that emerge and catch fire, so to speak, are not confined to the poor, marginalised or to civil society as such, but belong to the political community at large. From a CDC point of view, this extreme example of civic agency is a source of innovation which impacts on the conventional three-sector analytic model in ways needing more explicit attention. Put another way, it is prudent to understand the socio-political fabric not only as visible institutions but also as formations that contain energising latencies—of historical injustice, (middle class) disaffection with (authoritarian) politics, (religious) intolerance, inequality, and more. In 'space terms' a task is to identify how civic-political action is layered.

The politics of scale: Tahrir square and similar events illustrate another core feature of a CDC lens: *scalability*. A CDC framework of analysis is applicable at local, regional, national, and global levels. This feature is particularly valuable when, through relationships both physical and virtual, change processes span multiple horizontal (networked) and

vertical (hierarchical) aggregations of civic agency, socio-political arrangements, and the different types and sites of governance and authority. For example, some governance landscapes are showing growth in citizen self-regulation. This shift is intended to make organisations more accountable without the heavy hand of legislation. A CDC view would connect this innovation with other types and sites of public accountability to see how power is being redistributed to whose advantage. A CDC view also orients towards analysis which links local to global changes and back again, abetted by globalisation of economic value chains and their (vulnerable) interdependencies. The UN Global Compact for Business and the impact of transnational citizen networks on multi-lateral institutions are examples of micro- to macro-scaling of civic agency, most acutely in responses to environmental concerns that were, for example, debated in November 2021 at COP 26 in Glasgow, UK. This feature of CDC ties to the proposition of imagined futures: such inspirations have no limit to their span in time or space, nor a theoretical limit to innovation. The 'blending' described above can be viewed in such an innovation light. This source of civic energy means that people can choose to think and act beyond their own small community or locality, for example, to influence global policies and governance arrangements via environmental movements and/or stewardship councils for natural resources. In terms of civic space, a challenge is to determine the degree of outreach across society and the diversity of civic agency.

The politics of knowledge and communication: A fourth core feature of the CDC lens is attention to the fact that civic agency is shaped by autonomy over power of knowledge. CDC recognises the multiple knowledges that inform agency. Even though learning is a complex process, it is important for civic actors to explore their own paths of change. Focussing on the ability of people to use their own knowledge and communication resources is, therefore, a crucial ingredient of applying a civic-driven change lens. The value of distributed knowledges increases when giving to and receiving from others. Ownership and control of mass media and blocking access to internet sites—the Chinese firewall—show that pathways for doing so are themselves part and parcel of power relationships. For example, in Tanzania only government statistics can be used to assess and report on progress in realising the Sustainable Development Goals (Fowler & Biekart, 2020). Independent research by CSOs or others was not permitted. Observing what information is (not) being transmitted to whom and how is a CDC task. Finally, the international development

industry still tends to ignore the subtle power asymmetry of resource transfers, through which Western knowledge and values are imposed. Civic space is typically permeated by multiple languages. A CDC angle is to unpack the ways in which language opens and closes debate and (dis)enable knowledge exchange with polity.

The politics of resourcing: This focuses attention on the material, economic, and human resource base that groups in (un)civil society rely on to exert agency for a collective purpose. In other words, what resources does civic energy draw on? The 'yellow vests' movement in France is self-supported by a 'beleaguered' middle class whose livelihoods are made precarious by 'green tax' increases on fuel, reducing subsidies and other reforms propagated by an insensitive political elite (Cigainero, 2018). Mega-philanthropists rely on massive financial accumulation exerting socio-political influence undermining democracy itself (Lechterman, 2022). The mass poor invade the streets in voluntary action defending whatever substance economy keeps them alive. Internet activists of all stripes self-finance their political and other messaging made cheaper by social media. This component of CDC should shine a critical, differentiating light on the economics of civic energy that enables and constrains (types of) agency. More specifically, in relation to civic space, to what extent can different constituents of civil society—through voluntary action, finance, or other means—engage in civic action. Here, an issue is the permeability of the membrane of civic space in terms of (dis)enabling resource flows.

Time specificity is an oft-neglected feature in the analysis of agency and change. Without an articulated temporal perspective and framing, the origins and significance of agency cannot be fully understood, nor can well-reasoned assessments of processes of socio-political change be made. As a practical rule of thumb, CDC analysis relies on four (simultaneous) time scales. One is immediate action—spontaneous protests, instant on-line campaigns, and so on. Next are political cycles that may be manipulated but are still required to give some sense of political legitimacy to govern. Institutional change—alteration and embedding of rules of the game governing society—is a third scale, say around ten years. Fourth is the timeline of (multiple) inter-generational change, anything from fifteen to thirty years, with climate change being a contemporary example. The general analytic point is that some specificity of the time frame is required if empirical evidence is to be well interpreted.

4   Analysing Changing Civic Spaces: New Dictators and the Re-emergence of Old Empires

The potential contribution of the concept of civic agency to our understanding of civic space can be further explored by zooming in on specific country settings in which civic space has changed in recent years. With *historical latency* in mind, this section looks at countries in which civic space became more restricted for some (and wider for others), largely due to conservative and/or neo-populist forces gaining presence and space. We would argue here that civic space changed, in various ways, and that an assessment is needed what this implied for citizen groups to trigger change.

A first example is Hungary, where the government of Viktor Orbán has curtailed rights of minorities, LGBTI+ activists, as well as rights of NGOs. This happened especially after the 2015–2016 refugee crisis when, in response, the government installed a fence along its Southern border, and introduced restrictive immigration and border control policies targeting asylum seekers. NGOs critical of government policies have been threatened with deregistration, and subject to legal and administrative investigations into their activities (CIVICUS, 2020). In fact, the legal system has changed in such a way that citizens' rights are less protected, media has become government controlled—affecting the politics of knowledge and communication—critical voices in NGOs, civil society, and universities have been silenced, combined with a 'remarkable increase in high-level corruption and political patronage (Freedom House, 2020). Orbán's Fidesz party makes an explicit appeal to latency by references to the old days of the Austrian-Hungarian Empire. At the anniversary of the 1848 revolution, in which Hungary rose up against the Austrian Empire, Orbán said, 'We do not need to fight the anaemic little opposition parties but an international network which is organized into an empire'. This empire, he said, included 'a chain of NGOs financed by an international speculator, summed up by and embodied in the name George Soros' (Zerofski, 2019).

A second example where the legal-political environment for civic actors has been restricted is Erdogan's Turkey. There have been a range of events that destabilised the country, such as the aftermath of the 2016 coup, the Kurdish conflict, attacks related to the Syrian war, political refugees, economic crisis, international criticism and decline, and of course a failed coup attempt. This coup 'has paved way for a state of constant

readiness to curb basic freedoms, including the freedoms of association, assembly, and expression, for the sake of the preserving national security or public order (ICNL, 2020)'. The Stockholm Center for Freedom has listed the post-coup results up to now: '(…) the government dismissed 140,000 state employees, arrested 40,000 people, jailed 152 journalists and twelve parliament deputies, purged one-third of the judges and prosecutors, and shut down 150 news organizations and 1,500 civil associations' (Brampton Koelle, 2019). Erdogan regularly refers to the idea of a 'Greater Turkey', one that was lost with the fall of the Ottoman Empire. In fact, foreign policy measures actively target territory that once belonged to the former empire, such as the Palestine territories, Saudi Arabia, and the Balkans. In terms of civic space, Erdogan has managed to open it up in ways which give voice to what is called the 'silent majority'. Zeynalov (2020) comments that Erdogan "can be assured of the popular support he enjoys among mostly conservative people in Turkey. Long a byword for poorly educated people and reactionary masses, conservative people that make up core of Erdogan's supporters are calling themselves the 'silent majority'". Just like Orban, Erdogan's campaign for electoral supremacy was built on repressing the opposition forces calling for more civic freedoms at Taksim Square, using electoral populism—or 'Erdoganism' as Yilmaz and Bashirov (2017) call it—as well as references to latency in myth of Turkish Empire to be reclaimed in order to sustain his political domination.

A third example is Bolsonaro's Brazil, ranked on the ninth spot of the world's largest economies. The country experienced a dramatic political and economic crisis in recent years. In the last fifteen years, Labour Party governments headed by President Lula and President Dilma were brought down by major popular street protests, demanding the return of military power to stop corruption and crime, and to bring back 'order and progress'. This was effectively implemented by President Jair Bolsonaro, who imposed a range of measures affecting the freedom of domestic and international NGOs. The protests against Dilma's government culminated in the 2018 elections amongst controversy and social protests. Lula was the prominent candidate leading in the polls, but the Brazilian Supreme Court blocked his candidacy as he had been arrested and was responding to legal proceedings, despite calls of the UN Human Rights committee to let him run (ICNL, 2020). The other prominent candidate, the later president Jair Bolsonaro, was stabbed during the campaign

and was hospitalised for several days. During electoral rallies and interviews, Jair Bolsonaro also made troubling statements such as 'we are going to put an end to all activism in Brazil' and 'there will be no public financing to CSOs' (ICNL, 2020). In addition, Bolsonaro said 'we want a Brazil that is similar to the one we had 40, 50 years ago', while praising one of the dictatorship's most notorious torture chiefs, Carlos Alberto Brilhante Ustra (Elliott & Phillips, 2018). As a congressman Bolsonaro always hailed authoritarian leaders in Latin America, including Peru's Alberto Fujimori and Chile's Augusto Pinochet. 'Yes, I'm in favour of a dictatorship' he once told congress (Elliott & Phillips, 2018).

5 How Civic-Driven Change Contributes to the Analysis of Civic Space

In this last section, we would like to reflect how applying CDC lenses can illuminate a search for common features in terms of the 'space-determining' politics of citizen agency.

First, the CDC lens of the politics of belonging helps to understand the first common element we identified, the long-term build-up of electoral support of right-wing populist parties with strong leaders. It is important to emphasise that these leaders are keen to use electoral instruments, but their intention often is to dominate rather than to serve democracy. This was seen with Erdogan and his refusal, for example, to accept the outcome of the 2019 elections for mayor in Istanbul, which was lost by the AKP candidate, as well as with Trump in the 2020 US presidential elections. This action was in line with Trump's (*Make America Great Again*), Erdogan's and Orbán's populist references to past empires and to give back dignity to the country (that assumably was taken away by previous governments). Bolsonaro was doing something similar by mobilising latent civic agency while referring to the Brazilian military dictatorship of 1964–1984.

The politics of action can shed light on the exercise of civic agency against autocratic behaviour of leaders and regimes. Such popular assertion and dissent are commonly seen in the form of initial massive protests in the large cities by the opposition (Taksim Square in Istanbul, and rallies in Budapest and Sao Paulo). As civic space is gradually changing, new populist movements emerge as a reaction, in support of the new populist leaders, also using massive street protests. The difference is that the latter are not repressed by police forces with tear gas. They also have a function

to demonstrate via mass media as well as social media the idea of 'domination', and visualise the idea of a 'silent majority' formerly silenced by the opposition forces. This image is essential to later legitimate the new legislation curbing civic rights of oppositional groups.

In the CDC framework, the politics of scale illustrates that the changes largely happen at the national level, but that scaling to both local and international levels is necessary to achieve political goals. The institutionalisation of the new populist regime is done by flirting with authoritarianism, hailing the role of military power (Erdogan, Bolsonaro, Putin), and/or breaking down the foundations of democratic rule by censuring the press and social media. In addition, international support is actively mobilised from other imperial allies such as Putin's Russia (Orbán, Erdogan) and/or Iran (Erdogan) to counter the interference of democratic forces such as the European Union and the United Nations.

In sum, a common tendency in the countries reviewed is to change the dynamics of civic space gradually and over a long period of time. It is definitely not the type of 'revolution' that we have seen, for example, during the Arab Spring (Biekart & Fowler, 2013). The purpose is to change society from being open and democratic into a restricted society based on hatred and selective solidarity in which there is no room for exceptions (such as LGBTI+ identities) let alone for undocumented refugees. Only government supporters are tolerated and rewarded, appealing to a latent civic agency of a heroic past.

What can we finally say about the usefulness of civic space? This chapter tried to show that civic space is replacing more complex but also more political conceptualisations of civil society and civic agency. The civic space discourse has its origin in a North American and Tocquevillian approach to civil society, largely coming from legalistic and human rights-related networks. It was soon taken over by the international donor community as an attractive explanation why their partners abroad were not having the development impact that was hoped for. In the view of donors, an open civic space thus became a condition for development effectiveness. The previous term to frame the limitations of civil society was 'enabling environment', but donors felt unable to effectively operationalise this in practice. Hence the shift to the more dynamic and 'malleable' term of civic space.

In this chapter, the main argument is that the institutional utility of the concept of civic space is such that a replacement is probably not on the cards. Be that as it may, we contend that the prevailing policy

and/or advocacy 'measuring' and tools approach is theoretically neo-liberal, analytically thin and too flat in terms of conceptual content. These instruments lack adequate sensitivity to the real-life shape-disrupting dynamism of society as a living organism, as well as being ahistorical in terms of recognising the role of latencies acting as a motivator of populist action exploited by the politics of autocratic regimes. We hope that the combination of civic agency theory and civic-driven change as its observed expression can help remedy what is depoliticising the civic space narrative.

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Repertoires of the Possible: Citizen Action in Challenging Settings

Colin Anderson and John Gaventa

1 INTRODUCTION

Civic space is changing across the globe. After years of democratic gains, we are in the midst of a democratic reversal. The 'new normal' is one of what Tilly and Tarrow (2015) describe as hybrid regimes—combining some elements of democratic representation with the hallmarks of authoritarianism and intolerance of dissent (Hellmeier et al., 2021; Repucci & Slipowitz, 2021). Citizens have long organised and mobilised in such conditions—not least in the numerous pro-democracy and independence movements that made such progress only a few decades ago. But what does that mobilisation and citizen action look like in contemporary hybrid regimes, increasingly faced by conditions of closing civic space? What

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constraints does it face, and what tactics and strategies result? What can we say about the contributions of citizen action in such settings?

In this chapter, we offer some answers to these questions based on the 5 years of research undertaken by partners in the Action for Empowerment and Accountability (A4EA)[1] research programme. A4EA brought together more than 100 researchers and 25 research partner organisations to explore social and political action on a range of issues, from a variety of perspectives, and using a diverse set of methods. Research looked at everyday experiences of governance, protest and contentious politics, donor-funded governance programmes, and women's leadership and political participation across 22 countries, but with a particular focus on Mozambique, Myanmar, Nigeria and Pakistan.[2] Exploring changes in civic space was a cross-cutting theme, as well as the focus of a cross-country comparative research project monitoring the early effects of the Covid-19 pandemic in 2020.

A long history of work in development studies has focused on the important role of social and political action by citizens to express their grievances and challenge inequities in the status quo. Pointing to the limits of government and markets to solve critical development issues, such citizen-centred approaches focus on the agency of citizens, usually, but not always, acting through organised collective action. Biekart and Fowler (2012) referred to this approach as 'civic driven change', while similar work focused on 'seeing like a citizen' (Gaventa, 2010). A4EA focused particularly on what we term here citizen action for social and political change, following Benequista and Gaventa (2011).[3]

The four A4EA focus countries presented challenges to citizen action, including authoritarian modes of governance, constrained space for civic dissent and risks of sometimes violent reprisal for those engaged in activism (Anderson et al., 2022: 13–14). This was the case at the start of

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[1] Action for Empowerment and Accountability (A4EA)—Institute of Development Studies (https://www.ids.ac.uk/programme-and-centre/action-for-empowerment-and-accountability-a4ea/).

[2] These countries were chosen from a longer list which shared certain characteristics of weak democracy and histories of authoritarianism and conflict, and were also countries of interest to the then UK Department for International Development (now UK Foreign, Commonwealth and Development Office), the funder of the research.

[3] We use the term citizen here not to refer to a particular legal status, but a state of being in relation to a particular place, and its governance system, and the associated rights and obligations felt as a result.

our programme in 2016 but had worsened by 2021 when the programme concluded. The Economist Intelligence Unit's annual Democracy Index shows that between 2016 and 2020 the score of all four A4EA countries dropped, indicating growing authoritarianism (The Economist Intelligence Unit, 2017, 2021). Similarly, Freedom House metrics show a decline in fundamental freedoms between 2018 and 2020 for all four countries (Repucci & Slipowitz, 2021). In Myanmar we concluded work shortly before a military coup in 2021 drastically curtailed civic and democratic freedoms.

In the following pages, we synthesise findings from these four countries, drawing from a selection of both published and unpublished papers and articles produced by the research teams. A4EA research adopted what we term a 'citizen-eye' view of social and political action, and in keeping with this we distinguish between the dynamics and expressions that are more visible and those that are more hidden—both from authorities and also arguably in many research efforts. We first identify a number of important constraints or barriers to action. Alongside outright repression of dissent and closing civic space and a lack of effective institutional mechanisms for state-citizen engagement sit a set of norms that mitigate against action. We explore three; legacies of fear of authorities and government, gender-related norms, and quiescence, or the choice not to (directly) resist authorities. We then explore the forms of action that the research found taking place despite these constraints. The more visible of these include protest and direct action, movements and campaigns, representation by NGOs, and engagement in dialogue with officials. The less visible include cultural expressions of dissent, acting through informal intermediaries, and engaging in mutual aid, self-help and alternative institutions. The final section discusses the outcomes of those actions, again noting some that are more obvious—like concrete responses from authorities, or a greater visibility of certain issues in the public sphere—and some that are less obvious or harder to spot—such as increased political agency amongst the marginalised and progressive shifts in norms.

2   Constraints on Citizen Action

Global trends of increasing authoritarianism are shrinking the civic space available for many kinds of citizen-led social and political action (CIVICUS, 2020; Repucci & Slipowitz, 2021). Across the A4EA focus

countries a range of measures enacted by authorities—from legal restrictions to physical harassment—have combined to make it more difficult for citizens to organise. These measures extended dramatically during the Covid-19 pandemic. The very visible uses of repressive power by authorities sit alongside significant deficiencies in institutionalised channels for citizen participation, which are subject to the hidden power of agenda-setting and manipulation by authorities. The research also indicates some of the ways in which invisible power underlays these more overt dynamics. We highlight three here—the importance of widespread fear of authorities, gendered constraints on women's social and political action, and norms of quiescence.

2.1   *Overt Repression of Citizen Action and Dissent*

Citizens who organise to demand better governance and accountability in the contexts that A4EA studied face significant risks. The freedom for citizens to organise, raise their voices and make claims of authorities are curtailed through both legal and physical means, both offline and online. In Nigeria research on the Bring Back Our Girls movement (BBOG) noted the physical harassment of BBOG members by security forces aligned to the state (Aina et al., 2019). Studies of popular protests over access to energy highlight the frequent violent repression experienced by protestors (Hossain et al., 2021). A4EA studies of civic space in Mozambique, Nigeria and Pakistan gave numerous examples of violence, including a human rights defender killed by police in Mozambique while preparing to monitor the 2019 elections (Pereira & Forquilha, 2020), and the arrest and killing of Pakistan's Pashtun Tahafuz Movement activists, allegedly linked to their criticism of the government (Khan, Khwaja et al., 2020). Forced disappearances of prominent government critics and targeted harassment of individuals online were also found to be common across these three countries (Anderson et al., 2022: 24–27). Those accused of undermining government narratives, fomenting dissent, or presenting uncomfortable truths were also censored—for example with both musicians and activist NGOs in Mozambique being denied airtime as a result of government interference with the media (Awortwi & Nuvunga, 2019; Manhiça et al., 2020). We saw increasing attempts to regulate civil society action through the law, with arbitrary and selective use of legislation to pursue and undermine those critical of government (Anderson et al., 2022: 18).

A4EA evidence indicates that such repressive action disproportionately affects rights-based organisations and development NGOs, 'pushing and pulling' many of these groups into closer relationships with political elites in order to survive (Hossain et al., 2018). Space has closed down particularly for those with foreign funding or links outside the country, and on issues that affect business and land interests. The closure has been supported by shifts in governance norms. In Pakistan, as one example, the ability of the state to make these authoritarian moves has been supported by shifts away from democratic models of development, governance and public accountability, aligned to geo-political changes (Mohmand, 2019). In pre-coup Myanmar government persecution of journalists and peaceful protesters, and inhumane treatment of political prisoners remained commonplace despite high hopes that the first democratically elected government would govern differently (Brenner & Schulman, 2019).Civil society actors that were part of A4EA civil society observatory panels created during the Covid-19 pandemic commonly noted that the space for them to operate safely and openly had been reducing for some years (Anderson et al., 2021).

The crisis of the Covid-19 pandemic led governments around the world to legislate, regulate and police more aggressively and autocratically in the name of public health. A natural response to the uncertainty and risks of the pandemic, restrictions on civil liberties have been widely seen as justified in order to protect people from the virus and prevent health services from being overwhelmed. In the three countries that were part of our Covid-19 civic space monitoring, however, the restrictions that came in and their enforcement have had extreme effects. In Nigeria, the heavy-handed policing of lockdowns and mobility restrictions was reported to lead to extra-judicial deaths, provide opportunities for sexual violence and corruption by security forces, and form part of the backdrop to the brutally policed EndSARS protests (Ibezim-Ohaeri & Ibeh, 2021). In Pakistan, women journalists who were critical of the Covid-19 response by government were relentlessly harassed, male journalists 'disappeared' and opposition political parties' gatherings dispersed or banned while pro-government rallies were permitted (Khan, Khwaja, et al., 2020). In Mozambique, where the pandemic coincided with armed violence in the central and northern regions, press freedom was further curtailed, including attacks on media offices, and decision-making centralised and made more opaque (Pereira & Forquilha, 2021). With Covid-19 restrictions as a backdrop, social critique and popular protest around the effects

of government policies on livelihoods and freedoms, and wider governance issues, have been policed and regulated in newly aggressive ways (Anderson et al., 2021).

2.2   Ineffective Institutions for Participation

Within this context of rapidly closing civic space, A4EA research also looked at a number of examples of formal state-citizen engagement. While there were often some glimpses of hope and small wins through these, there was more evidence of failure to challenge ingrained ways of governing, and ineffectiveness in providing space for peaceful dialogue. For example, A4EA research found that Commissions of Inquiry set up in Nigeria were unable to effectively provide full accountability for episodes of ethno-religious violence because of political incentives and tussles between levels of state and federal authority, and the ways that the commissions were undermined. The social fragmentation at the source of the violence was simply played out again in spaces and processes initiated by Commissions, including by CSOs (Oosterom et al., 2021). Although lengthy and intense processes where citizens could theoretically have their say, the Commissions were made only advisory, and governments suppressed their reports. In Mozambique, A4EA research found that the government had been able to participate in the global Extractive Industries Transparency Initiative (EITI)—premised on state-society engagement mechanisms—without actually facing serious challenges to the corruption and exclusionary decision-making in the extractives sector. Although information was disclosed, numerous barriers to it being used effectively by citizens were uncovered, including limited engagement by those driving transparency efforts with those most affected by the extractive industries, and high costs of being seen as critical of government (Awortwi & Nuvunga, 2019). The government was also able to set the agenda by managing what assets were disclosable. A4EA research on donor-supported efforts to generate greater citizen engagement identified how often this involved building new institutional arrangements and spaces, on the basis that existing mechanisms were 'captured' and controlled by elites and authorities (Anderson et al., 2020).

2.3   Legacies of Fear

A4EA research establishes how legacies of violence and conflict and authoritarian approaches to governance, often sustained from colonial rule, leave little trust in governments and authorities, and well-grounded fear of how authorities might behave. These legacies are of course reinforced by ongoing repression of critical voices and citizen action. Research exploring the impact of extractive industries transparency measures in Mozambique found that people were wary of being associated with NGOs demanding transparency, fearing loss of their livelihood or other reprisals, with one respondent telling researchers '[e]ven if we know that we're right, we cannot act because we're afraid of the political regime' (Awortwi & Nuvunga, 2019: 35). Also in Mozambique, research on political song identified how artists would self-censor or test out reactions before making their work public (Manhiça et al., 2020). The fear of 'making small problems bigger' and causing trouble for themselves and their communities by approaching authorities was common in conflict-affected areas of Myanmar (Myanmar Research Team, 2021b). Respondents reported not 'daring' to approach authorities. This was compounded by fear of mistreatment even in accessing government services or following procedures to get citizenship or land ownership documented.

2.4   Gendered Norms

A4EA research identified that women's political agency is limited in multiple ways by gendered social norms, including at the household level. Research in Pakistan showed how deeply entrenched norms in the household severely restrict the agency of women, especially when it comes to political participation (Cheema et al., 2021, 2023). These deepened even further under Covid-19, strengthening household inequalities in housework, caring roles and access to health care, including women's ability to choose to have a vaccine. Such deep-seated norms are also expressed in barriers to voting and political participation. Analysis of women's political participation in Nigeria highlighted extremely low numbers of women standing for elected office, and lower electoral turnout by women, with significant regional variation (Oladapo et al., 2021). A4EA research in Pakistan found that subtle processes socialise women into non-political roles, and result in a 'gendered psyche' that makes women feel invisible

and irrelevant to the electoral process (Cheema, Khan, Khan Mohmand, Kuraishi, et al., 2019; Cheema, Khan, Khan Mohmand & Liaqat, 2019). The largest barrier to women's participation was found to be men's views about women's political engagement and the conditions under which it is appropriate for them to vote or take political action. In Pakistan, even after they are elected, women legislators continue to be excluded from political spaces, experiencing silencing, verbal sexual harassment and on occasion threats of violence from male colleagues (Khan, Yousuf, et al., 2020).

2.5   *Norms of Quiescence*

Some A4EA research found that citizen *inaction* is common even in the face of rights denial and abuses and poor service delivery. While fear of reprisal and the potentially high costs of acting are important, so too are norms and mindsets sustained by invisible power which lead people not to challenge authorities and the status quo (Pettit, 2016). Research at a household level in conflict-affected areas of Mozambique, Myanmar and Pakistan found that poor and marginalised people in areas that have experienced conflict generally have low expectations of service provision and accountability from authorities (Barnes et al., 2021). These expectations are embedded in local norms and practices, but also in historically negative experiences of authorities and the state, and forms of governance that are authoritarian or extractive. Historic under-provision of services and limited experience of those authorities providing solutions are often coupled with authorities being implicated in causing the problems that need resolving in the first place (Barnes et al., 2021). In Mozambique, people characterised the state as an 'absent father' (Chaimite et al., 2021). In Pakistan, experiences of getting access to services were based on individual petitioning and contacts, rather than collective action to claim rights (Loureiro et al., 2021). In Myanmar decades of conflict underpinned mistrust in authorities beyond the community level and their ability—or legitimacy—to solve problems (Myanmar Research Team, 2021a). In Mozambique, the study of the Extractive Industries Transparency Initiative found it common for people in the areas where resources were being extracted to speak of rational choices not to pay the price of opposing the government. Two participants in that study sum this up succinctly. One argued that knowing more about extractives corruption wouldn't cause them to act because 'taking part in public protest will

not change anything in this country', while another stated plainly that '[a]ccountability is not part of our culture so having information doesn't change me' (Awortwi & Nuvunga, 2019: 26).

Although this section has illustrated that constraints are many and deep, A4EA research nevertheless found a diverse set of ways in which citizens act collectively to make demands and challenge the status quo—which we move on to in the next section.

3   Repertoires of Citizen Action

Some argue that in settings of repression, low levels of democracy and closing civic space there may be expectations that we will see little social and political action, or that where it occurs it will be more violent due to the absence of peaceful channels for voicing dissent (Tilly & Tarrow, 2015). In fact, A4EA research found a diverse repertoire of citizen-led action. At times these actions may be more open and direct. At others they may be more disguised or hidden from the view of public authorities. Citizens engage in hybrid strategies that combine more visible contestation with less obvious, but still crucial, acts of resistance and mutual aid. We first discuss more visible forms of action, and then those that seem less visible.[4]

3.1   *More Visible Forms of Action*

Even in the face of potential reprisals, A4EA research found people engaging in direct forms of often intense collective action on the streets, using a variety of protest tactics. These actions often emerge from a sense of moral outrage—the sense that 'enough is enough'—and when there is an absence—or distrust—of other more institutionalised channels for engagement (Hossain et al., 2021). Safety and security were key issues for people across the research, perhaps unsurprisingly given the histories of violence and conflict they had experienced. Perhaps more surprising is that the sense of moral outrage around insecurity was often a trigger for collective social and political action led by women. A4EA work unpacked a number of examples of women-led collective action around community security issues. For instance, women from the Hazara ethnic group—who

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[4] Based on the A4EA body of work, Gaventa (2023) offers a typology of expressions of citizen agency observed that includes this distinction.

normally are in purdah and out of the public eye—mobilised against the ethno-sectarian killings of their sons and husbands, spending Eid in their community graveyard decorated with photos of their dead relatives, or tossing their bangles at the gates of the provincial assembly to demand the state protect their families against violence (Khan et al., 2021).In Mozambique and Pakistan, research showed how women found ways to protest that were gender-specific and maintained some community norms around gender roles. Foregrounding their identities as concerned mothers or wives, or their role in defending the honour of the community, made their actions more socially acceptable (Khan & Taela, 2021).

A4EA research also explored larger-scale eruptions of protest, particularly those surrounding access to affordable and reliable energy. In Pakistan, the research documented 456 protests on access to electricity in the period between 2007 and 2015 (Javed et al., 2021). In Mozambique and Nigeria, both countries rich in energy resources, national-level fuel protests in the face of cuts of fuel subsidies have led to some of the largest and most significant protests movements in recent times (Atela et al., 2021; Gonçalves et al., 2021). Global study of energy protests in 41 countries between 2005 and 2018 found that these protests are more likely, and most significant in size or visibility, in countries with high levels of national resources yet relatively weak forms of governance (McCulloch et al., 2021). Even under the rapidly closed civic space associated with the Covid-19 pandemic, a variety of citizen mobilisations emerged, including protests on health and harassment issues (Anderson et al., 2021) and in Nigeria the explosive #EndSars movement against harassment by security forces (Ibezim-Ohaeri & Ibeh, 2021).

Collective expressions of dissent and dissatisfaction were not limited to one-off protest events. In Nigeria, for instance, the kidnapping of the Chibok girls by Boko Haram led to the formation of the highly visible BBOG campaign. While this began as a movement around a single event its agenda grew to consider other issues of safety and security—and the government's accountability for them (Aina et al., 2019). While having a strong social media presence, it combined this with sustained offline protests, vigils and demonstrations, especially in Abuja and Lagos, and also kept the story in the eyes of the mainstream media. Amongst the women-led mobilisations studied in Pakistan were the long-running Aurat march for women's equality, and multi-pronged and sustained campaigns on child sexual abuse (Khan et al., 2021).

In each of the A4EA focus countries NGOs have played important roles as advocates for citizens, as watchdogs and monitors, and as protectors of key rights and policies. These include national campaigning NGOs, like the Centre for Public Integrity in Mozambique working on demanding transparency of revenues linked to extractives industries, and those well-established organisations central to winning gender equality reforms in Pakistan (Awortwi & Nuvunga, 2019; Khan & Naqvi, 2018). They also include local associations and citizen organisations, for example, the residents association research found to be crucial in representing community needs in Mozambique (Chaimite et al., 2021), and NGOs funded by international development donors to engage the public in scrutiny of public procurement processes in Nigeria (Aremu, 2022). Research on civic space during the Covid-19 pandemic found new alliances and collaborations of such CSOs to meet immediate needs and play this watchdog role on government action (Anderson et al., 2021).

A4EA research also shows how donor-funded programmes can create space for citizen action to resolve pressing issues at a community level and engage in dialogue with officials. Studies found clear gains from programmes that sought to create new opportunities for citizen engagement. In Pakistan, for example, one programme was found to create genuine opportunities particularly for women to engage in civic affairs (Khan & Qidwai, 2021) and another was able to generate grassroots involvement in assessing the quality of basic health services and conveying the results to health departments (Kirk, 2017). In Nigeria, generations of donor-supported actions taken both by government and CSOs have opened opportunities and developed new ways of doing things that increased citizen oversight of public procurement and increased public engagement with budget-setting (Aremu, 2022).

3.2 *Action Under the Radar*

Given the risks involved, citizens may choose not to challenge authorities directly, or do so in more coded or subversive ways—or 'everyday resistance' (Scott, 1990). Cultural expressions of dissent and critique of the status quo are one such form of less direct social and political action. It has been argued that such expressions are more likely in closed or authoritarian settings given their ambiguity and lower risks of individual reprisal (Márquez, 2016). Across A4EA work music, memes, graffiti and other forms of cultural expression emerge across a variety of issues and

demands. The importance of memes in sharing the collective experience of energy shortages and price rises stood out, for example—quiet acts of acknowledging a shared encounter with ineffective and unjust governance of natural resources (Hossain et al., 2021). In Mozambique, hip-hop was found to be an important way of conveying demands for public accountability, expanding the repertoire of action beyond the limited occasions when citizens' views are expressed in public protests or formal political participation. Researchers found recurring themes in hip-hop lyrics including voicing of grievances and calls for popular action on the economic situation, political-military conflict, corruption, police, public transport and the role of external donors (Manhiça et al., 2020).

Engagement and claims-making with authorities also takes place in more discreet and distanced ways—sometimes as a form of self-protection. Household-level research in conflict-affected areas identified that when people do need to engage authorities to solve problems, they often do this through a web of largely informal intermediaries (Barnes et al., 2021; Loureiro et al., 2021; Posse et al., 2021). Such intermediaries include informal leaders like nominated village leaders, customary authorities such as Chiefs in Mozambique or panchayats in Pakistan, social activists and campaigners, and brokers or 'fixers' that negotiated with political parties. The kinds of intermediaries that were important differed across location within each focus country—but their roles were similar.

Intermediaries acted on behalf of households, mediated between them and others, and sometimes provided solutions themselves. They sometimes resolved people's problems directly, or made decisions about disputes, and sometimes escalated or negotiated with others, including formal authorities, to find a solution. The use of informal connections to ask for favours, rather than making demands or claims through official channels, stood out, particularly in Pakistan (Loureiro et al., 2021). The research found that women were often disadvantaged in these informal systems, lacking the social and political capital to engage intermediaries or constrained by norms of public life. However, it also found examples of women who were seen as successful intermediaries despite it challenging established norms.

In the face of distrusted authorities and non-provision, A4EA research also highlights how citizens work together 'under the radar' to provide their own services through self-provisioning and various forms of action

that can be termed mutual aid.[5] These alternatives to engaging with the state or authorities can be seen as active acts of crafting alternative institutions, following Kashwan et al. (2019), or in Hirschman's terms adopting exit rather than voice (Hirschman, 1970). The household-level research found that very often poor and marginalised people solved their governance problems through customary, informal, or highly localised ways, avoiding engaging formal authorities. In Myanmar, cultural norms combine with authorities' low legitimacy and poor track record to make self-reliance at a local level a preference in some conflict-affected areas (Myanmar Research Team, 2021b). A whole range of problems and disputes are resolved by people in—often informal—local leadership roles without involving any external or higher-level authorities. Different kinds of 'self-provision' of services were common—including self-protection through vigilante groups in Mozambique (Posse et al., 2021), or community-enforced punishments and pooling of resources in Myanmar (Myanmar Research Team, 2021b). In the latter, people worked together to create their own services, whether around education, electricity, or burial arrangements—sometimes with the direct or implicit support of authorities (Myanmar Research Team, 2021a). During the Covid-19 pandemic, we also saw an explosion of forms of mutual support and self-help, with local groups supporting one another to provide needed services and resources for survival (Anderson et al., 2021). Such horizontal forms of assistance, with or without the support of local authorities, are critical expressions of social and political agency, even where they don't challenge authorities.

4 Outcomes

What came of the various expressions of citizen action researched as part of our programme? How far could they overcome or shift the various constraints to action? In this section, we explore some of the more and less obvious or visible changes identified in the A4EA research.

A number of caveats are necessary. First, our selection of points here is not to suggest these are the only outcomes we should consider positive—indeed as Tadros, writing for the A4EA programme, reminds us, '[i]n contexts where space is deeply circumscribed and there is a high risk of

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[5] Following the definition of Spade (2020).

violence, survival in itself should be taken as a proxy for success' (Tadros, 2020: 5). Second, while we focus on positive outcomes in this discussion it is important to remember that citizen action also sometimes has negative consequences. A4EA research found examples where ineffective institutional engagement with citizens further reduced trust in the system (Oosterom et al., 2021), and it can also provoke extremely negative, and sometimes lethal, reprisals from authorities. Third, it is important to say that outcomes of particular actions need to be seen in relation to overall shifts and the general state of affairs—which A4EA research has argued means looking at the combined effects of multiple actions from citizens, authorities and external actors.

That said, A4EA work shows a number of important outcomes from social and political action, which might be considered useful intermediary outcomes towards more accountable governance. We discuss four here: responses from authorities on concrete issues; increased visibility of issues that mattered to citizens; increases in political agency and capabilities; and progressive shifts in norms.

4.1   *Responses from Authorities on Concrete Issues*

The research highlights numerous examples of increased responsiveness from authorities on concrete issues as a result of citizen action. Through working with local intermediaries, citizens were able to resolve local conflicts, and gain access to local services (Barnes et al., 2021). Citizen engagement through donor-created programmes resulted in dozens of examples of concrete improvements in service delivery, access to entitlements, greater transparency on budgets and resource use, and some examples of policy reform (Anderson et al., 2020). In Pakistan advances in women's political presence and power were aided by cross-party women's caucuses in national and provincial parliaments, often resulting in substantive policy gains (Khan & Naqvi, 2018). The combination of civil society and feminist movement support to Pakistani women politicians with donor support to their work on legislative reforms has led to a number of significant gender equality policy outcomes since the quota for women in elected bodies was restored and increased in 2002 (Khan, 2021; Khan & Naqvi, 2018). Through its protest movement, BBOG secured a number of practical responses from the Nigerian government, and arguably, the release of some of the Chibok abductees (Aina et al., 2019). In Pakistan protests raised the political salience of unreliable and expensive electricity

access and led to new investment in electricity supply (Javed et al., 2021). Women's collective mobilisation around sexual harassment has helped to shift the power equation towards women's rights in some contexts and at some moments, even if it hasn't brought about fully accountable systems (Hamada, 2021; Tadros & Edwards, 2020).

4.2 Increased Visibility of Issues that Matter to Citizens

In more closed and authoritarian settings, where certain issues or actors have been less visible, gaining visibility itself becomes an important outcome. For instance, the study of political song in Mozambique points to how this was used to build public awareness of issues of corruption, and to 'publicise and amplify a collective sentiment' (Manhiça et al., 2020: 26). Women's protests in Mozambique and Pakistan brought concrete local issues to the public arena, exacting at least recognition of them by government authorities, thus 'disrupting the norms of silence' (Khan & Taela, 2021). The BBOG movement helped to keep the abduction of the Chibok girls in the public eye over a period of years (Aina et al., 2019). Protests around the injustices associated with the Covid-19 pandemic made clear the strength of public feeling (Anderson et al., 2021). While at times social and political action intentionally remains under the radar, at other times it serves to bring more marginalised voices and concerns to the public view.

4.3 Increases in Political Agency and Capabilities

In settings with a long history of fear and repression, A4EA research highlights how citizen action can create a sense of agency, an awareness of rights, and skills and capacities for public engagement that may have previously been suppressed. We see this, for instance, in the women led protests in Pakistan and Mozambique, through which women discovered new political subjectivities, and that they had the capacity to claim rights for themselves (Khan & Taela, 2021). Through expressions of collective agency, many women report a sense of increased critical awareness (power within), and a collective sense of belonging and ability to act together (power with). The BBOG movement counted amongst its successes 'emboldening or equipping social and political actors' through extensive capacity building, learning by doing, and building alliances and coalitions (Aina et al., 2019: 30). An NGO-led social accountability

programme in Myanmar reported 'increased confidence and capacity of CSO representatives' and developed critical skills amongst grassroots CSOs to question authorities' actions in ways that lowered risks of reprisal and were seen as constructive by government officials (Anderson et al., 2019). Larger scale donor programmes also reported increased capacities and networks of those who participated, and research on these in particular highlighted the important outcomes of solidarity-building between different civic actors (Anderson et al., 2020). Research on the donor-funded *Aawaz* programme found that the actions taken supported women to make demands of authorities and engage in civic affairs in ways that were experienced as empowering, and enabled those women to continue civic engagement following the end of the programme (Khan & Qidwai, 2021).

4.4   *Progressive Changes in Norms*

Finally, in settings lacking strong cultures of democracy and accountability, the studies point to a number of important, though perhaps small, examples of norm change. These include, for instance, increased expectations of transparency, new forms of interaction between citizens and authorities in new democratic spaces and modelling new processes for public engagement in Myanmar (Anderson et al., 2019). Changes in norms of inclusion, especially around gender, are also important. The women's protests in Mozambique and Pakistan disrupted 'the gendered and political habitus' that excluded them from public discourse (Khan et al., 2021; Khan & Taela, 2021). The visible participation of women in the previously 'masculinized' spaces of public office in Pakistan also had 'an impact on political life and discourse…In an era of constant television coverage, the public quickly became accustomed to seeing women seated alongside men during assembly proceedings' (Khan & Naqvi, 2018: 15). Also in Pakistan, research found that by challenging dominant norms on gender, women's voting and political participation could be strengthened through CSO intervention, even in a highly patriarchal setting. A field experiment run by A4EA showed that targeting male gatekeepers in campaigns promoting women's right to vote increased women's electoral turnout—with an 8 per cent increase in turnout if both men and women were engaged (Cheema et al., 2023).

Exacting responses on concrete issues, creating visibility, building political capabilities and shifting norms all represent important changes,

especially in contexts where these have been lacking or suppressed. And yet, we need also to consider these changes with caution, for several reasons. Such 'successes'—state responses, shifts in power, a new sense of political agency—may be limited to specific events or may be fleeting. In addition, many of the examples are highly localised—not necessarily linked to larger systemic or policy change. The case of energy protests, for example, 'found little evidence that the raw power of energy protests translated into sustained empowerment of citizens with respect to energy policy, or in their relations to the state more generally' (Hossain et al., 2021: 18). An exception might be the policy changes that women won in Pakistan, but even this is highly subject to the political will of the regime. An A4EA review of a number of historical cases of successful citizen-led campaigns found that even these were vulnerable to roll-back once a political moment had passed (Joshi, 2019). Other work noted how new spaces for engagement were contingent on external donor support or pressure (Khan & Qidwai, 2021). Whatever capabilities are built, further closures of civic space or regressions such as the military coup in Myanmar in February 2021 can close down any new spaces established.

5 Conclusions

How does citizen action play out in contexts that are more closed, authoritarian and experiencing ongoing conflict? In this chapter, we have argued that it is constrained in more and less obvious and visible ways—through outright repression of dissent, ineffective or captured institutions for public engagement, underlying (and justified) fear of authorities, and norms that limit women's participation as well as mitigate against citizen action. These conditions can, of course, change, but if anything, we have predominantly seen deteriorations during five years of research rather than improvements.

Despite these constraints, we have illustrated a diverse and rich set of repertoires through which citizens do manage to organise and act. The ways they do so are shaped by the constraints, and like them are often less visible or disguised from notice by authorities. Fear of being singled out for reprisal leads to below-the-radar self-organising and coded cultural expressions of dissent. Women are sometimes forced to navigate restrictive norms by acting in ways that maintain gender roles. Other norms lead people to prioritise mutual aid and self-help rather than engage with distrusted and ineffective authorities.

At crucial moments, however, under the radar more invisible forms of action spill over to the public sphere. These often occur when red lines have been crossed and moral outrage takes over, such as when fuel prices go up, or community and family security are threatened. In these cases, the lack of opportunity for state-society debate and dialogue feeds choices to act very publicly and in numbers through collective protests or social movements. We also found opportunities created successfully for state-citizen dialogue on particular issues and at the level of specific services. The significance of these ongoing small-scale interactions is likely greater than their visibility.

Overall, we saw how direct action and protest often get response from authorities, and form part of gradual shifts in power relations. While these outcomes of collective action are significant, we found that they could also be very fleeting—they could erupt quickly, but then also often subside, along with any sense of citizen power that had been gained. But such actions represent important cracks in the system—bringing previously invisible and visible issues to the table, creating a sense of agency amongst previously silent actors, and slowly shifting norms on what is possible in public places and expected from public authority. Often even fleeting protests exacted responses from authorities, followed by a subtle re-adjustment of the broader social contract or political bargain (Hossain et al., 2021). But rarely did we find that these examples of collective action by themselves lead to a change of the overall rules of the game or fundamental redistributions of power (Hossain et al., 2021; Khan & Taela, 2021). In the less obvious forms of citizen action, there is also promise of a kind. Carefully crafted opportunities for citizen-state dialogue at the frontlines of service delivery, the understanding of needs, priorities and assets and solidarity produced by mutual aid, and growing political capabilities for those previously marginalised—including women—are examples. Within the broader limitations, then, there can be some hope that the small gains drawn from the repertoires which are possible in these difficult contexts germinate seeds for change and create the momentum for more systemic changes over time.

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Contextual Dynamics of Civic Space

CHAPTER 4

Philanthropy During COVID-19 Emergency: Towards a Postcolonial Perspective?

Patricia Maria E. Mendonça, Cássio Aoqui, and Leticia Cardoso

1   Introduction

Civil society in Brazil experienced many achievements between the Brazilian re-democratization in the 1980s and the first decade of the 2000s. During that period of time, there was a retraction regarding the availability of international cooperation in terms of resources, emptying as well as demobilizing various social sectors along with the advance of conservative policies, which started to question the legitimacy of several organizations (Mendonça et al., 2013).

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The situation was further complicated by the rise of conservative governments in all spheres of public authority, culminating in the 2018 presidency with a new and severe fiscal crisis. Brazilian civil society started a period of restrictions for its activities in respect to regulation, legal and financing dimensions. The COVID-19 pandemic arose at a time of fragility, which can be characterized as an extreme constrained setting.

The closing of many organizations; the interruptions of activities performed by others; the deepening of social inequalities and the increase of vulnerability were presented as several challenges and obstacles to be faced. Nevertheless, the country has witnessed an explosion of mobilizations and donations provided by corporations, wealthy families and individual donors. Many argue that this would mark a new trajectory in the culture of giving and grantmaking in Brazil.

Philanthropy in Brazil started out as a colonial event (in a historical sense) in which religious organizations' missions were dedicated to charity linked to Christian values of mercy, compassion and forgiveness, and this later would become an element of socialization for economic elites (Sanglard, 2005).

In the 1990s, philanthropy started its "modern" era, becoming a professional activity and began integrating a wide field of actors: NGOs, donor families, companies, legal, technical and management advisory professionals (Paoli, 2002; Sanglard, 2005).

Meanwhile, new forms of philanthropy have emerged aiming to promote innovative ways of economic exchange, connecting social inclusion and emancipation of individuals within the framework of postcolonial perspectives (in an epistemic sense). It has come to be called *philanthropy for social justice* (Hopstein & Peres, 2021; Silva & Oliven, 2020), *progressive* or *radical philanthropy* (Herro & Obeng-Odoom, 2019).

In this context, in which traditional charitable philanthropy and other market-oriented model still represent mainstream forms of action, the COVID-19 pandemic made it possible to see a different scenario of philanthropy emerging, with postcolonial inspirations (in the epistemic sense), valuing local voices and capacities.

This paper aims to present data donation during the COVID-19 pandemic and select cases with different perspectives on philanthropy in Brazil. It seeks to answer whether and in which ways these donations, when responding to an emergency, may actually have had a radical content (Herro & Obeng-Odoom, 2019). This would be an example of change in civic space, even in a period of severe constrains for civil society activity.

These philanthropic actions would be different from donation as an act of benevolence as well as from donation designed for outcomes, which mark traditional philanthropy and market-oriented philanthropy, respectively.

Two examples of initiatives were analyzed: a market-oriented Grant-maker initiative, the *Tide Setubal Foundation*, and another regarding a set of local-level initiatives that were mapped by several studies on the mobilization of collectives from urban peripheries.

This is an initial and descriptive study of what seems to be a new model of philanthropy, pointing to interesting results that can be followed up and deepened in future research.

2 Philanthropy in Brazil

Philanthropy in Brazil emerged from the perspective of the colonizer under the premise of moral superiority, often related to religiosity (Lambert & Lester, 2004). The practice of philanthropy during the colonial era was deeply linked to Christian values of mercy, compassion and forgiveness, which were converted into civilizing values in the process of colonial expansion. From the eighteenth century onwards, philanthropy goes through what Sanglard (2005) called *laicization*, in which doing good becomes a social virtue, an important element of social status for some members of the elite. It should be noted that the secular nature of philanthropy does not mean the absence of different religious nuances in its practices, but rather in its interpretation as a social process of exchange endowed with values (Silva & Oliven, 2020).

Several authors point out that another characteristic of Brazilian philanthropy is the ambiguity of public–private boundaries. While the State supplies philanthropic organizations with resources, economic elites maintain a liberal discourse (Rangel, 2013; Sanglard, 2005). From missionary values to the recent formation of welfare policies, the country has always experienced "[…] the symbiosis between private and public initiatives, the presence of the ruling class as civil power and the relationship between benefit/charity x beneficiary/beggar shaping the relationship between the State and subaltern classes" (Sposati, 2003: 46).

Traditional philanthropy is focused on charity, welfare, and immediacy in order to deal with social issues and, generally, without seeking lasting transformations and changes. More recently, from the 1990s onwards, under the discourse of the *Third Sector*, interactions with market agents started being justified by arguments linked to the "professionalization of

philanthropy" (Paoli, 2002). During this period, part of Brazilian businesses and family philanthropy began to adapt themselves to incorporate a more systemic look into their own donations. As a result, the GIFE (Group of Institutes, Foundations and Companies), an association of Grantmakers aimed at systematizing and disseminating these practices, was founded.

Part of this vision of philanthropy has evolved in recent years to take an increasingly similar form to capital markets, where one invests on the social field expecting measurable returns from this investment, which has gained the names of *philanthrocapitalism* and *millennial philanthropy* (Bishop & Green, 2008; Mitchell & Sparke, 2016).

In these forms of modern philanthropy, elements incorporating market-related instruments (cost-effectiveness, metrics, incentives via competition) were found. It was considered a diversity of struggles for equality (racial, sexual, intersectional) and their tensions with elements of social protection and market/government failures, often using affirmative action strategies. Furthermore, various arrangements that could mobilize partnerships between the public and the private sectors in their actions started to come out (Mitchell & Sparke, 2016).

Nogueira and Schommer (2009), in an article analyzing 15 years of the foundation of GIFE and market-oriented forms of philanthropy in Brazil highlighted the importance to differentiate traditional philanthropy practices from the ones influenced by Corporate Social Responsibility (CSR). CSR, alongside with philanthropy, also gained ground in debates and practices since 1998, with the creation of the *Ethos Institute of Social Responsibility*. However, CSR involved internal and external corporate actions, with philanthropy being one of its dimensions. Philanthropy within this context took on a more professional look, mimicking planning and market management tools. The authors also mentioned the difficulty concerning collaboration between sectors and different institutional logics, which sets limits to the shared and comprehensive solutions that are required when it comes to face complex problems.

Twenty-five years later, this movement has managed to broaden dialogues with the public sector and civil society, along with improving assessment systems, with a strong focus on the idea of social impact as well making an approach to social businesses.

Nonetheless, this is not the only currently possible approach of philanthropy. Sousa Santos (2012) points out that it is necessary to rescue the concept of modernity based on solidarity, volunteering and reciprocity,

which would move part of the citizenry that was excluded from the advances of globalization and the market economy.

Radical philanthropy (Herro & Obeng-Odoom, 2019) proposes an alternative vision, where the protagonist of change is not the benevolent elites exclusively, but also the grassroots groups and social movements. Some have called this *philanthropy for social justice*, *community philanthropy* (Hopstein & Peres, 2021; Silva & Oliven, 2020). In this modality, the prevalence of a non-capitalist economic diversity is often sought, with other exchange practices such as solidarity economy as well as the diversity of individuals and cultural contexts.

The transition to a fairer society sometimes requires thinking about a non-linear transition, from a Western point of view of linearity to a more dynamic understanding involving the processes of change (Silva & Oliven, 2020). This brings radical philanthropy closer to postcolonial thinking, in which academics and activists from the Global South authors from Latin America, Africa, Asia and Oceania, alongside with other academics and activists, seek to build an understanding about civil society and development processes from the Global South.

Authors of postcolonial studies in Latin America, linked to the indigenous movement, argue that modernity should be interpreted from the perspective of the colonized subject and elaborate a new reading on the historical process (Krenak, 2019; Mamani, 2010; Quijano, 2015).

Radical philanthropy seeks in feminism not only a way to look at inequalities, but also to practice types of care; thinking about indigenous peoples, ways of living and spirituality; dealing with injustices, ways of dealing with structural racism and with a heteronormative matrix. From a postcolonial vision, the focus of these themes is not only on striving for balance actions aimed at economic systems, but also on considering systems and possibilities of coexistence in different spectrums of diversity (Silva & Oliven, 2020).

Another important point brought up is the perspective of territory, as "the experience of a specific location with some degree of rooting, with connection to daily life, even if its identity is constructed and never fixed" (Escobar, 2005: 69). For many people, the experiences with a linear, colonial development meant a disconnection with the territory, regarding ecological aspects as well as social, cultural and identity connections. Place has become something marginal in Western thought, although globalization ultimately occurs in places, so its existence cannot be erased. As Spink (2001) rightly puts it, the international, the national, the regional and the

local can have an impact at the same time, and it is in this space that their contradictions and disputes operate.

Hopstein and Peres (2021) writing about *community philanthropy* also highlight the centrality of the territory. That is the reason why we selected experiences of mobilizations in urban peripheries in the context of the pandemic for this work (Table 1):

> It is in this scenario that civil society acts, whose organizations (CSOs, NGOs and social movements) sought not only to contest necropolitics and denial through the construction of political agendas and articulation in networks, but also to respond to the crisis. [...] Power and resistance face each other through multiple and changing tactics, and that is how the emergence of initiatives by community-based organizations and civil society can be interpreted as authentic manifestations of questioning and refusal. Thus, it is possible to understand the prominent role that organizations, movements and social groups played in confronting the pandemic. (Hopstein & Peres, 2021: 11)

Therefore, we examined how radical philanthropy and giving were during the period of the pandemic in Brazil. Based on the selected literature (Aoqui & dos Santos, 2019; Hopstein & Peres, 2021; Silva & Oliven, 2020), we identified some practices that we consider a milestone

Table 1   Philanthropy models

Colonial/traditional	Market-oriented	Post-colonial/Radical-oriented
• Religious Values/moral duty/charity • Social Status • Public–private ambiguities • Example: NGOs created by catholic women early in 1900s that still offer services to poor communities as charity and survive from donations from catholic (rich) families	• Professionalization • Use of market mechanisms and incentives • Affirmative Actions for vulnerable groups • - Example: foundations created by wealthy and progressive families whose funds come from large companies, mirroring many of these enterprises' processes	• Non-capitalist economic diversity • Solidarity • Empowering vulnerable groups • Values of culture, territory and local practices • Example: community funds and social technologies like "solidary rotative funds" created by and to impoverished communities, responsible for all the management of resources

Source Elaborated by the authors (2021)

from the traditional and market-oriented models of philanthropy, considering inspirations from postcolonial epistemologies that are summarized below (Fig. 1).

These practices have as overall differentiation more empathetic and horizontal approaches, respecting local knowledge and implementing bottom-up processes. They contrast with traditional and/or market-oriented philanthropy where, at its extreme, (i) focuses on either charity (instead of emancipation and empowerment) or social entrepreneurs and social businessmen (against grassroots leaders); (ii) seldom supports non-institutionalized organizations, aiming exclusively at formal (and usually
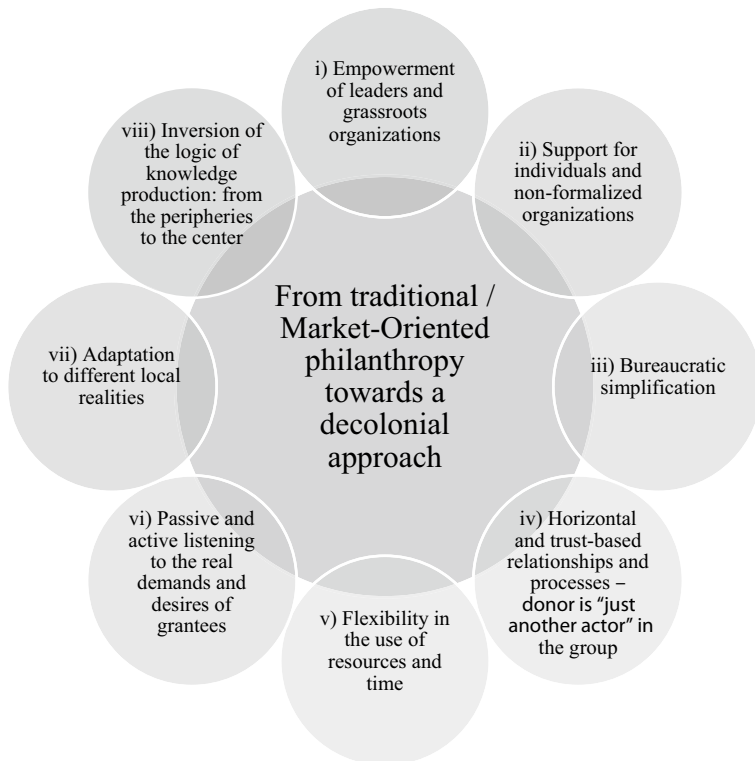
Fig. 1   Radical practices of philanthropy and giving (*Source* Elaborated by the authors [2021])

the richest) ones, generating a concentration of resources and endo-inequality in social-change spaces; (iii) demands lots of paperwork (like expensive audits, challenging due diligences, impact evaluation, etc.); (iv) is based on top-down decisions, where money represents power; (v) with no flexibility since all deliverables must fit the donor's schedule; (vi) focuses on the grantmaker's desires; (vii) aiming at a single solution to be scaled out to all contexts; (viii) and where the privileged ones are still at the core of knowledge production and have the exclusive power to discern between what is right and what is wrong.

In terms of methodology, this work employed secondary sources, systematizing recent research that brings data on philanthropy and donations in the context of the pandemic (Herro & Obeng-Odoom, 2019; Hopstein & Peres, 2021; Silva & Oliven, 2020). In the systematization of these data (listed on Table 2, Appendix), we sought to list the initiatives that showed disruptive elements in civil society, whether they came from philanthropists or communities that organized themselves to create innovative ways of local resource mobilization together with other forms of fundraising. Table 2 reports these studies and main documents used.

Complementary field notes were made by two of the authors while participating as both mediators /consultants in events and meetings.

Two cases were selected. One of them considers a market-oriented philanthropy organization, and the other one lists a set of initiatives implemented by local collectives in urban peripheries. They present disruptive characteristics from traditional and market-oriented approaches, showing aspects of postcolonial philanthropy, corroborating our argument that new forms of philanthropy have emerged more strongly in the face of fight against COVID-19. Therefore, they were selected bearing in mind what Dyer and Wilkins (1991: 613) nominated as creating an example, "that is, a story against which researchers can compare their experiences and gain rich theoretical insights".

The first case study revolves around a market-oriented philanthropy actor in Brazil, the *Tide Setubal Foundation*, and its actions in the pursuit of its declared mission as "fostering initiatives that promote social justice and sustainable development in urban peripheries and contribute to confrontation the socio-spatial inequalities of large cities, in conjunction with various agents of civil society, research institutions, the State and the market" (Fundação Tide Setubal website 2021). The foundation was responsible for launching the *Enfrente* fundraising campaign and the *Elas Periféricas* program, as well as other initiatives.

The second case is a collection of initiatives, systematized at first hand from different collectives in the urban peripheries, with emphasis on *Potências Periféricas*.

3   Donations During the Pandemic in Brazil

As soon as the pandemic started in 2020, there was a great mobilization for donations between March and May, when the level of BRL 5 billion was quickly reached, followed by a flattening in the donation curve, especially after reaching BRL 6 billion in two months (Donation Monitor, 2021). We can consider that raising this amount of financial resources in such short period of time is an unprecedented situation.

When analyzing the characteristics of these donations, we verified that the biggest donations were made by just a few donors, the allocation of resources were made available in few organizations and uneven geographic distribution of donations, primarily occurring in the Southeast region (the richest region in the country). ABCR (2021), on its monitoring of donations indicates over USD 6.9 billion referred to 702 thousand donors during the pandemic. Considering this amount of financial resources, more than 96% of these donations correspond to either institutional, corporate, or came from wealthy families. On that ground, just 448 donations concentrated USD 6.7 billion of the total amount of money mapped up to mid-May 2021. While donations given by individuals whose family income is up to 2 minimum wages (less than US$ 400 monthly) declined from 32 to 25% between 2015 and 2020, they grew significantly among higher income classes—from 51 to 58% (family income from 6 to 8 minimum wages) and from 55 to 59% (over 8 minimum wages), according to the Pesquisa Doação Brasil (2021). Most corporate donations came from the same sectors—financial, mining and food and beverages (Dutra et al., 2021)—that concentrated donations in pre-pandemic.

In relation to fundraising campaigns, the explosion of crowdfunding and matchfunding tools stand out. According to the Donation Monitor (2021), there were 557 campaigns that mobilized USD 3.9 billion. As far as matchfunding campaigns, initiatives supported by companies, foundations and philanthropic actors were more successful in achieving their goals: 65% of these campaigns achieved their goal by May 2020. This percentage, however, declined to 26% in campaigns of community origin (Aoqui et al., 2020).

Mapping more than 300 philanthropic initiatives (Aoqui et al., 2020) made it possible to observe that when donations were accompanied by partnerships and local mobilizations, beneficiaries were more quickly reached. This occurred mainly where civil society is historically more organized, such as in communities like *Paraisópolis* and *Heliópolis*, in the city of São Paulo, and *Rocinha*, in the city of Rio de Janeiro.

Another study, whose focus was on how these partnerships were being built, pointed out relevant changes in relation to the pre-pandemic period: selection processes were much more agile and less bureaucratic, and in some cases led by the communities themselves (Aoqui & Pereira, 2020). At the same time, according to Dutra et al. (2021), the transparency level of these donors was very low in terms of accountability, often neither mentioning the grantee CSOs, or specifying the amounts contributed.

In a study that analyzed 427 corporate philanthropic donations in 2020, Dutra et al. (2021) sought to understand how these donations took place within the scope of CSOs in Brazil, cataloging 166 CSOs announced as grantees. The result shows that most philanthropists donated to hospitals and research centers. Donations to CSOs were concentrated, suggesting a possible correlation with transparency level and the scope of CSO action, reinforcing a donation process guided by managerial perspectives of philanthropic donors, who sought more robust and structured CSOs, with strong media presence and/or with scalability—possibly to the detriment of community organizations operating locally. Market-oriented philanthropy was consequently highly noted during this period, mixed with colonial/traditional donations based on moral duty and charity.

Although traditional philanthropy is still mostly based on the hierarchy of financial power, with non-participatory decisions—for example, distributing food baskets disregarding the family autonomy in choosing what they want and actually need, under the premise of "those who have nothing at all cannot complain" (Aoqui et al., 2020)—especially during the pandemic we have observed that was room for other forms of action and they have emerged especially during the pandemic.

4   THE TIDE SETUBAL FOUNDATION

The *Tide Setubal Foundation*, a foundation of family origin, demonstrated in its history a migration from traditional forms of philanthropy

to market-oriented ones. And very recently has shifted its activities to foster social justice in peripheral urban territories (Tide Setubal Foundation, 2021). It is supported by resources indirectly linked to the *Itaúsa* group, which encompasses the largest private bank in Brazil, Itaú. The Setubal family together with the Villela family, another well-known family of philanthropists in the country, is the majority shareholder.

The foundation is ranked as a reference for other philanthropic institutions in the country, either mobilizing diverse networks of social actors, or through its occurrence in spaces with other corporate and/or family philanthropists. Maria Alice Setubal, the chairperson, until 2020, held the board of the aforementioned GIFE, the main association of philanthropists in Brazil. The Itaú Bank itself occupied headlines during the pandemic by announcing the biggest private donation in Brazilian history of over USD 1 billion.

Among the mobilizations led by the foundation during the pandemic, *Matchfunding Enfrente* stands out, which aimed to focus on urban peripheries from perspectives that at least partially escape market-oriented models. The program uses the matchfunding model, which unifies two fundraising strategies: collective funding (crowdfunding) and direct contribution from donors—in this case, Tide Setubal and other grantmakers mobilized by the Foundation.

Enfrente's guideline aims to contemplate initiatives directly, fostering direct participation from peripheral organizations and leaders who, in common, would have the challenge of raising the financial resources for their projects on their own.

The main disruption lies in the design of their governance: it is up to these representatives from peripheral territories to demonstrate how their social action should take place. The intervention and influence of donors in the process are minimized by the selection of recipients, involving peripheral groups as curators, who point out the most relevant initiatives when receiving donations—from the perspective of race, gender and peripheral identity. Finally, the foundation itself has in its staff a majority of black and peripherally born employees leading this program and being responsible for the design, and the selection of resources and their allocation—something rare, if not unique in the field of market-oriented philanthropy in Brazil (Aoqui & dos Santos, 2019). The selected recipients would receive both financial and technical support, would also receive mentorship and would become part of a collaborative network.

An example of an initiative contemplated by *Enfrente* fund that seeks to break with traditional approaches to philanthropy is the *Latinidades Pretas*, a partnership between *Feira Preta*—a well-known community of black entrepreneurs in Brazil—and *Instituto Afrolatinas* whose goal is to minimize the impacts of COVID-19 by generating income as well as supporting black women entrepreneurs in the creative areas of economy such as music, fashion, visual arts, performing arts, audiovisual and poetry. It involved 1400 women from all over Brazil and other Latin American countries to receive up to USD 500 worth of aid and training sessions. The initiative was supported by several artists as well as it was financially supported by both the *Tide Setubal Foundation* and the *Moreira Salles Institute*. In this case, donors have delegated to *Feira Preta* and *Instituto Afrolatinas* the decisions on how to invest the resources ensuring legitimacy when acting upon these topics.

Even before the pandemic, the foundation was already questioning itself about its model of philanthropy. The entire design of one of its programs, *Elas Periféricas,* that took place between 2018 and 2019, was based on the demands made by dozens of leaders from São Paulo's peripheries and in doing so the program prioritized gender, race and income as a selection bias. The rules set for selecting collectives and social movements were created together with representatives from the peripheries, promoting changes not only in criteria, also in vocabulary and forms of communication.

In 2020, the pandemic hit hard all women contemplated by the program, which had to be adapted. That meant format (face-to-face to virtual), process (with greater flexibility in the use of donations as priorities varied in the favelas) and scope (the third edition, launched in 2021 went outside the city limits of São Paulo and began to focus on the entire national territory significantly enlarging the number of organizations contemplated).

From the perspective of women and groups participating in the program, there was also a strong need to point out to donors a change in their priorities. A larger amount of donations received, either by *Elas Periféricas* or by *Enfrente*, was firstly redirected in order to strengthen organizational capacities (for example, staff compensation and general expenses, though most of these peripherical groups are not institutionalized) instead of project execution; and to implement actions related to COVID emergence, with the distribution of basic food baskets and hygiene kits. It is worth remembering that as this is a direct support for

peripheral leaders, and in many cases the precariousness and increased vulnerabilities have affected the grantees, and the flexibility of using donations was relevant, including personal expenses for family survival.

It is possible to see in the *Tide Setubal Foundation* a set of differentiated postures that break market-oriented approaches of donors and philanthropists in Brazil, previously presented in Fig. 2: (1) with the creation of selection processes with a specific focus on peripheral leaders (including those who are not formal organizations, which are often excluded from institutional donations for compliance reasons, are excluded from institutional donations); (2) preference for simple and agile selection mechanisms (requiring documents only when and if it is really necessary); (3) receptivity to flexible projects, prioritizing the results developed autonomously by peripheral participants and adapted to the reality of the territories during the implementation period; (4) knowledge sharing from and for the peripheral leaders themselves, avoiding starting from the colonizing premise that the "center" (and the elites) holds the knowledge and the peripheries are mere apprentices (for example, local professionals were hired as mentors and chosen by the selected leaders themselves); and (5) feasibility of institutional investment and not only for activities related to a project, including resources for the leaders themselves to work on issues such as self-esteem and mental health.

This does not mean that there are not strong contradictions inherent not only from the origin of the *Tide Setubal Foundation* (the funds are linked to one of the most profitable companies in the financial sector
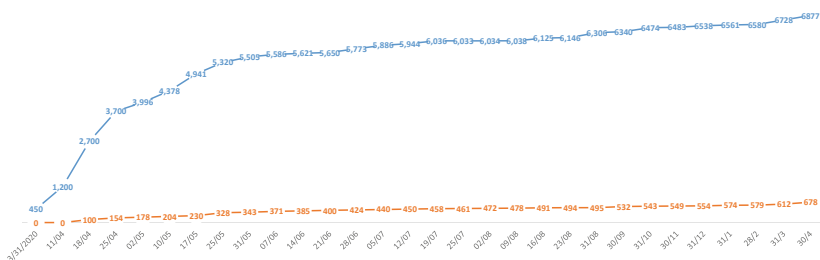
Fig. 2   Donation Monitor COVID-19—weekly evolution (*Source* ABCR Donation Monitor [2021]; in red, donations [in millions]; in blue, donors [in thousands])

in Brazil), but also from its historical performance and internal pressures. Among the recurrent challenges are efficiently achieving scale in the programs and of positioning itself more at the level of mutual and horizontal learning than at that of a donor, generating less and less expectations regarding the counterparts and demands of this place of power. Finally, in relation specifically to the matchfunding mechanism, several criticisms permeate this model, including making the vulnerable people responsible for receiving the resources (the match only happens to the extent that peripheral leaders are able to mobilize donations per se), scenario aggravated by the urgent context for donations to reach the most vulnerable communities. It is recommended that these criticisms be object of further in-depth research.

5   MOBILIZATIONS OF URBAN PERIPHERIES

At the other end of the philanthropy spectrum, with the collapse of social and health systems in the Global South, the COVID-19 pandemic has given rise to dynamic collaborative and mutual aid initiatives led by community social movements and organizations to emerge in different territories across the country, responding to the health, humanitarian, social and economic crisis, especially for vulnerable groups.

According to an analysis carried out by Instituto Pólis (2020) in territories considered precarious, the forms of community organization that prevailed to face COVID-19 have been the most effective response to face the crisis.

Aoqui et al. (2020) highlight the importance of the role of organized civil society: in communities where there are leaders, groups, social movements and social organizations in diversity and profusion of action, "the quality and the scope of emergency actions is clearly noted, as in the favela of Paraisópolis, in the west zone of São Paulo". On the other hand, in other regions, such as in the north of the city, like *Vila Brasilândia*, a neighborhood with the highest number of deaths by COVID-19 until 4/20/21, actions were still sparse and insufficient, leading to the need of strengthening mutual support networks in that territory.

The case of *Paraisópolis* shows the relevance of community mobilization. This community, one of the largest favelas in Brazil with more than 70,000 inhabitants, quickly organized itself through its Residents' Association (Hopstein & Peres, 2021). Employing a system called *street presidents*, it instituted people responsible for identifying individuals and

families with symptoms of COVID-19 and also for developing activities to raise awareness about the virus and the necessary care for prevention. The contagion and mortality rates in Paraisópolis in 2020 were much lower if compared to the rich contiguous district of *Vila Andrade*. Moreover, the community took part on an emergency fund and organized themselves to receive and distribute food and goods donations (Aoqui & Pereira, 2020; Hopstein & Peres, 2021).

Paraisópolis also developed communication and knowledge initiatives. They fought against *fake news* through sound systems installed in cars; local leaders were also trained to give correct referrals to those with symptoms. They provided information and support for individuals on how to proceed the registration for government emergency aid (registration carried out via mobile app, when the most vulnerable people do not excel or have access to digital media). They also documented collective actions within the peripheries to face the crisis, as did *Agência Mural das Periferias*, a collective that comprises hundreds of journalists from the peripheries, which launched the podcast "In quarantine" with the purpose of highlighting the daily life of these territories during that period.

The program reached a total of 144 episodes that were broadcast on various digital platforms, especially via WhatsApp, in which through the voice of people from impoverished territories, promoted local businesses and disseminated prevention tips. In addition, it enabled debates on inequalities in the city, showing, for example, the invisibility of small favelas when compared to large communities such as *Paraisópolis*, and it used this space to promote discussion as a way to contribute to the dissemination of local community campaigns, from and to the peripheries.

An outstanding case that combines lots of fundraising actions is the *Potências Periféricas*, a network of social movements and groups from the peripheries of São Paulo aiming to promote more inclusive distribution of resources, so that project leaders from the periphery of the city of São Paulo can effectively access financing made available by public notices, prize challenges and awards underway in Brazil. *Potências* proposes spaces for dialogue among peripheral leaders, collectives, entrepreneurs, social movements, social organizations and funders, seeking exchanges of knowledge in a non-hierarchical way based on empathy as well as breaking possible barriers to mutual understanding.

During the Pandemic, it held online trainings and meetings between donors and grantees and fostered initiatives in urban peripheries (GIFE, 2020; Potências Periféricas, 2020). They developed an online platform devised to be a solution co-created with, by and for the peripheral leaders themselves which resulted in an essential technology appropriation, prioritizing local suppliers. Although the network is aware that it is a more challenging process—by involving horizontality and collaboration and decisions—it made learning and technology appropriation central objectives, including the production of capacity building from and to these leaders. Lastly, they aim at engaging more local individual and business to fund themselves, so that the power and solutions of the peripheries can be shown with autonomy and independence (Potências Periféricas, 2020).

In these initiatives, it is possible to see radical elements in relation to other models of philanthropy, promoted by the grantees themselves. We can also observe the constant presence in initiatives to enhance territory, its residents, their ideas and practices. The leading role is not just with the donors in choosing what to support; they actually start with suggestions from the recipients of the resources themselves.

In *Potências Periféricas*, an online platform developed by suppliers located in the favelas is a way to consider other possibilities regarding economic relations, since these digital solution providers are almost always concentrated in specialized centers far from the peripheries.

Finally, the appreciation of local voices. It is very common that in training and capacity building, external consultants are hired to carry out these activities. Urban periphery collectives have shown to their funders that it is possible to strengthen ties together. During the pandemic, the context of inequalities, which already required other solutions, made local action even more needed, and in some cases the only possible alternative.

6   FINAL CONSIDERATIONS

The COVID-19 pandemic deepened existing inequalities, hitting more severely those who were already in a vulnerable situation in Brazil. It is common in situations of humanitarian emergencies that aid takes place in a hierarchical manner and under a coloniality of power approach (Quijano, 2015). This work focused on donation initiatives and local

mobilization of resources in urban peripheries, which go in the opposite direction of traditional emergency actions.

Through systematization of secondary data, complemented by the author's observations, it was possible to illustrate actions carried out by civil society that deserve to be followed up for future analysis. It is true that many actions might cease, but others may continue and generate medium and long-term developments.

Data showed that there was a rapid and unprecedented mobilization of donations in the country between March and June of 2020. Most of these resources were mobilized and donated following a more traditional route.

It was observed, however, that during the pandemic some initiatives started to break with previous dominant models of philanthropy. In different degrees, the cases embedded some radical practices, changing the premise that those with money hold all the power, placing the grantees themselves as actors in urban peripheries in terms of design, selection and operationalization of actions, with room for speech, agility and legitimacy to act upon.

These changes were noticed in a case analysis of market-oriented philanthropy. However, there were already some specific initiatives promoted by funds directed to community initiatives prior to the pandemic (Hopstein, 2018).

Initiatives of radical philanthropy increases the possibilities of relying on the leading role and decision-making power of communities in mobilizing and investing local resources in areas and initiatives considered to be priorities. It is, therefore, an approach that seeks to question and subvert the hierarchy of power and transfer it for communities, conceived as protagonists regarding decision-making processes, and for the development of actions aimed at combating inequality and in favor of social justice (Hopstein & Peres, 2021). The issue of power is placed as a key and priority theme, considering that there is no decolonial turn in the donor-grantee relationship when there is intention to "give the power" or empower groups and communities, instead of recognizing the power they already have in terms of capacity when seeking solutions autonomously, as well as the power they already have in order to act upon.

In this way, it is clear for us that radical philanthropy actions, such as *Potências Periféricas* and the attempt to build a platform from and to the

peripheries, and the *Paraisópolis* system of "street presidents", are way more disruptive in terms of decolonial approach than the ones originated by traditional philanthropists whose funds come from the elites such as the cases related to the *Tide Setubal Foundation* that despite recognition, evidences show a shift in power in its programs.

However, in both cases, we argue that there is still a high level of dependency of resources derived from corporations and wealthy philanthropists (who funds the *Potências Periféricas'* platform? And who donates to *Paraisópolis* community?), not to mention a coloniality of power mindset in the processes (in *Paraisópolis*, the protagonism is often held by a few "social entrepreneurs" or "self-made leaders" that speak for the entire community; or when the *Tide Setubal Foundation* applies parameters of scaling up the initiatives supported by the Foundation). These reflections led us to a question: "To what extent is it really possible to achieve a decolonial turn in philanthropy when its very origin is based on colonial thoughts?".

In that sense, the data and examples presented in this chapter point to the beginning of a decolonial turn, but it is important to emphasize that "the wheel" is far from having turned completely as there are many factors needed for this to happen. Starting with the entry of new social-change agents in the civic space, since the most striking cases of progressive philanthropy are still concentrated in the hands of a few actors and the mainstream of philanthropic action continues to be hierarchical and without any shift of powers.

Another critical point is the need to expand social participation and the culture of giving in Brazil, so that community initiatives can flourish regardless the country's political-economic elites agenda. In addition, in a country with continental dimensions like ours, this entire process must be met by an agenda of public interest, with dialogue with public policies, regulatory frameworks and multi-sector partnerships that leverage what is up to now more of a paradox: the possibility of uniting the concepts of decolonial turn and philanthropy in the process of social change.

Appendix

See Table 2.

Table 2 Secondary data collection

Document	Authors/year	Type/description
COVID-19 and the registry of corporate donations for CSOs in Brazil: An X-ray during the pandemic in 2020	Dutra et al. (2021)	Study analyzing 427 corporate donations in Brazil in 2020
Scenarios and trends in the field of impact and intermediary businesses facing COVID-19	ponteAponte (2020)	Study on the impacts of COVID-19 in the field of social impact business
Consolidation of mappings, campaigns and other initiatives against COVID-19	Aoqui et al. (2020)	Collaborative mapping of initiatives against COVID-19 in Brazil, containing more than 300 philanthropic actions
Donation Monitor	ABCR (2020)	Mapping of more than 500 corporate donations and fundraising campaigns against the effects of the pandemic in Brazil
The new standard for bids in the days of COVID-19	Aoqui and Pereira (2020)	Survey and analysis of public notices and selections carried out during the pandemic
The role and protagonism of civil society in confronting the COVID-19 pandemic in Brazil	Hopstein and Peres (2021)	Study on civil society cases in the fight against the pandemic in Brazil in 2020
The first 60 days of COVID-19 and the ISP in Brazil—a macro analysis	ponteAponte (2020)	Executive report with analysis of the actions mapped by the PonteAponte consultancy

Source Elaborated by the authors

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Sandwiched? Sri Lankan Civic Space Amidst a Repressive Regime and a Pandemic

Udan Fernando

1 Introduction

The onset of the COVID-19 pandemic in Sri Lanka coincided with the immediate aftermath of a significant political regime change. In November 2019, a new President was elected and general elections were to be held in early 2020. Mitigating the spread of the virus and the exigencies of holding an election to further consolidating power at the level of legislature became competing interests. The nationalist fervour with which the new President came into power, triggered by an alleged threat to national security, continued to remain in the political sphere as a key driver. Hence, the pandemic invariably became politicized and the sentiments against the minority ethnic groups, particularly, the Muslims, following the Easter bomb explosions in April 2019, re-emerged during the pandemic period. This chapter brings these contemporary historical narratives together with a focus on and interest to understand how

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civic space in Sri Lanka functioned amidst these two significant events unfolding in the context.

The overview and analysis cover the three-year period from April 2019 to end March 2022. The main methodology is a desk review, and data gathered from two unpublished studies of civil society organizations carried out by the author.[1] These studies included field work in the Northern, Eastern, Western and Southern part of the country. The particular emphasis of this chapter is thus on civil society organizations (CSOs) and non-governmental organizations (NGOs) (to be defined in the ensuing section) functioning at the District and Divisional levels of the country.[2] The broader civic space dynamics, will be discussed based on a literature survey.

This chapter is organized in the following manner. First, a brief summary on the distinctive nature and features of the civic space in Sri Lanka is presented as a basis to understand the behaviour and dynamics of different actors, sub-categories and organizational/non-organizational forms that are explained later. Thereafter, the two major contextual changes that took place in the period under review—emergence of a new political regime and COVID-19—are discussed. How the civic space was impacted by these two contextual changes, with special reference to CSOs and NGOs, are presented in detail before a final analysis of how they coped and navigated the situation.

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[1] The initial research and field work for this chapter is mainly drawn from two studies by the author for the International Movement Against All forms of Discrimination and Racism (IMADR) and the Colombo Office of the European Union under the themes of 'Religious tensions amidst a regime change and a pandemic' (January 2022) and 'Technical support for the elaboration of the new EU Roadmap for Engagement with Civil Society in Sri Lanka 2021–2024' (May 2021), respectively. Results of the two studies were not published and have been used as internal documents.

[2] Sri Lanka's administrative system is carried out through 25 administrative units that are called Districts. The District-level administration is led by a District Secretary who acts as the key representative of the government. A District is further divided into subunits that are called Divisions. There are 331 Divisions. A Division is composed of many Grama Niladhari units. There are 14,022 GN units in Sri Lanka.

2 Understanding the Civic Space: Related Concepts and Their Usage in Sri Lanka

In line with the approach of this volume, this chapter employs the overarching conceptual category of 'civic space'. It is sometimes used interchangeably with the term 'civil society'. There is a certain degree of overlap between the two categories both at a conceptual and operational level. However, for reasons of conceptual clarity as well as to guide the categories and terminology used to denote different organizational forms, civic space is distinguished from civil society and is defined in the following way: 'the public arena used by citizens and civil society organizations, and provided by the state, to exercise the fundamental rights of association, assembly, and expression' (CIVICUS, cited by Biekart and Fowler, this volume). This broad definition is premised on the following ideas, boundaries and features:

> Civic space is the bedrock of any open and democratic society. When civic space is open, citizens and civil society organisations are able to organise, participate and communicate without hindrance. In doing so, they are able to claim their rights and influence the political and social structures around them. This can only happen when a state holds by its duty to protect its citizens and respects and facilitates their fundamental rights to associate, assemble peacefully and freely express views and opinions. These are the three key rights that civil society depends upon. (CIVICUS, 2022)

As such, civic space is considered a broader realm in which civil society functions as one of the sub areas and within which formations called civil society organizations (CSOs) are active. Civil society can be defined as an 'intermediate associational realm between state and family populated by organisations which are separate from the state, enjoy autonomy in relation to the state and are formed voluntarily by members of society to protect or extend their interests or values' (White, 1994: 379, cited by Biekart and Fowler, this volume). Civil society is thus also defined as a space of contestation with different civic and political interests, not necessarily in the sense of a 'good society', representing oppositional voices vis-à-vis the state. For further clarity, the CSOs do not equate with service delivery/advocacy NGOs but include broader unions as well as pro-government civic organizations as well as 'uncivil' elements, in the sense that they do not necessarily conform with the normative formulaic CSOs. However, civic space, as an overarching concept encapsulates

all these variants ranging from political to apolitical pursuits. The sub-components would have their own interests, values and ethos that are not necessarily harmonious and as such they would also be contradictory, conflicting and competing with each other.

In order to understand the contextual usage of the above-mentioned concepts, categories in Sri Lankan literature on the subject need close scrutiny. Comprehensive studies with an exclusive focus on Sri Lankan civic space and/or civil society have been carried out by a combination of Sri Lankan and non-Sri Lankan scholars. Some examples of such works are Bastian (2003), Kloos (1999), Wickramasinghe (2001), Uyangoda (2001), Orjuella (2004), Fernando (2003), Fernando (2007), Fernando (2018), Fernando (2021) and Fernando (2022). Though the emphasis was on transformation of Buddhism, the work by Gombrich and Obey-sekere (1988) sheds a great deal of light on the ideological currents of the voluntary organizations in the fifties adapting to the transformation in society. Similarly, Uyangoda (2001) makes an in-depth analysis of the intrinsic relationship in the evolution of the left movement in Sri Lanka and civic space, with special reference to NGOs. Fernando (2007) documents and analyses how NGOs and civil society strivings have become extensions or results of political persuasions and how political activists have become NGO/CSO leaders and vice versa.

Sri Lankan literature related to civic space have used a variety of terms such as Voluntary Organizations (VOs), Civil Society Organizations (CSOs), Non-Governmental Organizations (NGOs) and Community Based Organizations (CBOs) to denote various forms and manifestations of actors outside the realm of the state and market. In general, civil society is denoted as the larger category and NGOs are considered a sub-category. The terms are often used loosely and interchangeably, which can be misguiding and confusing. A way out of this is to focus on the 'acquired meaning' of the term (Nauta, 2001). Kloos, who is a pioneer scholar on Sri Lankan NGOs/CSOs, asserts that 'an NGO is what is called an NGO in Sri Lanka' (1999: 5), emphasizing the importance of the particularity and specificity of the usage of the term in the context concerned. Hence, there is a need to position the CBO, NGO or CSO in a historical and contextual canvas to understand the larger picture in which they play a particular role. Such a spectrum of terminology gained currency in society as well as in the academic sphere at different stages of history.

The civil society and/or CSOs gained currency in Sri Lanka in the nineties, with the influence of the broader civil society discourse following the collapse of the Soviet-bloc, the Berlin Wall and the end of cold war period. The renewed role attached to civil societies following this third wave of democratization (Huntington, 1991) and the flow of large amounts of funding to CSOs in many parts of the world, had an impact on Sri Lanka as well. However, the boundary between the CSOs and NGOs remained blurred as different funding regimes used different definitions to these two categories. It should also be noted that the NGOs started calling themselves CSOs, to give them a broader value and at times, when their accountability was questioned by donors.

There is another aspect which is important in understanding the landscape of CSOs, NGOs and CBOs in Sri Lanka. Often all these three categories are understood from an instrumentalist perspective, treating them as a means of achieving something. Hence, they are classified on what they do—gender, savings, good governance, health, income generation, etc. Such a treatment obscures the broader political role these organizations might play in a particular historical moment. Even a seemingly small and insignificant CBO cannot be a neutral and apolitical entity. An alternative terminology that sheds more light on understanding the character and dynamics of above organizational forms are Non-party Political Formations (Kothari, 1984) and Non-party Left Formations (Kamat, 2002). The substance of these types of groups is understood as transformatory politics 'which do not necessarily require capturing or possessing state power in a traditional instrumentalist sense, but rebuilding spheres of social mobilization in such a way that democratic and progressive constituencies will once again begin to define the terms of political engagement in society' (Uyangoda, 2001: 189). The particular political manifestations described by Kothari (1984), Kamat (2002) and Uyangoda (2001) are inclined towards the realm of civil society which has its own contesting and conflicting political interests. The categories and respective features are further discussed below to gain a better understanding of the particularity and specificity in the Sri Lankan context that has also evolved over time.

Based on the above discussion on concepts, categories and terminology and their particular usage in Sri Lanka, the terms CSOs and NGOs are used as distinct categories, in which the term CSO is used as a broader category and NGO is a sub-category. The field work included both these categories of organizations, and the bulk of the sections that discuss the

field work findings represents the experience of both these categories. However, this treatment will not be followed when works of others are cited as their basis of usage could be different. An explanatory note will be added on to such citations to avoid misunderstanding and also to maintain consistency of the conceptual basis employed in this chapter. It should be noted that CSOs/NGOs included in the field work are largely focusing on rights/advocacy and social development NGOs. It is this particular 'section' of civil society—democracy-and/or development-oriented that is the focus of the analyses.

3   Civic Space in Sri Lanka—Forms, Nature and Features[3]

The predominant civil society orientation and identity in Sri Lanka has been more closely connected to the political—in its wider meaning— (Fernando, 2007) and is a reflection of the history of the dynamics of state-(civil) society relations informing civic space: social action and voluntary organizations have been in the forefront of social and political reforms since the pre-independence period. The Temperance Movement (a mass mobilization during the British period, initially organized against alcoholism but later evolved as a broad-based force to advocate independence) is a prominent example. As such, the forte of Sri Lankan civil society actors is not so much 'development' (in the sense that they are largely engaged in service delivery) but 'rights'. Insurgencies in 1971 and 1987/89 as well as an insurgency that turned into a three-decade war have arguably further intensified this character of civil society. Their impact has been high on the fronts of lobbying and advocacy, human rights issues and the promotion of concepts such as pluralism, devolution, federalism, etc. The political orientation of Sri Lankan civil society organizations means that they invariably capture the political realm as part of their environment. However, the political orientation does not necessarily mean that there is a homogeneous counter-state position. While a certain degree of homogeneity existed in the early stages, such as the eighties, that feature changed gradually in the 90s (and onwards) particularly with the escalation of the civil war that led to a spawning of a 'new' wave of

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[3] This section is heavily drawn by author's own work on the subject: Fernando (2007, 2018).

civil society actors that toed a line with the government and in support of the military as well as the war as a means of eliminating the Tamil resistance. Irrespective of these orientations vis-à-vis the state, this means that Sri Lankan civil society organizations are highly sensitive towards the shifts taking place in the political realm. However, the above does not mean that there is a paucity of development-oriented actors in Sri Lanka. They are largely identified as NGOs. But the two terms—CSOs and NGOs—are often used loosely and interchangeably, which from a conceptual and analytical perspective is of course problematic.

The link between Sri Lankan CSOs and the left movement is also a special feature. The pioneer justice-oriented groups maintained close links with the old left parties. The entrance of new left activists (Janatha Vimukthi Peramuna—JVP[4] and others) into CSOs in the post-1977 period, and trade union activists in the post-1980 period, gave Sri Lankan CSOs a strong political identity. This generation of left political activists dominated the CSO/NGO scene in the eighties and early nineties. In a way, the CSO activism in the eighties and the early nineties partially replaced the void created by the weakening of the leftist parties and trade unionism. The leftist parties suffered a massive defeat in the general election of 1977 which was won by the rightist United National Party (UNP) with an overwhelming 5/6th majority in the Parliament. Such a working majority in the Parliament and a newly created all-powerful executive presidential system gave the ruling party an upper hand to curb all forms of opposition and resistance to the liberal economic policies being introduced. The government crushed a general strike in 1980 which marked the milestone of the further decline and weakening of the left political parties and trade unionism. In this regard, some CSOs have played the role of gap fillers for a moribund left and trade unions. A reversal of this trend was witnessed from the mid-nineties. This trend became established firmly in the post-2002 period (Fernando, 2007). The key staff and leaders who entered CSOs in the mid-nineties and beyond came from professional and academic backgrounds with little or no background in political activism (Fernando, 2007). Their political sympathies were mostly with liberal thinking (Uyangoda, 2001). The gradual depoliticization of civil society, in the periods mentioned above, i.e., 80s and 90s,

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[4] A leftist political party with a Maoist orientation waged an insurgency in 1971 and 1987–1989 to overthrow the government. The JVP at a later stage joined democratic politics and entered Parliament.

suggest that the major impact of economic and political reforms that Sri Lanka had been subjected to in the forms of liberalization of the economy from a hitherto protectionist and welfarist orientation.

The relationship between the Sri Lankan CSOs and the government has predominantly been an antagonistic one. However, there had been short periods of collaboration, engagement and even co-optation on the part of the CSOs with different governments. These collaborations have been short-lived within a tenure of a certain government or certain collaborative relationships have come to an abrupt end with the transition of governments. There had been different degrees of regulation, control and space offered for civil society functioning under successive governments. The history of relationships between the civil society and government suggests a fluctuation of trust and maturity in dealing with each other. Hence, the orientation, spread (or contraction) and impact on civil society in Sri Lanka cannot be understood without the orientation of the successive governments whose policy and action towards on the former.

4   Changes in the Context: The Political Sphere

As mentioned before, 1977 marked a watershed when the UNP party formed a very strong government with a 5/6th majority. This was also the government that introduced the most radical form of liberalization of the economy. The party won elections and stayed in government for seventeen successive years before they were defeated by the People's Alliance (PA) party in 1994. But the liberalization trend could not be reversed. From 1994 till 2019, there was several changes of governments formed by different parties. However, from 1983 till 2009, the main preoccupation of the respective governments was the war. Although the war mostly affected the North and East, it had an impact on the entire country as the rebel group was a force to reckon with. The war ended in 2009 and there was relative stability in the country in the decade that followed. The economy was not performing extra ordinarily well but there was no major crisis.

In November 2019, there was a major change in the political administration, starting with a Presidential Election that year and followed by General Elections in August 2020. These electoral campaigns were heavily

coloured by the bombings of April 2019[5] which gave a new lease of life to a national security agenda and rise to an unhealthy spread of communal tensions, particularly against the Muslim community (Amarasuriya, 2020). This in turn paved the way for a new political appeal to mobilize the majoritarian ethnic and religious group, which is Sinhala and Buddhist. This new wave of a nationalist agenda fuelled by the imperative for national security in the aftermath of the bomb attacks, gained popularity.

4.1 Assessment of the 2015–2019 Experience

The inefficiencies and failures of the government from 2015 to 2019 and the tensions between the President and Prime Minister in that period were contributory factors in strengthening the nationalist campaign that fielded a presidential candidate claimed as a fresh hope. In addition to the charges against the previous government on corruption (involving a bond scam and some transactions with China and India in relation to ports), the new nationalist and security fervour augured well with the military background of the presidential candidate and his claim of playing a role in bringing the thirty-year war to an end in 2009 during his tenure as Defence Secretary. This political wave was able to bring Gotabaya Rajapaksa and Mahinda Rajapaksa into power as President and Prime Minister in November 2019 and August 2020, respectively. The unprecedented 2/3rd majority at the general elections and popular support in an environment where the opposition parties suffered heavy electoral losses, placed the new political administration in a comfortable position of power to effect changes without a formidable opposition.

The progressive governance reforms effected by the previous government (e.g., balance of legislature and executive powers, introduction of independent commissions, Right to Information Act, etc.) by way of the introduction of the 19th Amendment to the Constitution were reconsidered by the new government. The 20th Amendment, passed in October 2020, significantly diluted the above-mentioned progressive advancements in terms of governance and accountability. In sum, the

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[5] On 21 April 2019, Easter Sunday, three churches in Sri Lanka and three luxury hotels in the commercial capital, Colombo, were targeted in a series of coordinated Islamist terrorist suicide bombings. Later that day, there were smaller explosions at a housing complex in Dematagoda and a guest house in Dehiwala.

20th Amendment left the power balance between the Executive, Legislature and Judiciary, substantially skewed towards the Executive, thus weakening the power and independence of the other two institutions. The democratic transformations introduced by the 19th Amendment were partly a result of years of advocacy work of rights-based, think-tank-oriented CSOs, particularly the introduction of independent commissions on elections, police, corruption, audit as well as the right to information as a fundamental right. Except for the Right to Information Act, most of these progressive transformations were reversed by the 20th Amendment. With the passage of the 20th Amendment, not only did their advocacy work become futile; their own existence was faced with a plethora of challenges under a new difficult constitutional environment as well. CSOs' ability to carry out their advocacy work towards democratic practices and institutions was seriously constrained.

5   THE EXPERIENCE OF COVID-19[6]

The first confirmed case of coronavirus was reported in Sri Lanka on 27 January 2020. The patient was a 44-year-old Chinese woman who was visiting Sri Lanka. Meantime, the president dissolved the Parliament on 2 March, and called snap elections to be held on 25 April, 6 months early. But only a day after the announcement, on March 3, the first case involving a person of Sri Lankan origin was reported in Italy. One week later, on 10 March, the first local case was reported: a tourist guide who had led a group of Italian tourists. Both the Chinese woman and the tourist guide were treated at the Infectious Disease Hospital, which later came to be known as the National Institute of Infectious Diseases. Quarantine centres were also set up by the Army initially in their facilities in different parts of the island, using military infrastructure in out of Colombo. Private hotels were also allowed to offer quarantine facilities for a considerable tariff.

A 40-member 'Presidential Task Force to Coordinate and Monitor the Delivery of Continuous Services for the Sustenance of Overall Community Life' was formed under Basil Rajapaksa, a brother of the President.

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[6] Some parts of this subsection are drawn from the author's own publication: Fernando (2020) Facing a Pandemic at a time of Elections and Cricket: Socio-political consequences of Sri Lanka's COVID-19 curfew in Asia Pacific Journal, Special Issue: Pandemic Asia, August 1, 2020, Volume 18, Issue 15, Number 1.

In mid-March, a National Operation Centre for Prevention of Covid-19 (NOCPOC) was tasked with curbing the spread of COVID-19, with the Army Commander appointed at its head. The Centre was mandated to coordinate preventive and management measures to ensure that health care and other services would be well equipped to serve the general public during the outbreak period. The mandates of these two structures were vague and lacked clarity regarding the division of labour. The legitimacy of introducing these new structures while existing structures were not being used drew heavy criticism raised by a key CSO (Centre for Policy Alternatives, 2020).

Despite some unease over COVID-19 strategies, the dissolution of the Parliament and call for elections on 25 April created a distraction that placed all of Sri Lanka in an election mode. While the numbers of affected people were gradually rising by the third week of March, there were still no concrete measures being introduced by the interim government (in the context of a dissolved Parliament) and the president. This passivity can be ascribed to the desire of the President and his party to hold elections in April. The deadline for nominations was at noon on 19 March, and the Election Commission was apparently under pressure to downplay the coronavirus outbreak to ensure the election would proceed. However, only a few hours later, the president gave instructions to declare an island-wide curfew, and to close the airport for inbound flights. At first, people did not follow the curfew rules, but within a few days it became strictly enforced. The island-wide curfew was gradually relaxed, but a few districts, including Colombo, were subject to the full curfew of 52 days, until 10 May 2020.

In mid-March 2020, the Election Commission decided to postpone the planned 25 April 2020 election indefinitely due to the pandemic outbreak. But there was substantial pressure on the commission to hold the elections before 2 June because the dissolved Parliament needed to reconvene by then as required by the Constitution, only allowing for a maximum three months' closure. In response, the Election Commission wrote to the president to inform him that due to COVID-19, they could not organize an election before 2 June. However, considering the constitutional constraints, the commission requested that the president seek the opinion of the Supreme Court, which would have the power to invoke *force majeure* as a way out of the constitutional deadlock. The president

responded that it was not necessary, and he disregarded appeals by political parties, trade unions,[7] religious leaders and CSOs to reconvene the Parliament by annulling his gazette that had dissolved it. The adamant behaviour exhibited by the president in his resolve to not parley with the Supreme Court highlighted his preference for exercising strong executive powers at the expense of the legislature and judiciary. However, the election commission's independence, granted by the 19th amendment, could withstand the pressure and a general election to elect a new parliament, with proper COVID-19 precautions and measures, had to wait till August 2020.

5.1   The Increased Role of the Military in Governance

The military played a key role in Sri Lanka's response to the COVID-19 outbreak. The Army Commander was appointed as the head of the National Operations Centre on COVID-19 and the special intelligence units of the military and the police were tasked with carrying out search operations for contact tracing and arrests of those who violated curfew and quarantine regulations. The quarantine centres were also run by the military, often using their camps, infrastructure and personnel. Moreover, the Secretaries to the Ministries of Health and Agriculture were replaced by two military officers when the country began to reopen after the 52-day curfew. The military was also disproportionately represented on the Presidential Task Force in charge of economic revival and poverty eradication.

As such, the response of the government to the pandemic also impacted the sphere of governance, rule of law and accountability with a shift towards rising militarization and authoritarianism. Such features posed serious threats to the values and principles many sections of civil society uphold and the institutions of governance and accountability they strive to promote. The processes of reconciliation and transitional justice initiatives—including establishing the Office on the Missing Persons and the Office of Reparations during the 2015–2019 period—were at stake as the new political administration adopted a different approach. It should

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[7] In a particular theoretical tradition, trade unions are part and parcel of the civil society. However, in the Sri Lankan usage (as cited before, Kloos, 1999) trade unions prefer to go as an independent category and often disown their affiliation with civil society due to a variety of reasons, including the anti-CSO sentiment in society.

be noted that these initiatives were already losing momentum towards the end of the previous government, particularly following the Easter Explosions in April 2019.

The measures introduced by the government during the pandemic under the pretext containing a health issue also challenged the space of democratic freedoms and space. The identification of infected persons and their close contacts was carried out jointly by the intelligence, military and the police. At times, these identification missions were akin to an arrest of criminals. The infected persons (or suspected persons) were taken by the military without prior notice and with little or no information on where they would be taken. Media reports on such incidents as well as public views on social media were curtailed and threatened with legal action. A number of warnings were issued by the authorities. The curfews, travel restrictions and restrictions of gatherings made a negative impact on CSO work. Their fieldwork was severely limited. Meetings and public events came almost to a halt.

6 Impact on the Civic Space

This section of the chapter discusses the specific manner in which civil society was impacted by the two major changes described above. One of the ways in which civil society activity is controlled is through the legal and regulatory frameworks. Therefore, an explanatory subsection is presented as a basis to understand the overall impact.

6.1 The Policy, Legal and Regulatory Environment of CSOs/NGOs in Sri Lanka

For some time, there were no specific laws and regulations governing the operation of CSOs in Sri Lanka. In 1980, the government enacted the Voluntary Social Services Organizations (Registration & Supervision) Act which sought to introduce a system of registration and supervision of activities. The National Secretariat for the Registration of NGOs (better known as the NGO Secretariat) was established in 1996. (The term NGOs in this Act encapsulated the CSOs as well. From this legalistic definition, the overarching and blanket term is NGOs.) The NGO Secretariat was brought under the Ministry of Defence and Urban Development in 2010. In June 2013, a statement issued by the Ministry of Defence and Urban Development declared that the 'oversight of the country's NGOs

is necessary for national security and to counter terrorism in compliance with the recommendations of the Financial Action Task Force, in countering financing of terrorism, money laundering or other related transnational crimes' (Library of Congress, 2014). Under these circumstances, both Sri Lankan and International NGOs found it difficult to work due to the administrative red-tape directives by the NGO Secretariat (Bastians, 2014).

During 2015–2019, the NGO Secretariat functioned under the purview of the Ministry of National Co-existence, Dialogue and Official Languages. This reflects a seemingly more benign approach to CSOs by the then government with a certain level of openness and flexibility. However, this very same Ministry tried to bring in a new law to restrict CSOs. The proposed legislation was withdrawn following strong representation by the CSO community to oppose the move. Civic space opened up after the Presidential and Parliamentary elections in January and August 2015, respectively. However, the legal environment for CSOs deteriorated again from 2018 as CSOs faced delays in registration, continued state scrutiny and surveillance, and weak legal and support services (Verite, 2018).

In April 2019, the government responded to the Easter attacks with social media blocks, efforts to enhance surveillance and restrictive emergency regulations that greatly curbed the freedom of expression and press freedom online (Freedom House, 2019). The change of political administration with the change of the President (November 2019) and Parliament (August 2020) resulted in a change of attitude and policy on civil society. A few weeks after being sworn in as President, Gotabaya Rajapaksha made some explicit remarks about his displeasure on the problematic and undesirable role played by NGOs: 'Sri Lanka's new government will not succumb to pressures from non-governmental organisations, NGOs cannot do what they want and the situation needs to be changed' and that he will not be acting in the interests of the NGOs (Times of India, 2019). The NGO Secretariat, that oversaw the work of CSOs, was brought back under the Ministry of Defence which comes under the purview of the President as the Minister of Defence.

6.2   *Increased Control by the District-Level Bureaucracy*

The CSOs working at district and divisional levels have been expected to work closely with the relevant bureaucracy from the concept stage of

a project to completion with corresponding requirements of approvals, reporting, supervision, scrutiny and coordination. During the period under review, the degree of the above forms of compliance to be observed by CSOs was further increased. Permission for an activity or an event to be held at a village was only allowed by the Grama Niladhari (village level administrative officer of the government) if the CSO concerned had duly obtained permission or approval from the divisional or district authority. The paperwork required for the approval process was said to be cumbersome and time-consuming.

In addition to the bureaucracy of the District Secretariat, another key position called the District NGO Coordinator has been created by the NGO Secretariat. The initial screening of the project concepts and proposals by CSOs is said to be carried out by the District NGO Coordinator whose main reporting line is with the NGO Secretariat which comes under the Ministry of Defence. As such, the considerations and criteria for screening by the District NGO Coordinator, can be different from the regular state bureaucracy at district level, given the different interests of the agencies concerned.

As such, the CSOs were under heavy pressure to comply and keep pace with the changes. This apparently diverted their energy from operations to administrative compliance. The abrupt and arbitrary procedures and standards introduced by some administrative authorities also curtailed the scope of the work particularly of the CSOs. The mandatory approval also introduced a certain level of self-censorship on the part of the CSOs so that work preferred by the authorities were stressed and enhanced. The areas of work that were preferred was toned down, diluted or completely dropped.

6.3 NGO Secretariat and Close Surveillance

Another trend observed during the period of review was more visits by the NGO Secretariat, either to CSO's main offices or at the district level. These visits were made by a team of staff from the NGO Secretariat, often led by the Director General himself, and sometimes made unannounced. The officials of the NGO Secretariat held long interrogations on the work of the CSO concerned. The CSOs raised the legality and formality of such abrupt visits to offices by the NGO Secretariat. Some CSOs interpreted this as a form of intimidation and conduct that lacked clear procedural and legal basis.

The active role played by the NGO Secretariat including the particular initiatives and actions by the Director General created an environment of unnecessary close scrutiny, control and regulation at a national level. The apparent cavalier behaviour of the NGO Secretariat leadership, as observed by the CSOs, appear to have gotten worse with (unannounced) visits to CSO offices and convening of CSOs at district levels. While the NGO Secretariat had a role to play vis-à-vis CSOs, it appears to have resorted to a policing role.

Close surveillance of CSOs by the intelligence service became a common occurrence in the North, East and the rest of the South. Receiving telephone calls from those who identified themselves as being from intelligence agencies, the police, the military or in some instances from a particular military camp became a frequent experience of the CSOs. During these calls, the intelligence was apparently keen to know general information about the CSOs such as where they worked, what they did and their funding sources, as well as some specific information on events or persons. A large section of the CSOs, fearing unnecessary consequences, shared the required information with the intelligence. Some of the CSO leaders have been assertive enough to say that the information can be given if they visit the organization during office hours or that all the information the intelligence officials seek are already contained in regular reports furnished to the District Secretariat and can be obtained from the District Secretary.

The intelligence personnel and the police were also reported to be visiting offices and events organized by the CSOs in their own premises or elsewhere. The lists of participants of events and training material were scrutinized and photographs taken of the office premises and events. In some cases, the intelligence officers observed the entire event to listen to the deliberations of the meeting, workshop and seminar. The interpretation of the CSOs on this nature of surveillance was that it was conducted to inculcate a sense that they are being watched closely and their information is gathered. Some interpreted this as a form of causing fear, threat and intimidation. Others extended the interpretation to the extent that the current phase might be followed by harsher actions such as arrests, at least in a few instances, to inculcate fear and self-censorship.

6.4   *Civic Space Under Pressure—External Observations*

The above trends observed at the district level have also been noted at a macro and national level under the banner of civic space by international indices and monitoring tools. A key Civil Society Index called the CIVICUS Monitor, annually monitors the different dimensions of civil societies in several countries, classifying the Civil Society status as Open, Narrowed, Obstructed, Repressed, Closed. Under this Index, Sri Lanka's Civic Space in 2020 was rated as Obstructed (CIVICUS, 2020). CIVICUS together with other organizations (Amnesty International, Forum Asia, Franciscans International, Human Rights Watch, International Movement Against All Forms of Discrimination and Racism, ISHR, Minority rights group international) that closely monitored the civil society in Sri Lanka, submitted a Joint Statement 44th session of the Human Rights Council in July 2020. The main submissions included:

> The space for Sri Lankan civil society is rapidly shrinking. For several months now, civil society organisations have been subject to intensified military surveillance and questioning by different government authorities.
>
> Worryingly, the COVID-19 pandemic has been exploited by the Sri Lankan government to impose restrictions on the rights to freedom of expression, association and peaceful assembly, resulting in the arrest and detention of social media commentators…
>
> Considering growing concerns over shrinking space for dissent domestically, the Council remains effectively the only forum where Sri Lankan civil society has the possibility to engage openly in dialogue with the Government and other States on human rights concerns in Sri Lanka, and even this space is increasingly under threat due to deepening risks of reprisals against Sri Lankan civil society actors who speak at the Council. Those human right defenders are increasingly vilified as "traitors" in both mainstream and social media. (CIVICUS, 2020, accessed on 24 July 2022)

Another Index by Freedom House scored Sri Lanka 56/100 and classified the country as 'partly free' with the sub-scores of Political Rights 23/40 and Civil Liberties 33/60 (Freedom House, 2021). Under the Freedom House Index, the Associational and Organizational Rights are assessed with the question: "Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights—and governance-related work?". Sri Lanka's score on this was 3/4 and the description to the score elaborated thus:

Nongovernmental organizations (NGOs) are generally free to operate without interference, but some NGOs and activists—particularly those in the north and east that focus on sensitive topics such as military impunity—have been subjected to denial of registration, surveillance, harassment, and assaults. Intelligence personnel began attending civil society meetings and questioning some organizations about their personnel and funding sources soon after Gotabaya Rajapaksa became president. Many NGOs cooperated with the government to distribute aid during COVID-19 lockdowns. Some analysts have expressed concern that the collaboration also provided intelligence officials information about NGO operations and personnel, which may assist authorities should they decide to crack down on those groups. (Freedom House, 2021)

7   Coping Strategies by CSOs

The response of the CSOs to the bureaucratic pressures and surveillance have taken an individual nature that varies from one CSO to another and one area to another. Clearly, the general trend of the responses by CSOs have taken a non-confrontational nature. The CSOs, particularly at the divisional and regional levels, have not resisted or challenged the excessive bureaucratic administrative requirements at the district and divisional levels. They have cooperated with the bureaucracy and have observed the many standards of compliance of reporting and approval seeking as well as attended meetings convened by the bureaucratic agencies. The CSOs at divisional and district levels stressed the need to be pragmatic in a reality where they are left alone with little or no support, back-up and solidarity from powerful national-level CSOs.[8]

Concerning the surveillance, the CSOs at district level have been at the receiving end. Their ability to challenge the legality of ways in which the questions are posed, information sought and sites/events being visited have been limited. As such, they have succumbed to these pressures out of helplessness and desperation. To avoid negative consequences and the danger of being blacklisted, many CSOs have cooperated with the intelligence personnel in terms of furnishing information, including personal details of staff, board and beneficiaries when they are particularly targeted. It is only in a very few instances that, CSOs have requested

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[8] This view was very strongly expressed in a meeting of CSOs/NGOs held in Colombo at Hotel Janaki, on 1 April 2021 attended by about 35 CSOs/NGOs from national and district levels. Author was an observer at this meeting.

the intelligence officers to follow the due procedure such as visiting the offices during working hours, presenting their credentials and resisting the disclosure of personal details of staff, board and beneficiaries. Further, there were some exceptional cases of certain CSO leaders who have been able to exercise some assertiveness and resistance under conditions explained before. Some of them have used their seniority as well the recognition and reputation earned over many decades as community leaders to withstand the pressure and interference. Some such as CSO leaders have refused to reveal information to the intelligence and instead asked them obtain information from the District Secretary to whom the CSOs furnish comprehensive reports from the inception, progress and end of projects as well as organizations.

Operating in the environment described above, many CSOs have tried to highlight the aspects of their work which are preferred by the government: the so-called development, relief and charity work. As such, CSOs have made sure that their portfolio contains a visible number of such projects that provide them with some cover and protection. This means that there has been a gradual shift—knowingly or unknowingly—by some CSOs towards development work. For some CSO leaders, this shift is made by the CSOs not of their own choice but under pressure as a method of coping. The donors, both locally based and overseas as well as the embassies, who usually exert pressure on the government to allow space for civil society actors, have not been successful during this period with their influence. In fact, the donors, particularly the Embassies, were heavily criticized by the government during this period for their role of causing instability and potential interference.

Another coping mechanism used by some CSOs to continue their rights-oriented work, has been to 'rebrand' their work in developmental language. For instance, as a CSO leader explained, their work on Political Participation of Women, was presented as a Women's Leadership Development to attract less attention from the authorities and intelligence officers. CSOs have also tried to enhance their degree of interaction and engagement with the district and divisional bureaucracies and other state and provincial agencies. Deliberate efforts have been made to invite the dignitaries of the bureaucracy for CSO events as guests and speakers to allow them to witness their work. It was reported that some CSOs organized their workshops and training events at auditoriums at the District and Divisional Secretariats. It was also reported that CSOs have made small contributions to events organized by the Divisional and District

Secretariats such as New Year or religious festivals. There have thus been a great deal of interaction and engagement between the CSOs and District and Divisional Secretariats during the initial crisis stages of COVID-19 in many areas. CSOs have worked closely with the district and divisional agencies as well as the Grama Niladharis at the village level. Such gestures by the CSOs have been acknowledged by the authorities. When some of the CSOs have faced issues of surveillance by intelligence officers, their renewed relationships with the district-, divisional- and village-level officials have been found to be useful as the officials have defended the CSOs.

8   Conclusions

The coping measures of CSOs at the divisional and district levels have taken a predominantly conciliatory nature. The CSOs appear to have cooperated with the police, the military and the intelligence officers, apparently to avoid further consequences and in a bid to assure their survival. It is only in a few instances that the CSOs have questioned the basis of investigations and requested the intelligence officers to follow due procedure. The CSOs have taken various steps to work closely with the government agencies, engage the officials and use government facilities to carry out their work as an apparent safety cover. Overall, the coping strategies adopted by CSOs at district levels show the relatively weak position of CSOs to resist pressure. District-level organizations have also expressed their frustration and displeasure with national-level CSOs which have more clout but have not used their advantage to safeguard the interests of the (district) CSOs.

Development-oriented NGOs have maintained a satisfactory working relationship with the state ministries, agencies, bureaucracy and local government authorities. These relationships have evolved into substantive collaborations and partnerships with a high degree of engagement on the part of the governmental/local governmental counterpart. Particularly, during the intensity of the collaboration between the NGOs and public authorities in terms of pooling of resources and coordination of work that have enhanced the trust and working relationship between the two. NGOs based in divisions and districts thus display a closer and cordial relationship with the state bureaucracy given their localized work, proximity and trust earned over time. This is an important 'bridge' between the state

agencies/local government agencies and CSOs which can be consolidated at this stage where the overall role of CSOs is under criticism and threat.

Sri Lankan CSOs have been under severe pressure, control and surveillance in the past, particularly in the periods of 1990–1993 and 2005–2014. Their work has also been curtailed and disrupted during these periods. The two key contextual changes during the period of review—the change of political regime and the onset of COVID-19—resulted in certain changes in forms of governance, with a concentration of power in the Executive and a weakening the Legislature and Judiciary. The role of the military was enhanced and their engagement gradually permeated civil administration. The COVID-19 situation further strengthened and consolidated the above trend with the justification of exigencies of mitigating a pandemic. Civic space has not been immune to this overall trend. The period reviewed in this chapter has been one of the most challenging ones for CSOs. Their freedom to function has been substantially constrained and compromised. The overall civic space has shrunk or remained stagnant without the ability to play the role they wished to play in society. Their relative strength, particularly the CSOs functioning at the district and divisional levels, have been weak. As such, their coping mechanisms have been a mixture of adaptation, compromise, cosmetic collaborations, re-branding, self-censorship and lie-low in a bid to survive in an unfavourable and repressive environment. The forms of resilience, resistance and defiance were not completely absent but can only be seen as an exception and a rarity.

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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

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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 evolution 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

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[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

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[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).

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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

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[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

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[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).

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[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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Spaces for Peace: Women's Agency in Mitrovica, Kosovo

Cíntia Silva Huxter

1 Introduction

In this chapter, civic space is defined as 'the environment that enables people and groups (…) to participate meaningfully in the political, economic, social and cultural life of their societies' (United Nations, 2020). Following this definition, civil society actors, such as women advocates, should feel safe to freely express their views and 'effect change peacefully and effectively' (United Nations, 2020). Since the Kosovo conflict in 1999, at the end of the breakup of Yugoslavia, women's civic space has been considerably constrained by widespread ethnic/national division, alongside traditional patriarchal structures. During the conflict, while men were away fighting, many women left their jobs to protect their homes and take care of their families. This enabled women to experience more empowered roles, as they became the main decision-makers. After the conflict, however, as a result of fewer available jobs and re-emerging patriarchal views of women's roles, women were expected to remain at

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home while men returned to work and regained their previous positions (both at work and at home). Double trapped by patriarchy and the ethnic/national divisions in the city, women felt silenced and powerless. In response, women from different ethnic/national communities started getting together to learn, work and travel as part of their participation in women's empowerment initiatives facilitated by local and international organisations. Today women continue to meet across communities within the context of their own local organisations/businesses, many of which are the direct result of women's participation in empowerment initiatives. This chapter considers women's cooperation across ethnic/national boundaries as a means to effect change in the constrained context of post-conflict Mitrovica. It does so by exploring women's accounts of their own trajectories, in particular their experiences of conflict and patriarchy in Mitrovica, and the meaningful changes that they were able to create for themselves and others. Women's spaces are discussed as spaces for peace built on high levels of inclusivity and support, and grounded in long-term friendships and caring relationships across ethnic/national groups. The main argument of this chapter is that women's cooperation in post-conflict contexts—spaces where women from different ethnic/national communities get together to learn, work and travel—should be seen as spaces for peace, a notion with the potential to transform the ways in which women's empowerment initiatives are viewed, conceptualised and delivered in post-conflict societies around the world.

The chapter is organised in the following way: after a brief description of the everyday context of Mitrovica, the chapter offers an overview of research concerning women and peace. The chapter proceeds with a discussion of the concepts of space and peace, before exploring the notion of *spaces for peace* which is central to the argument of this chapter. This is followed by a short explanation of how data was collected, and a presentation of the main findings concerning three civil society actions—learning, working and travelling together—exercised by the women who participated in this study. Finally, the main discussion explores how each action evolves within the context of women's spaces and how they contribute to peace and peacebuilding in Mitrovica. The chapter concludes by highlighting how conceptualising women's spaces as spaces for peace can lead to more sustainable forms of peace and should therefore be given more prominence.

2   The Constrained Context of Mitrovica

Mitrovica became a divided city in 1999, at the end of the Kosovo conflict (Castan Pinos, 2015). The river Ibar, which runs through the city, became the *de facto* border between Serbia and Kosovo, in effect dividing the Serb and Albanian communities which had lived peacefully side by side until 1989 when Slobodan Milosevic rose to power. As the new leader of Yugoslavia, Milosevic stirred half-dormant nationalistic feelings leading to the breakup of Yugoslavia (1991–1999), at that point the most violent conflict in Europe since World War II. As an autonomous province of Serbia, within the federal republic of Yugoslavia, Kosovo was the last territory to claim its independence. However, territorial claims from both sides led to disputes between Serbs and Albanians in Kosovo that last until today.[1] Since the end of the conflict, Mitrovica, located 50 km south of the actual border with Serbia, has become a symbol of the dispute between the two communities and the divisions in the city are still felt today. The bridge over the river Ibar has been closed to traffic since 1999 and has been diligently monitored by international peace forces ever since. Although pedestrians are free to cross the bridge, many Serbs living north of the Ibar have never crossed the bridge to the southern part of the city, and Albanians in the south only venture as far as the *Bosniak mahalla*,[2] a shopping district on the north bank of the river. Other communities in Mitrovica—Roma, Ashkali, Egyptian, Turkish, Bosniak, Gorani, Montenegrin, Croat[3]—live on both sides of the river and are often caught between the rivalries between Albanians and Serbs. It is in this constrained context that, in the aftermath of the conflict, and often with the support of international organisations, women from different communities started to get together to learn, work and travel. Such activities were met with initial suspicion by the women themselves, but also by family and friends who considered meeting with 'the other side' as an act of treason. In addition, crossing the main bridge, or leaving their

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[1] Serbia does not recognise the 2008 Kosovo declaration of independence. The governments of Serbia and Kosovo are currently involved in the Belgrade-Pristina dialogue, an ongoing series of talks sponsored by the EU, aimed at resolving the dispute.

[2] Bosnian neighbourhood.

[3] For more information about the communities in Kosovo, please see: https://www.ecmikosovo.org/en/Community-Profiles.

neighbourhood to attend these activities, was often a dangerous under-taking due to sporadic outbursts of violence in the city. Despite this, women's participation in empowerment initiatives flourished and today, over 20 years on, women continue to get together in the context of their own organisations/businesses. Unfortunately, division and patriarchy are still prevalent in Mitrovica, and although women continue to educate and empower themselves through their organisations/businesses, their journeys are intertwined with complex power dynamics. While division in the city limits women's freedom to move and meet across communities, patriarchy continues to reinforce the idea that women should remain at home away from full participation in the political, economic, social and cultural life of Mitrovica. In addition, although independent, many women's organisations continue to be directly supported by international aid programmes (run by the European Union, the United Nations and the United States) forcing women to navigate complex and highly bureau-cratic funding systems, while trying to keep their organisations/businesses viable.

3   Women and Peace: Towards a Notion of 'Spaces for Peace'

The passing of the United Nations Security Council Resolution 1325 (UNSCR 1325) in 2000 and further resolutions, which together are known as the Women, Peace and Security (WPS) agenda, gave women and girls a more visible role in post-conflict settings around the world. However, the implementation of UNSCR 1325, has been somewhat limited (Cockburn, 2011; Irvine, 2013). The positive impact of UNSCR 1325 on women's everyday lives in post-conflict 'appears to have resulted in both main-streaming, which has bureaucratized and diluted feminist goals, and side-streaming, which has isolated gender from other post conflict concerns' (Irvine, 2013: 34). On the one hand, the bureaucrati-sation of women's programmes via the UN and/or other international aid organisations has failed to look at the actual experiences of women in post-conflict settings. On the other hand, treating gender as somewhat removed from wider peace and peacebuilding processes (UN Women, 2018) has missed the opportunity to engage women in peace processes (Mazurana, 2002). As a result, women continue to be largely seen as victims of conflict rather than active agents for change (UN Women, 2018).

Furthermore, much of the implementation of UNSCR 1325 has been concerned with economic empowerment (Duncanson, 2019; MacKenzie, 2009), focusing primarily on providing women with access to opportunities (usually training opportunities), material resources and financial control (Porter, 2013). However, although crucial to changing women's positions in patriarchal societies, economic empowerment is only a small part of empowerment practices that critically engage with, and challenge, established power relations (Cornwall, 2016; Duncanson, 2019). One way to move forward is to understand peace and peacebuilding as gendered processes (De La Rey & Mckay, 2006), in which gender relations and peacebuilding intersect, and to look at alternative peacebuilding practices (Bergeron et al., 2017), often led by women.

Recent research has shown that women and men conceptualise and understand peace differently (Justino et al., 2018), which has strong implications on how women and men engage with peace and peace practices after conflict. Justino et al. interviewed women and men in Afghanistan, Liberia, Nepal and Sierra Leone and showed that while men talked about peace as the absence of personal violence and armed conflict, women referred to peace 'at a more personal level, including in it access to basic needs for their families, such as food and shelter, absence of violence in the home, their children's ability to attend school, and unity in communities and families' (Justino et al., 2018: 922). The authors have also shown that both women and men understood the role of women as limited to the household, family and communities, in effect preventing their participation in the more formal peace processes at national and international levels. This study is not only supported by previous research (De la Rey & McKay, 2006; Mazurana & McKay, 1999), it also suggests that similar findings can be found in different post-conflict settings around the world. It becomes clear that gender, peace and peacebuilding cannot be dissociated from each other, and that neglecting gender undermines peace and peacebuilding processes (Duncanson, 2016; Mazurana, 2002).

Early work by Cockburn (1998, 2007) paid particular attention to how women negotiate and organise around differences across ethnic/national lines after conflict. Cockburn's early research looked mainly at organisations which are explicitly anti-war and occupy relatively visible positions in society. However, women in post-conflict settings around the world cooperate every day at the local level, in much less visible spaces, often enabled by local organisations. This chapter views such everyday cooperation as a civil society response to the constrained context of Mitrovica and begins

to explore cooperative actions as spaces for peace. The concepts of *space* and *peace* have been widely explored and have recently been put together in what is called the 'spatial turn in peacebuilding' (Brigg, 2020). Similar to the local turn in peacebuilding (Leonardsson & Rudd, 2015), the spatial turn in peacebuilding highlights local practices and knowledge, as opposed to the prevailing, often Western, view of peace and peacebuilding processes. In a similar way, this chapter offers a localised view of peace and peacebuilding but attempts to move a step forward by highlighting not only local knowledge but, most importantly, the role of the relationships that emerge from local responses to conflict and post-conflict, such as women's cooperative actions in post-conflict Mitrovica.

Social relations are an integral component of space and, as a result, space is inevitably influenced by the complex power structures that produce, and are (re)produced in, everyday interactions (Massey, 1994, 2005). As Massey (1994: 2) defiantly states, '(…) the spatial *is* social relations "stretched out"'. In other words, space can not be seen as static, it should instead be understood as a process that evolves over time, as relations are formed and transformed and as (local and global) power relations shift. To understand women's cooperative actions in post-conflict settings as women's spaces means exploring the relationships that are formed and transformed as the result of such interactions, at the same time paying particular attention to the power relations are at play.

To look at women's spaces as spaces for peace puts the spotlight on how relationships that are formed as the result of women's cooperation can contribute to peace and peacebuilding. This chapter builds on Galtung's (1969) distinction between negative and positive peace. While negative peace refers to the absence of physical violence, positive peace refers to the absence of social violence, or the pursuit of social justice. This distinction offered, for the first time, the possibility to think about peace as social justice, something that can only be achieved with deep commitment to building a more inclusive society based on equal rights and equal access to opportunities. Building on the concept of positive peace, and consequently on the idea of the durability of peace, Lederach (1997, 2012) explored different ways in which individuals and groups at local, national and international levels can (ideally) work together in what he called an *infrastructure for peace*. It is within such an *infrastructure for peace* that civil society actions emerge as powerful tools in peace and peacebuilding processes, particularly in terms of reconciliation which Lederach defines as 'the point of encounter where concerns

about both the past and the future can meet (…) [a] space for the acknowledging of the past and envisioning of the future as the necessary ingredient for reframing the present' (Lederach, 1997: 27). Reconciliation can thus be understood as a space of encounter, a social process whereby new relationships are formed and transformed (Askins, 2016; Peterson, 2017, 2019; Valentine, 2008; Wilson, 2017). This idea of encounter is important to understand how individual trajectories intersect to create particular opportunities for relationships to emerge. Individual trajectories, once separated, become (inter)connected enabling individuals to acknowledge and negotiate differences (Leitner, 2012; Piekut & Valentine, 2017). Seen as such, women's cooperative activities after conflict, can been seen as spaces of encounter, or reconciliation practices, which enable women to negotiate their differences and forge new relationships. In a similar way, this chapter looks at women's everyday cooperative actions as spaces where differences can be negotiated, established categories (ethnic, national, gender, age, class, etc.) can be challenged (Amin, 2002) and, ultimately, where prejudice can be reduced (Allport, 1979). Allport's early suggestion that under optimal conditions contact can reduce prejudice have been widely tested (Pettigrew & Troop, 2006), and although such conditions may not be available, or even possible, in post-conflict settings (McKeown & Dixon, 2017), initial interventions such as women's empowerment initiatives can act as powerful triggers for the development of cross-group relationships, leading to more structural social changes.

To summarise, this chapter argues that women's spaces emerge as an important response to the constrained setting of post-conflict Mitrovica by challenging ethnic/national divisions and traditional patriarchal structures. In these spaces, women are able to freely express and develop their views, at the same time contributing to peace and peacebuilding processes by creating new relationships across ethnic/national lines. As discussed, such spaces are understood as spaces for peace, which have the potential to build more sustainable forms of peace.

4 Spaces for Peace: Women's Agency in Mitrovica

The qualitative data presented in this chapter was collected in Mitrovica between October and November 2018. A series of in-depth interviews were conducted in Albanian, Serbian and English with women from different ethnic/national communities aged between 23 and 74 years old.

Interviews conducted in Albanian and Serbian were facilitated by a local interpreter. Common to all women was their participation in women's empowerment initiatives immediately after the conflict, and the subsequent creation of their own organisations/businesses. Interviews focused on women's reflections about their participation in initial empowerment initiatives as well as on current activities in the context of their own organisations. Interviews were guided by three main research questions: (1) How do women position themselves in the context of their everyday lives in post-conflict Mitrovica?; (2) How do women engage with each other in women's spaces, and how do they articulate in/exclusion within such spaces?; and (3) How does the wider socio-political context of Kosovo and Mitrovica influence women's trajectories, particularly their engagement with women's spaces, and how does this engagement translate into peace and peacebuilding practices? All interviews were translated and transcribed by a lay translator.

Data was analysed using Grounded Theory (Charmaz, 2014), which enabled the organisation of the data in progressively more comprehensive categories. In addition, Positioning Theory (Harré & Moghaddam, 2003; Harré & Van Langenhove, 1999; Mühlhäusler & Harré, 1990) enabled a particular focus on women's positionalities, and the use of inclusive/exclusive categories of belonging to describe women's positions in relation to particular groups. The analysis that follows focuses on women's own understandings of the spaces they are part of, and discusses how new relationships contribute to more sustainable forms of peace.

4.1   Learning/Training Together: Encountering the 'Other'

As discussed in the introduction, in the aftermath of the conflict, many international organisations introduced and facilitated empowerment initiatives designed to equip women with new knowledge and/or skills. These training courses encouraged women to generate their own income to support their families, and included women from different communities. For many, this was the first time they had come face to face with members from 'the other side' of the conflict, as Rabije explains in the extract below:

> (…) For me, it was very hard in the beginning, when we had trainings with Serbs. The Red Cross sent us to Tirana, [to] Budva in Montenegro, we stayed with Serbs for the first time, it was very hard but then I came

out of it with friends! Now they call me often, they come here to see me, they visit me.

Rabije, an Albanian woman who works as an NGO assistant, lost several members of her family during the conflict. The way in which Rabije moves from initially using the classic categories 'us' versus 'them' to employing the more inclusive category 'friends' to describe her encounter with Serbs, is a powerful indicator that initial encounters can trigger new relationships that challenge established prejudice (Allport, 1979; Pettigrew & Tropp, 2006). Also evident in Rabije's reflection is that initial encounters are not a point in time, but evolve over time (Valentine, 2008). By focusing on the friendships that Rabije still maintains today with the Serb women she met in the early 2000s, she alludes to the powerful bond that challenges the divisions that surround them.

At the same time, these spaces enabled women to reflect about their own positions and connect to each other around a shared understanding of their current realities, as Ajmane reflects in the extract below. Currently, Ajmane runs a successful baking business supplying different supermarket chains in Kosovo, and when asked about the importance of having participated in initial training courses facilitated by a local NGO, she replied:

> The name[4] is very good, very accurate, because (…) it gives women access to information, to open her eyes, to know where she stands. That's where I got inspired to also create an NGO that deals with women issues only. Maybe I'm being a bit egoistic, but men have almost everything, women don't.

For Ajmane, also Albanian, training courses are much more than formative experiences, they are also spaces where women can reflect about their position in society. She uses the pronouns 'her' and 'she' not to refer to someone in particular (Mühlhäusler & Harré, 1990), but to evoke a shared identity as women.[5] In a similar way to Rabije's use of

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[4] Ajmane refers here to the name of the organisation which facilitated the training course in which she took part. In English, the name translates as 'opportunity'.

[5] Clarified by the translator. Although there are obvious grammatical errors in this and subsequent extracts, errors were intentionally left uncorrected to stay true to the original conversations in Albanian and Serbian.

the category 'friends', Ajmane uses the category 'women' as a superordinate category. However, while 'friends' evokes a more personal bond, 'women' evokes a bond routed in similar experiences of patriarchy. Both categories, however, allude to a different kind of bond that is explored in these spaces, a bond that challenges both ethnicity/nationality and patriarchy in Mitrovica. For Ajmane, the realisation of the imbalance of opportunities between women and men inspired her to create her own organisation, a conscious action that defies traditional patriarchal structures in Mitrovica. At the end of our conversation, when asked about the role of initial training courses in enabling new relationships, she replied:

> [Training courses were] a path that more or less oriented us as women, before our relationships were more ambiguous.

In this extract, Ajmane explicitly uses the category 'women' as a new, more defined, way to relate to other women. As discussed in the previous section, women often feel insecure and intimidated when taking part in women's empowerment initiatives (Justino et al., 2018), which becomes more pronounced for women of ethno-religious minorities (Myrttinen & Popovic, 2019). For the women in this study, to meet as 'women' provided an alternative framework on which new relationships could develop, and taking part in initial training courses offered the first opportunity for women to distance themselves from patriarchy as well as relationships based on ethnic/national divisions. This new framework creates 'sites of unnoticeable cultural questioning or transgression' (Amin, 2002: 969), in which traditional categorisations become more flexible and relationships can, as a result, be transformed. This more defined way of relating to each other, suggests a process whereby women (re)negotiate their differences in favour of a more inclusive category. This is of particular importance in post-conflict settings as a closer look at how the more inclusive category 'women' is constructed can offer new insights about alternative models of post-war reconstruction (Bergeron et al., 2017), that are not only context-specific, but also challenge neoliberal ideas and ideals of peace and peacebuilding.

As previously mentioned, initial training courses were often a stepping-stone for women who went on to create their own organisations/businesses. Sebahate, a participant in an initial training course who has created her own organisation, is now in a position in which she is able to offer training courses about preserving fruit and vegetables (her own

business) to women who are interested in the same activity and, potentially, in building their own businesses. This multiplying effect creates subsequent spaces for peace, in effect increasing the number of women who can benefit from these opportunities. When asked about the training courses and the women who take part, she responded:

> Yes. They all are the same, as long as they have the will to work!

Sebahate positioned the women taking part in her course equally along a shared interest and a similar disposition—*the will to work*. As such, training courses are not only constructed around a more inclusive category—'women'—they are also based on engagement, or the ways in which individuals are willing and able to work together (Amin, 2002). The effectiveness of these spaces lies 'in placing people from different backgrounds in new settings where engagement with strangers in a common activity disrupts easy labelling of the stranger as enemy and initiates new attachments' (Amin, 2002: 970).

Training/learning together can thus be seen as a space for peace in which different individual trajectories intersect, creating relationships that challenge ethnicity/nationality as well as patriarchy.

4.2 Working Together: Building Relationships

Currently, the majority of the women in this study get together to work in the context of their own organisations/businesses. The ways in which women described their organisations allows for the exploration of how relationships are transformed from initial encounters into more meaningful relationships or friendships. For Dragana, a Serb woman who is the director of a women's organisation in the northern part of the city, her work is intertwined with more personal relationships to which she alludes in the extract below. At this point in the conversation, she was asked how often the group meets:

> But we need to meet often. Because we are friends, privately, and we…
> the idea is to… 'economic development for women'.

For Dragana, friendship is an important element of her organisation. What is interesting about the extract above, is the way Dragana describes her organisation, as a group of friends (informal), with a very defined

objective which is almost certainly informed by the very formal process that she had to go through to set up her organisation. During the conversation Dragana described how difficult it was to navigate the complex process of applying for international funding. Despite this, she was very proud of the fact that her application was successful. What is clear from Dragana's statement above, is that in women's organisations the lines between private/informal and public/formal can become blurred. This blurring of boundaries can be seen both as a confirmation that women see peace more along the lines of positive peace (Justino et al., 2018) and as an alternative model of post-war reconstruction (Bergeron et al., 2017).

Highly inclusive categories were also often evoked by Dragana, and when asked about the situation in the aftermath of the conflict, she responded:

> (…) it was very difficult time for all women, for all people in Kosovo and for Serbs and for Albanians it is the same situation. And I was always thinking how I can get some money to be… to live better, like everyone…

In evoking wider categories to talk about the impact of the conflict— '*all women*', '*all people in Kosovo*', '*Serbs*', '*Albanians*', '*everyone*'— Dragana not only highlights the commonalities of '*all people in Kosovo*' in the aftermath of the conflict, she also makes clear that working together across ethnic/national boundaries is a step towards a universal goal— '*to live better, like everyone*'—echoing one of Allport's (1979) 'optimal conditions' whereby individuals see themselves as members of the most inclusive category—common humanity. Throughout our conversation, Dragana often spoke about an ideal place where differences were not important. The way Dragana constructed her response, connecting all people in Kosovo around similar experiences of conflict and post-conflict reaffirms her role as an active agent creating/promoting change for herself, other women and, more generally, developing a view of the future where commonalities supersede differences. In a similar way, Zymryt, a Turkish woman who is the head of a women's organisation in the southern part of the city, also chose to emphasise what is common about the women in her organisation:

No, there is no difference, altogether, all the same. Together we create, altogether, [there is] no difference if you are Albanian, Bosnian. Doesn't matter, there is no difference, it is equal for us.

Zymryt explicitly states that ethnic/national categories are not relevant (although they are acknowledged), which enables the development of a shared group identity based on equality—'*It is equal for us*'. In the context of women's organisations/businesses, ethnic/national categorisations become, once again, less salient in favour of a new form of collective identity, reshaped around work and based on common experiences and closer relationships.

Although women's descriptions of their organisations often linked past and present experiences, their actions are oriented towards the future. The way women reflected about the spaces created by their organisations/businesses, linked different moments in their trajectories, which means they are not isolated from each other but connected in a continuum that extends into an open-ended future (Massey, 2005). To view, and engage with, women in post-conflict settings as active agents for change, requires an understating of women's spaces as processes of transformation that are constantly evolving and are, therefore, not fixed in a particular time and space. Furthermore, such spaces should be understood within the lived experience of individuals, their journeys and their thoughts about the future. As spaces for peace, women's organisations have the potential to create real social change.

4.3   *Travelling Together: Consolidating Relationships*

Trips outside Mitrovica were initially linked to training courses facilitated by international organisations, and the women in this study mentioned travelling together as their preferred activity when taking part in empowerment initiatives. As a result, some women's organisations now organise their own trips. Zehra, a Bosnian woman who is the head of a women's organisation in the northern part of the city, highlighted how travelling together can be boundary-breaking. At this point in the conversation, Zehra alluded to the difficulties of moving freely between the two sides of the river Ibar:

> Yesterday it was Saturday, we went to Novi Pazar. I am the first to send Albanian women in Novi Pazar, I took the bus from a Serbian company, and sent women there.

Novi Pazar is a city in Serbia, a few kilometres north of the actual border with Kosovo. For Zehra, it was important to say that she was '*the first to send Albanian women to Novi Pazar*'. Travelling together creates opportunities for 'prosaic negotiation and transgression' (Amin, 2002: 972) and although travelling is not linked to traditional everyday spaces such as working spaces, these trips offer the best opportunities for regular (cultural) exchange in the context of a divided city such as Mitrovica. If moving freely within the city is difficult, travelling together offers the opportunity to meet and consolidate friendships away from the divisions of the city.

Travelling together also offers a much-needed break from the traditional role of wife and mother as Mykereme, a housewife from the Ashkali community, so passionately explains:

> (…) We need, and we have the right, us, women, especially us from the community, we always did housework, these things, but now with these trainings we got out, we got aware[ness] and we are very happy that we take part in meetings with women.

Like Ajmane, Mykereme evokes similar experiences of patriarchy and sees travelling as a means to challenge it. Although Mykereme talks particularly about the women in her community, she speaks in relation to a larger group of women—'*us, women*'—in effect positioning women in her community alongside women, more generally, within a patriarchal society. Travelling together also emerges as a space for peace enabling women to remove themselves from their everyday realities and connect with each other in ways that were otherwise very difficult or, at times, impossible.

Learning/training, working and travelling together have evolved within the context of women's spaces, and constitute powerful civil society actions with the potential for developing more sustainable forms of positive peace. Grounded in women's experiences and emerging new relationships, these actions can form the basis for long-lasting social change. Therefore, recognising women's spaces as spaces for peace is the necessary

first step to transforming the ways in which women's empowerment initiatives are viewed, conceptualised and delivered in post-conflict contexts around the world.

5 Conclusion

In the constrained setting of Mitrovica, the women in this study revealed incredible drive for change built on more inclusive categories that are grounded in their everyday experiences. This chapter demonstrated how women's participation in empowerment initiatives transcends the wish/need to provide for their families or taking control of their finances. Women's empowerment initiatives, and the resulting organisations/businesses, create opportunities for new relationships to be formed and transformed and provide a different framework whereby women can distance themselves from patriarchy and ethnic/national divisions. Despite the criticism directed at UNSCR 1325 (Adjei, 2019; Cockburn, 2011; Cohn et al., 2004) and the WPS agenda, there is a need to move beyond these debates and recognise the importance of the changes facilitated by women's empowerment initiatives for the women themselves (Bergeron et al., 2017; Duncanson, 2019). Using the notion of spaces for peace can focus the attention on women's contributions to peace and peacebuilding by highlighting their voices and agency. Women's agency is however not limited to their actions—learning/training together, working together and travelling together—but extends to the kinds of relationships that are formed and transformed as the result of their actions. Ultimately, it is in the context of these relationships that women challenge the *status quo* and can thus create a different future for themselves and others.

Understanding women's spaces as spaces for peace can help us move beyond general ideas of peace and peacebuilding and focus our attention on the everyday lives of the individuals who are affected by conflict and its legacies. These informal, less visible, spaces for peace need to be considered and integrated in a more sustainable *infrastructure for peace* (Lederach, 2012) as important civil society responses to post-conflict with the potential to create real change. Once women, and the spaces they create, are locally, nationally and internationally recognised as driving elements in processes of social change, we can start transforming the ways in which women's empowerment initiatives are viewed, conceptualised and delivered in post-conflict contexts around the world.

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The Algerian Hirak: Civil Society and the Role of Artists in a Civic Space Under Pressure

René Spitz

1   Introduction

Since 22 February 2019, millions of Algerians took to the streets in all parts of the country demanding the departure of the regime, genuine democracy, the end of corruption and a fair management of resources. For more than a year, this pacific movement, called *Hirak* (Arabic for 'movement'), demanded fundamental reforms (Benderra, 2020: 7; ICG, 2020: i, 7). The strength and perseverance of the Hirak resulted in a political crisis, which prevented President Bouteflika from running a fifth term and helped the partial dismantling of the official political elite (Boubekeur, 2020: 4; ICG, 2019: 1).

While the Hirak as a countrywide social movement came to the surprise of many observers of political developments in Algeria, civil society in Algeria (although in a difficult security and political context) was always

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present in Algeria (Dris-Aït Hamadouche, 2017: 289–306; Mattardi & Péricard, 2019).

Due to the peaceful character and the creativity with which the demonstrators expressed their demands as well as their perseverance, political commentators have dubbed the Hirak marches as Algeria's 'Revolution of Smiles' (Deglise, 2022; FDD, 2020; Ourahmoune, 2021). Artists had a major role in the Hirak—singers, graphic artists and visual artists in particular. They used their creativity to support the demonstrators' political demands, giving expression to these demands through songs and art, and helped ordinary people tap into their own creativity (Lebdjaoui, 2020: 109–116). Already prior to the Hirak, during Bouteflika's previous terms who was president since April 1999, artists undertook initiatives to access more public spaces and in which they dealt inter alia with socially and politically sensitive issues.

This chapter reports on a research project about civil society in a civic space under pressure as well as about the role of artists as actors of change and culture as a domain and instrument to enhance civic space. I argue that art might be, in an enabling socio-political context, a 'catharsis element' for expressing and spreading a message. However, crossing red lines drawn by the power elite, as the Hirak shows, might lead to repressive measures. This was also the case prior to the Hirak.

The paper describes the socio-political context of the Hirak, the demands and the results of the Hirak, the reaction of the power elite, the support of artists to the Hirak as well as some initiatives/projects in Algiers in the cultural domain initiated prior to the Hirak.

2   The Socio-Political Context

Several key events in modern Algerian history are important to mention to better understand the political context of the Hirak.

The first is 1962, when the Algerian people gained their independence from France after a seven-year bloody war causing hundreds of thousands of deaths. It deeply influenced the building of the state under the leadership of the National Liberation Front (FLN) in coalition with the army (Oumansour, 2019).

The second are student strikes and riots beginning in October 1988 amid an economic crisis and allegations of corruption. A violent military crackdown killed hundreds of civilians within a few weeks. The government, under pressure, agreed to 'radical' reforms of the political system.

A new constitution was drafted and passed by referendum in February 1989, creating a multi-party system, granting greater personal freedoms and minimizing the role of the military (ConstitutionNet, retrieved 11 May 2021).

Then a third moment is December 1991, when the Islamist political party Islamic Salvation Front (FIS) won the first free parliamentary elections. However, the army denied FIS its overall victory and banned the party altogether. Banning the FIS resulted in a bloody conflict between armed Islamist groups and the Algerian army with severe consequences for the civilian population. An estimated 100,000–200,000 Algerians died, and tens of thousands of people disappeared during the conflict (NPA Loiret, 2017; Oumansour, 2019). The civic space nearly closed completely during this so-called Black Decade. Human Rights Watch noted in 1994:

> Whereas only three years ago Algeria seemed to be evolving from an authoritarian one-party state toward a more pluralistic and democratic system with a thriving civil society, it is now mired in a virtual civil war in which the rights of no one are inviolate and the democratic process has been all but abandoned.

The appointment of Bouteflika as president in 1999, after a sham election (*The Guardian*, 23 April 1999), temporarily solved the legitimacy problem the army had since 1992, when it cancelled the victory of the FIS. President Bouteflika furthered policies of reconciliation (Boubekeur, 2020: 3; Middle East Eye, 26 January 2016). However, behind the scenes, the army and the security services remained very influential (Boubekeur, 2020: 4; Oumansour, 2019; *The Washington Post*, 5 April 2019).

During the twenty years of Bouteflika rule, institutional corruption and social inequality amplified despite the relative economic improvement brought about by the country's oil revenues (Arslane, 2019).

3   The Hirak and Its Demands

The Hirak as a nationwide peaceful protest movement and its perseverance is unique. However, it was not the only peaceful movement in the last decennium in Algeria that transcended local issues. Also, the grassroots movement of the unemployed and the anti-shale gas protests in

the southern part of Algeria united people from many regions and with different backgrounds (ICG, 2016: 15; Serres, 2019: 7).

The prospect of a fifth Bouteflika term, with a president who was not even capable of working due to a stroke in 2013, led to the Hirak. The protests started 16 February 2019 and went on until March 2020; it stopped due to the COVID-19 pandemic but started up again a year later, in February 2021. The marches remained pacifist, popular and national. The demands of the movement remained the same: political primacy over the military, judicial independence, press freedom, democracy, the real dismantling of the 'system' and its representatives (Ourahmoune, 2021).

As indicated by the International Crisis Group (ICG), the structure of the Hirak is horizontal. The movement had no hierarchy as well as official spokespersons (ICG, 2020: 3). The Hirak as a movement was based, in particular, on the youth, on the educated middle class and on educated and skilled women (ARTE Reportage, 12 April 2019; *El Watan*, 28 February 2021a; *New African*, 5 March 2020). The Hirak had been spearheaded by groups that participated in various forms of protest and included students, football supporters' groups, human rights activists including the Families of Missing People in Algeria Collective, trade union activists, bloggers, journalists and politically engaged artists such as musicians. The work of these artists influenced the slogans chanted during the protest marches and transferred through social media. The Hirak also included former leaders of the Socialist Forces Front (FFS), the traditional opposition party (ICG, 2020: 3; Serres, 2019: 11–12). The Hirak was an urban movement active in the major cities of Algeria with particular strong roots in the Kabyle region with its mainly Berber and Tamazight-speaking population. Social media played an important role in spreading the call for reform and the demands dictated by the Hirak, exchanging information and networking in general (Human Rights Watch, 2021). The Hirak received also much support from the Algerian Diaspora (*Jeune Afrique*, 19 February 2021a; Serres, 2021b).

The way the demands are presented and expressed in the Hirak tells something about the identity of the country's population; many refer to 1962, the end of the independence war, which was both a liberation war from French colonial rule as well as a revolution (*Le Monde*, 4 July 2022). Today it is about people liberating themselves from the *issaba* (mafia). The latter is seen as a group of people having betrayed this revolution. The Hirak is also an expression of the diversity of the geographically largest country on the African continent (with a population of forty

million people), with its different landscapes, ethnicities, languages and cultures, laying out the demands in Arabic, French, Tamazight and English on placards, banners and graffiti as well as in slogans and songs (Balla, 2019).

This continuous popular public pressure had an effect. After six weeks of protests, Ahmed Gaid Salah, the Chief of Staff of the Army, forced the president to resign in April 2019. Salah also arrested some of the leading figures who had important positions in Bouteflika's regime, such as the head of the security services and some members of the president's civilian supporters, including the president's own brother and advisor (Boubekeur, 2020: 9; *Jeune Afrique*, 24 April 2019) as well as leaders of the main political parties FLN and RND (Democratic National Rally) who supported Bouteflika. The latter party leaders as well as two former prime ministers are serving prison terms (Boubekeur, 2020: 8). Presidential elections were postponed twice under the pressure of the Hirak. However, the demands to have no elections at all, a civilian state instead of a military one as well as to oust all politicians never materialized (Ghanem, 2020: 2).

The Hirak movement managed to develop and present an alternative narrative on the future nature of the Algerian state:

> These include, among other things: the affirmation of ethnic and religious plurality (as opposed to the army's attempts to present Berber culture as disruptive to the national identity); the equal representation of women; national economic sovereignty (by denouncing corruption and, more recently, the law on hydrocarbons); respect for freedom of expression (by supporting associations of prisoners of conscience and demanding their release); rejection of foreign powers' support for the regime (one of the slogans suggests 'organising elections in the Emirates'); and solidarity between Algerians (by using all the same watchwords throughout the country and in the worldwide Algerian diaspora). (Boubekeur, 2019: 4)

The Hirak had cultural positive sides such as respect for minority cultures, the return of the political narrative in the cultural domain and the return of theatrical and cinematic activity (Chiheb & Northey, October 2019). The active participation of women in the Hirak and thus in public space is also regarded by some as an expression of an ongoing cultural revolution (Daoudi, 2021). The cartoonist Andalou stated:

the Hirak allowed people to free themselves, to speak up when they weren't doing it. There is a surge of freedom and we feel that people who were not used to expressing themselves are doing so today. Before, the street did not belong to us. Now, a whole people is coming out. As a result, the state panics and tries to silence him. (*Le Monde*, 11 December 2019a)

4   The Power Elite's Reactions

The power elite, *le pouvoir*, is the informal network of military and security officials, politicians and businessmen who run the regime (*El Watan*, 2021a, 2021b). Bouteflika's victory in April 2014, when he was already fourteen years in office, was according to the Algerian sociologist Nacer Djabi 'a reflection of the balance between the country's institutions and the political and social forces inside the Algerian political system' (Djabi, 2014: 1–2).

While the Hirak movement continued to call for profound changes of the political system, general Salah organized a new presidential election which was held on 12 December 2019 (*Al Jazeera*, 13 December 2019). The Hirak movement called for a boycott of the election because it considered it as a restauration of the old political system. Abdelmadjid Tebboune, former Minister of the Interior under Bouteflika, won the elections. He became the new Head of State, Head of the Armed Forces and Minister of Defence. The voter turnout was barely more than 39%. Nevertheless, the political and institutional crisis endured (Boubekeur, 2020: 4–7).

Tebboune presented an institutional roadmap in order to end the political crisis, which contained a constitutional referendum in November 2020 followed by parliamentary elections in June 2021. The Hirak as well as some opposition parties (*Le Point*, 2021) called people not to go to the polls. Both elections had a historically low voter turnout (Al-Ali, 4 June 2020; *Le Monde*, 17 May 2021; Middle East Eye, 2 November 2020b; Ourahmoune, 28 March 2021).

However, with the new approved constitution, the Tebboune government hardened its stance against the continuation of the Hirak. The Hirak movement as well as supporting opposition parties—the Socialist Forces Front (FFS) and the Rally for Culture and Democracy (RCD)—were divided between those willing to participate in the parliamentary elections and those not willing to do so. Leaders within the Hirak movement and related civil society organizations remained divided about whether

the Hirak should be restructured into a political project or not (*Le Point*, 10 May 2021; Rachidi, 2021a and 2021b: 2).

The military considered the elections as the outcome of a democratic and transparent process. Moreover, the military presented the army as the protector of the (initial) Hirak against the *issaba*, the mafia-like clan of people around former President Bouteflika who were accused of enriching themselves by taking advantage of the natural wealth of the country (El-Djeich, February 2021a).

The authorities made a distinction between the demands of the Hirak at the start (no fifth term for President Bouteflika and the removal of the power elite that supported him) and the restart of the Hirak in 2020. President Tebboune declared 22 February as an official holiday in order to celebrate the (original) Hirak as 'a sign of cohesion between the people and the army' (APS, 19 February 2020).

The Tebboune government and the military considered this renewal of demonstrations as an attempt to destabilize the country and its institutions. Moreover, the power elite claimed that the Hirak was infiltrated by separatist and Islamic extremists (*El Watan*, 15 June 2021b). The demand during the Hirak for a civilian state and not a military one (*Dawla Madania machi aâskaria*) was interpreted by the military as an attempt to undermine the Algerian state by undermining the stated cohesion between the army and the nation (El-Djeich, March 2021b).

Since June 2019, the Algerian authorities have increasingly repressed the Hirak. Besides locking up citizens who participated in the Hirak, the government also arrested political activists and a few respected political figures (*Al Jazeera*, 5 November 2020; Boubekeur, 2019). The Algerian League for the Defence of Human Rights (LADDH) recorded at least 1000 arrests and 200 committal warrants in 2019 (Algerian Detainees, retrieved 24 May 2021; CNLD, retrieved 24 May 2021). Early March 2020, the authorities forbade any mass demonstrations due to the pandemic and Hirak leaders called off demonstrations for the same reason (Algeria Watch, 14 October 2020; Amnesty International, 27 April 2020; Carnegie, 19 January 2021a; FDD, 23 April 2020).

In the run-up to the parliamentary elections of 12 June 2021, the authorities' stance against the Hirak demonstrations hardened (Amnesty International, 22 February 2021a, 10 June 2021b). Since the beginning of May 2021, the security grip tightened with the ban by the authorities of the demonstrations on Tuesday in Algiers and the arrest of several activists in Algiers, Oran and other cities. Moreover, the Minister of the

Interior demanded on 9 May 2021 that, henceforth, the authorities had to approve beforehand the holding of a demonstration on Friday (Algeria Watch, 16 May 2021; *Le Point*, 10 May 2021). During the 117th Hirak march, Friday 14 May, the police arrested demonstrators in Algiers. Some journalists and photographers were also arrested and detained in police stations for several hours, preventing them from covering the demonstration. Nearly 1,000 arrests were recorded all over Algeria by the LADDH during the 117th Hirak's march of 14th of May 2021. Several demonstrators were convicted to several months up to more than one year in prison for 'unarmed assembly and incitement to unarmed assembly' (LADDH, 15 May 2021; *Le Monde*, 17 May 2021). Some members of the Algerian diaspora were also accused of involvement in the Hirak and, for this reason, prosecuted (*Al Jazeera*, 22 March 2021). According to human rights organizations and lawyers, more than 250 prisoners of opinion were beginning 2022 behind bars in Algeria (Amnesty International, 1 February 2022; Liberté, 20 January 2022).

Summarising, the remaining parts of the power elite dealt with the existential crisis formed by the Hirak in several ways. The rulers gave in to certain demands of the Hirak (no fifth term for president Bouteflika and arrests among the clique of people regarded as the president's supporters) while undermining the political threat of the Hirak movement by creating a renewed democratic façade and by repressing any continued opposition. Heydemann defines this adaptive capacity as a form of authoritarian upgrading. It is a defensive response that 'involves reconfiguring authoritarian governance to accommodate and manage changing political, economic, and social conditions' (Heydemann, 2007: 1). Serres pointed out that the reaction of the Algerian power elite was in fact another round of authoritarian upgrading of 'limited reforms under military and bureaucratic control' (Serres, 2 February 2021a).

5   Civil Society and the Hirak

Many observers see the Hirak as a social movement being an expression of the Algerian civil society (e.g. Chiheb & Northey, October 2019; London Middle East Institute, 2020). However, what kind civil society are they referring to?

Civil society is commonly understood as 'the realm of private voluntary association, from neighbourhood committees to interest groups to philanthropic enterprises of all sorts' (Foley & Edwards, 1996: 38). However,

many political analysts and activists also see civil society as an important factor in promoting democratization as well as transparency in decision taking. The role of political associations such as social movements and parties, is in this connection of importance. The focus is on civil society as a counterweight to the state. Foley and Edwards underline that the role organized groups in civil society will play depends crucially on the larger political setting. This is in particular the case in a context where 'established political parties have been repressed, weakened or used as tools by the authoritarian state' (Foley & Edwards, 1996: 46).

Civic space is the environment that enables civil society to play a role in the political, economic and social life of our societies (OHCHR, 2022). The NGO Civicus defines civic space as "the bedrock of any open and democratic society. When civic space is open, citizens and civil society organisations are able to organise, participate and communicate without hindrance" (Civicus, 2022). In a civic space under pressure or shrinking civic space, governments promote and use repressive laws and increase restrictions on freedoms to express, participate, assemble and associate (OHCHR, 2022).

Algeria has many associations or organizations that can be considered as being part of the broader civil society definition mentioned above (USDoS, 2020: 23). One could distinguish, as Balla does, three different categories of civil society associations in the Algerian context: First, associations that fully support state policies and doctrines and that benefit from its protection, support and opportunities; second, associations that are neutral in form but conciliate with state policies as long as it guarantees their survival; and third, associations that are in opposition to the state and critical of its policies and, as a result, experience difficulty existing (Balla, 2020). Dris-Aït Hamadouche argues that the relationship between the political authorities and most of the associations is clientelist; it contributes to the resilience of the political system (Dris-Aït Hamadouche, 2017).

Civic space was already prior to the Hirak restricted. For instance, demonstrations were forbidden in the capital Algiers, legal and administrative hurdles restricting the formation, funding and activities of nongovernmental organizations (NGOs) as well as legal mechanisms to harass the media and censor or punish controversial reporting (Freedom House, 2020). The 1206 Association Law of 12 January 2012 makes it very difficult to defend certain causes or to tackle certain issues. The NGO

registration requirements to work legally, as well as national and international funding policies, placed many of these associations in difficult situations (Euromed Rights, 2015; Loi 1206, 2012). While in most cases these NGOs continued with their activities, they were in limbo legally and faced practical problems (USDoS, 2020: 22).

According to the LADDH—an Algerian human rights organization—NGOs working on issues related to human rights and citizenship with a critical approach (despite being active for many years in Algeria), could not register their organization. Without permission from the authorities, such organizations could not organize activities or open a bank account (*Le Monde*, 19 January 2019b). Also, other organizations that openly criticized the state and/or were actively involved in the Hirak, like the National Youth Association (RAJ) and SOS Culture Bab El Oued, faced state harassment, imprisonment of leading members and banning of their activities. The leading members were accused among others of *instigate a crowd a*nd *subverting the integrity and unity of the territory* (*Jeune Afrique*, 29 April 2021b; *Le Monde*, 18 May 2020b).

However, the case of Algeria also shows the ability of activists to resist government constrictions of civic space as well as to find new possibilities and momentum to enlarge civic space. Activists formulated a counter narrative referring to the ongoing suffering of a part of the population such as the *harga* (emigration on a makeshift boat) and the *hogra* (meaning contempt or injustice) by the political system. The call for dignity (*karama*) became a fundamental demand. These discourses were not merely dramatic but could also be humorous as expressed in the form of caricatures, songs and slogans (Serres, 2019: 8–9).

In the period 2011–2019, social protest in Algeria was fragmentized. The authorities dealt with these protests, both the peaceful as well as the violent ones, by using repression and co-option as methods. What made the Hirak special was that the Hirak was a national social movement. The participating groups prioritized the peaceful occupation of public space as the best way of confronting security measures by the authorities (Serres, 2019: 12). Non-violent discipline, like in the case of Thailand (Sombatpoonsiri & Kri-aksorn, 2021: 98–101), was key to winning over the general public, including a large female participation and digital savviness contributed to growing numbers of protesters (Daoudi, 2021; Serres, 2019: 12). Essential for the initial success of the Hirak was

having a common goal or opportunity for the participating contending social forces, namely blocking the proposed fifth presidential mandate of Bouteflika (Serres, 2019: 10–12).

However, the power elite is able to reduce civic space once again, as is demonstrated in the analysis of the measures taken by the power elite in reaction to the Hirak. Moreover, leaders of the Hirak movement agreed to temporarily stop the marches due to the COVID-19 pandemic. Also, differences of opinion among participants of the Hirak regarding possible follow-up steps to be taken contributed to weakening the movement such as approving or disapproving the constitutional referendum and the parliamentary elections (France Inter, 16 June 2021). If, it is a de facto abeyance of the Hirak—see Kaftan's discussion of this concept in the case of the Turkish women's movement (Kaftan, 2020: 187)—due to these circumstances or the end of this informal network of social movements has to be seen.

6 Culture, Artists and the Hirak

Culture itself has also been a domain where artists, cultural entrepreneurs and some NGO's managed to enlarge public and civic space with their activities and work around socially and politically sensitive issues.

From the start of the civil war in the 1990s, the army and security services took control of the public space, including the cultural sector. Even today, the cultural sector is under state control and almost totally state owned and financed. Moreover, as indicated by play writer Rezzak, 'censorship applies to all stages of the projects, some theatre productions are prohibited, others are refused by the reading committee. Subsidies are not given while other producers receive all the means to set up theatre productions that have no meaning and are played in front of empty rooms'. Private cultural associations receive almost no government funding (Télérama, 9 April 2014).

The Algerian authorities invested in the cultural sector as a means to glorify their role in the independence struggle, the heroism of great men of Algeria's past like Abdelkader and the results of their socialist policies. The power elite managed to mobilize Algerian celebrities to sing in favour of President Bouteflika's fourth mandate at the time that he was already ill and accused of corruption and human rights violations (Ben Boubakeur, 26 January 2021).

Only gradually, while Bouteflika was president, was there some room for non-state initiatives to perform in the public space, mostly in Algiers. Prior to and during the Hirak period, artists and cultural entrepreneurs undertook initiatives to enlarge the public space for cultural initiatives making use of contemporary forms of arts to raise socio-political issues. Following, in the sidebar are some of these few initiatives such as The Picturists and Djart.

Some Cultural Initiatives in the Public Domain
The Picturists
Since 2013 some artists had taken over parts of the public space in Algiers with the exhibitions in the public space under the name *Picturie Générale*. An artist collective created independent spaces where young contemporary artists could show their work. The reason for this initiative was that the Ministry of Culture operated nearly all exhibition spaces in the country where well-known artists could exhibit (The World, 18 August 2014). Participating Algerian artists incorporated themes such as democracy, justice, equality of citizens, the fight against corruption in their works. These artists reserved in their works an important place for the collective memory of the history of Algeria. They intended to contribute to 'a deconstruction of the past, a critical awareness of the Black Decade, a refusal to use history as an instrument in order to build a new world' (24hdz, 7 February 2021; *Jeune Afrique*, 9 May 2016).
Djart
Djart 14 was an event in November 2014 developed and implemented by young professionals from different cultural and artistic Euro-Mediterranean associations. The goal was to promote art practices in public spaces and tackle contemporary socio-cultural issues. It was one of the first cultural events in Algiers in which local authorities, state and private cultural institutes, freelance and professional artists, cultural venues and the public participated. A wide range of activities took place touching fields such as photography, graffiti, music, collage, urban design or Do It Yourself (DIY) workshops (Djart14, August 2018).

Many artists supported the Hirak, especially singers, graphic designers and visual artists (Lebdjaoui, 2020: 109). However, there is no indication that the cultural sector as a whole was involved in the Hirak, though individual artists assisted in developing a counter narrative. The Hirak inspired

artists to express in a creative manner their support through songs, writing and in other artistic ways. Similar to civil society, artists have had different relationships with the state; there were artists not involved in the Hirak, other artists were involved (although not openly as artist) in the Hirak and there were artists who choose to openly support the Hirak. The involvement of artists in the Hirak was often due to personal initiative, rather than to collective mobilization. Moreover, the degree of involvement differed from signing petitions, participating in protests, student strikes, committees and discussion groups (Gaité, 2019: 15).

As Gaité indicated, 'Algerian artists and protesters use their creativity as a lever for political action, materialised by popular art forms (such as music, graphic, novels, satirical cartoons and photography) and disseminated through channels accessible to all' (ibid.), such as online platforms, unauthorized poster campaigns, underground posters and graffiti messages on walls. Ben Boubakeur states: 'music can mobilize a crowd, animate the event and remobilize, especially in the face of police brutality'. However, it never acts alone as a lever for mobilization. In her opinion:

> the song makes it possible to express ideas bullied elsewhere, to give a public voice to political opinions that can be censored by the media, to make the imagination work and unite, but a demonstration which happens needs other elements to be monitored and maintained. (Ben Boubakeur, 26 January 2021)

For Gaité, art has been most significant in its testimonial function. While the government controlled the media, artists took initiatives to memorize the Hirak—events by themselves. Algerian photographers, as engaged and concerned observers, had a major role in relaying their images with their perspective of the events to a broader and international public via social media (Gaité, 2019: 15).

A number of examples describe the kind of support individual artists provided to the Hirak:

(i) *Songs*

The first artistic input for the Hirak came from the supporters of the Algerian football club USMA, with their song 'Casa del Mouradia'.[1] The title was inspired by the well-known Spanish television series *Casa del Papel*. It also refers to the president's official residence; el Mouradia is an area in Algiers city. The song is about the Algerian youth's lack of perspective and the power elite profiting from the natural richness of the country; hence, it became the lead song of the Hirak (Lebdjaoui, 2020: 109–110).

The first song about the Hirak itself was created immediately after the first march of 22 February 2019: 'Liberéz Algérie'. A group called Ouled el Bahdja created it. According to Mina Lachtar, one of its members, the Hirak helped people feel courage to express their dismay of a fifth presidential term of Bouteflika. It is a song about the emancipation of the youth in particular. It includes messages such as 'the youth takes its destiny in its hands' and 'there is one hero, the people'. It is a call for liberty and peace, and a recognition of and respect for the many differences among the Algerian people (Lebdjaoui, 2020: 110–111; *Le Figaro*, 5 March 2019).

Other artists were also inspired by the Hirak, such as Mohamed Kechacha, alias Lawzy, who in the song 'Mille Milliards' questions the country's income after selling oil and gas for 20 years. He also created another chaâbi (folk) song, inspired by the protest when people shouted *Makach intikhabate maâ el issabate* (meaning no elections with the gangsters) against the proposed presidential elections. Artists like Lachtar and Lawzy are of the opinion that it is their duty to accompany and support the protests (Lebdjaoui, 2020: 110–112).

Besides artists in Algeria, there were many Algerian artists abroad who gave their support to the movement, such as the rapper Soolking[2] in collaboration with the group Ouled el Bahdja with the song 'La Liberté'. These and other songs are sung in dialectical Arabic, Tamazight and French. Raja Meziane,[3] another Diaspora singer, accompanied the Hirak through the likewise very popular song 'Allô Système'. In this song, she criticizes the power elite's greed. An online concert held in May 2020 by

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[1] Lyrics and translations, *El casa del Mouradia*, https://www.musixmatch.com/lyrics/Ouled-El-Bahdja/La-Casa-Del-Mouradia/translation/english; USMA, https://www.youtube.com/watch?v=TYzF6y8VntQ.

[2] Soolking, *La Liberté*, see https://www.youtube.com/watch?v=Foc3zwahJvM.

[3] Meziane, Raja. *Allô Système*, see https://www.youtube.com/watch?v=U9vq0lih2A0.

Algerian musicians abroad was another initiative in support of the Hirak and the Hirak prisoners, and it was their way to voice their anger toward attacks on the freedom of expression. The concert was organized by Free Algeria, a platform of Diaspora collectives in France, the United States of America, Switzerland, Belgium, Italy and Austria (Algérie ECO, 24 May 2020).

(ii) *Placards, Banners and Graffiti*

Another way in which the demonstrators expressed their demands was by using placards and banners. The political expressions on these tools showed a lot of creativity and humour. The anonymous creators of these expressions made using humour a popular cultural expression and made caricatures, collages, slogans, etc. Every placard or banner told a story, underlined a demand, illustrated a situation or mocked a decision made by the power elite. Often these expressions by anonymous artists were reactions to speeches by the chief of staff of the military (Lebdjaoui, 2020: 114, 115).

Bencherif analysed and commented the work created by citizens in Algiers and elsewhere in Algeria and displayed on the walls during the Hirak:

> The words that keep coming back are related to ethno-national values. These are put up on the wall through several language forms: words, emblematic colours, symbols, icons, etc. The entanglement of these language forms makes the walls eloquent through a power of communication stemming from civic speech. There are messages of dreams, hope, freedom and dignity. (Bencherif, 2019: 12)

The Hirak expressed itself from the beginning as a counter power voice, carrying several political demands. A core expression in Algerian Arabic was *Yetnahaw gaa* (يتنحاو قاع), in French *Dégage!* (or translated in English as 'Get lost'). Another key word was freedom. Even though the vocabulary shapes and colours differed from a graffiti artist to another, the message—and the goal—remained the same: to change the country or even change the system. The demonstrators in their slogans did not only express the desire for change during the weekly marches but also on the banners as well as by the graffiti artists. Some slogans detailed the youth's despair, falling for drugs and illegal emigration (*harga*) and their wish for

real change. The demonstrating Algerian citizens saw themselves united by/for a common cause: 'a prosperous, free and democratic Algeria'. Their demands were expressed in Algerian Arabic (*derdja,* a mixture of Arabic, Tamazight and other languages, especially French) (Bencherif, 2019: 11). With the people occupying the streets during the Hirak, the language of the ordinary people, the derdja, became central in vocally expressing the demands (Middle East Eye, 14 January 2020a).

(iii) *Visual Arts*

The Graduate School of Fine Arts (ESBA) is reputed to be the cradle of student revolts in Algeria. In this institute, slogans and posters bearing the image of the Hirak proliferated since the start of the Hirak. According to the French newspaper *Le Monde*, after one year of Hirak, many ESBA students lost faith in the Hirak. They had participated at the beginning, but their absenteeism on Tuesdays from the institute was sanctioned with bad notes. That changed the attitude of many students (*Le Monde*, 16 January 2020a).

Hicham Gaoua alias El Moustach, a well-known Algerian pop art visual artist, made portraits of imprisoned Hirak activists as a tribute to them and a sign of solidarity (Facebook El Moustach, 29 October 2019, 21 September 2020).

The Hirak is also a frequently recurring subject in the work of some of Algeria's well-known cartoonists: Ali Dilem, Hicham Baba Ahmed alias Le Hic and Ghilas Ainouche. The daily French newspaper Liberté as well as TV5 Monde publish Dilem's cartoons. He has been threatened in the past by Islamists for his work and in 2006, was arrested and jailed by the Algerian authorities because of his drawings of President Bouteflika in 2003. There are many legal cases pending against Dilem at the court in Algiers (TV5Monde, 2 November 2020).

7   Legal and Other Measures as Well as Arrests

Abdelhamid Amine, alias Nime, another well-known cartoonist, was arrested end of November 2019 because of his work. He was convicted for 'insulting the president of the republic and the chief of staff of the army'. He was sentenced to one-year detention but released provisionally after one month in January 2020. His cartoon 'The Chosen One' is

regarded as the chief criminal offense to the state. Nime suggested that Abdelmadjid Tebboune's election was arranged, with consent of the military. This contributed to the widespread protest movement, the Hirak (Cartooning for peace, 10 January 2020).

Mohamed Tadjadit, a young Hirak activist and considered as the poet of the Hirak, was arrested on 23 August 2020. He is facing ten charges (Free Muse, 2021; Lebdjaoui, 2020: 109–116). He was released end January 2021 (Algerian Detainees, 2021).

7.1   Censorship and Self-Censorship

The play writer Rezzak, who participated in the Barakat-movement, was told in 2014 to withdraw from the movement if he wanted to receive support for his shows. The Barakat ('it is enough') movement was a civil movement protesting against the fourth presidential term of Bouteflika. People from the Ministry of Culture made it clear to Rezzak that if he was in politics, he could not work in theatre. In the middle of the election period, his show—a parody of an election in a shantytown—was deprogrammed from theatres and professional festivals (Télérama, 9 April 2014).

Self-censorship is a consequence of the restricted climate of freedom of expression. Press cartoonist Karim Bouguemra told in December 2019:

> [t]his climate of restricted freedom of expression and Nime's arrest makes us think twice [...] I still want to draw, but I pay special attention now to the way I express my opinions, I try to remain subtle, to adapt to repression and to avoid confrontation. (TWMN, 16 December 2019)

In May 2020, the satirical website, *El Manchar* (the saw), established five years earlier under president Bouteflika, suspended its activities. As Nazim Baya, the founder of *El Manchar*, explained: the site had not been censored or blocked by the authorities; it was a decision taken by the editorial team. '[T]he climate of repression of freedoms, incarcerations of citizens following their activities on social networks have led us to reflect on the risks we are running' (*Courrier International*, 18 May 2020).

The cartoonist L'Andalou, whose real name is Youcef Koudil, told *Le Monde* end December 2019 the following:

Frankly, it sucks. If you talk, you go to jail. If you draw, you go to jail. We thought we were past that. But now the army is in control. Of course, that has always been the case. But we realize today that she is worse than Bouteflika. At the start of his presidency, my cartoons were published. Then he fell ill. I was fired because of a drawing that did not please a shareholder of the newspaper. Need it be said that Bouteflika's fourth term was done without him? It was not he who was in charge of the country, but his brother and people who can't stand humor. They consider drawings and caricatures an insult. (*Le Monde*, 11 December 2019a)

8   Concluding Observations

The Algerian power elite was under pressure of large segments of the population and was forced to allow more freedoms and to undertake reforms. A shared counter narrative, an agreement to protest in a non-violent way and the momentum, the proposed 5th presidential term of Bouteflika, led to a countrywide protest movement, the Hirak.

Civic space enlarged initially due to the pressure of the protesting population. However, the power elite managed—through limited reform initiatives, co-optation and repression—to regain control over the political decision-making process. The restart of the Hirak movement faced repression, and civic space was shrinking again. The underlying social problems that led to the broad based opposition of contending social forces remain largely unsolved and thus remain a potential source for future unrest.

Individual artists supported not only the political demands of the Hirak demonstrators; they visualized or vocalized these demands by using the symbols and language of the Algerian people. In this way, they contributed to a counter narrative, opposing the official image of the Algerian state as an Arab-Islamic state and nation and to the unmasking of the authoritarianism of those in power. Openly opposing the power elite led, after the initial phase of the Hirak, to harassment and even detention of activists, including artists. In this sense, the situation of these activist artists did not differ much from independent journalists, human rights and other activists.

Other socially concerned artists and cultural entrepreneurs were able in recent years to create independent spaces for their activities. They often passed on, in order to avoid social and political problems, their impressions and views in a subtle and/or disguised form on social issues through contemporary artistic work.

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Constrained Humanitarian Space in Rohingya Response: Views from Bangladeshi NGOs

Abdul Kadir Khan

1   INTRODUCTION

This chapter explores the main characteristics of the constrained humanitarian space that shapes the Rohingya response in Bangladesh. Over a million Rohingya refugees rely on humanitarian assistance in the camps in Cox's Bazar, Bangladesh, putatively the largest refugee complex in the world; however, these Rohingya mega-camps remain spaces of exception where refugees are strategically kept in spatiotemporal limbo by the Bangladeshi authorities and the international "aid complex" (Khan & Minca, 2022). In 2022, a total of 136 partners and multi-mandate organizations under the coordination of the Government of Bangladesh (GoB), including 74 Bangladeshi non-governmental organizations (NGOs),[1] 52

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[1] In this section, the terms Bangladeshi NGOs and local NGOs (LNGOs) are interchangeable.

international NGOs (INGOs), and 10 United Nations (UN) agencies, were working as both appeal organizations and implementing partners in the Rohingya camps in Bangladesh (JRP, 2022).

In the immediate aftermath of the 2017 influx, the GoB faced shortages in the domestic advisory and refugee management system (Chowdhury, 2019). As a result, the two building blocks of international migration governance, the International Organization for Migration (IOM), and the United Nations High Commissioner for Refugees (UNHCR), along with international organizational networks, began to coordinate a multi-sectoral approach to the Rohingya response under the leadership of the GoB. This meant that the international organizations became involved in Bangladesh's domestic advisory system, an "externalization" of policy advice that led to a new level of politicization (Chowdhury, 2019). Moreover, due to the immediate repatriation policy of the host Bangladesh, humanitarian actors and the Rohingyas are required to comply with several restrictive policies set by the host government in the tightly squeezed humanitarian space.

Predominantly the term "humanitarian space" is used to reference three principal fields: respect for humanitarian law, the relative safety of humanitarian workers, and the access of humanitarian actors to the population at risk (Brassard-Boudreau & Hubert, 2010). These aspects are crucial to analysis of the dynamics of humanitarian space in the Rohingya response, along with consideration of the amalgamation of multiple organizations providing humanitarian services and relief and their access to affected populations in the constrained settings.

Hilhorst and Jansen (2010) defined *humanitarian space* as an "arena" where a wide range of actors seek to shape the nature and form of humanitarian action through the "everyday realities" of action. In this formulation, the humanitarian arena encompasses empirical variety in humanitarian operations, while humanitarian space is an idealized picture of what humanitarian action should be about (Sezgin & Dijkzeul, 2015). Therefore, by shedding light on humanitarian space as an arena of social negotiations between multiple humanitarian actors over their access to the affected communities (both Rohingyas and host communities) in the Rohingya response, this chapter seeks to explore the main characteristics of the constrained humanitarian space that has resulted by capturing the experiences of the Bangladeshi NGOs participating in it. Based on

an analysis of twenty interviews, the study reveals three defining characteristics: (a) discrepancies in localization discourses; (b) institutional multiplicity; and (c) disparities in accountability mechanisms.

The chapter proceeds as follows. In the next section, I discuss conceptualizations of humanitarian space, while in the ensuing one I provide an overview of the Rohingya influx. After that, I briefly introduce the research methods used and then present the findings of my thematic analysis. Finally, in conclusion, I argue that, despite Bangladeshi NGOs' repeated calls for locally led aid initiatives, they are mostly side-lined in the constrained humanitarian space of the Rohingya response. Furthermore, the institutional multiplicity, constituting a form of *parallel governance* circumscribed by the GoB's repatriation-oriented approach on one side, and the international humanitarian agencies' domination of the aid chain on the other, often leads to collective action dilemmas and disparities in accountability mechanisms.

2   Conceptualizing Humanitarian Space

This section discusses the notion of humanitarian space and the diverse meanings it has accrued in humanitarian action. Until now, a generally accepted legal definition of *humanitarian action* has not been formulated, and even the four Geneva Conventions and the additional protocols that constitute the core of humanitarian law have not defined the key term *humanitarian*. Addressing this lacuna, Sezgin and Dijkzeul (2015) delineate humanitarian action in two ways. First, under international humanitarian law it materializes in activities that supply those in need with food, water, shelter, medicine, and physical protection, among other life-sustaining requirements. Thus, both humanitarian assistance and humanitarian protection are part of humanitarian action. Their second approach is to draw from the guidelines developed by the International Committee of the Red Cross (ICRC) to direct the behavior of humanitarian organizations and facilitate humanitarian activities in crisis zones (Sezgin & Dijkzeul, 2015: 5). This image of humanitarian action is epitomized by the concept of humanitarian space as an operating environment (Collinson & Elhawary, 2012) wherein humanitarians' work adheres to the humanitarian principles of humanity, impartiality, and neutrality (Hilhorst, 2018).

The term *humanitarian space* gained momentum in the1990s, when the former MSF president Rony Brauman coined the term *espace humanitaire,* or *space for humanitarian* action (Brassard-Boudreau & Hubert, 2010) to describe a symbolic space in which aid agencies are "free to evaluate needs, free to monitor the delivery and distribution of goods, free to have a dialogue with the people" (Collinson & Elhawary, 2012). However, the definitions of the concept of humanitarian space vary in the interpretations of different actors and organizations. It can, for example, be defined as "agency space", which delineates an agency's ability to operate freely, assisting in the fulfillment of humanitarian needs and adhering to the principles of humanitarian action (Collinson & Elhawary, 2012). However, Abild (2010) opposes this idea, claiming that humanitarian space should primarily be about agencies' accessibility rather than that of people in need. He refers to Andrew Bonwick's (2003) definition that "humanitarian space is often described as agencies' ability to access communities in need, but this is faulty, as it should be about communities' ability to access relief" (Bonwick, 2003: 9). Thus, it can be defined as an affected community's space to access aid that addresses the humanitarian imperative in a way that enhances the capabilities of those in need (Abild, 2010), thus placing the affected community at the center of the definition of humanitarian space.

From the international humanitarian law perspective, it includes the responsibilities of warring parties (Wagner, 2005) to meet humanitarian needs or allow impartial humanitarian organizations to provide relief and protection to civilians. In addition, humanitarian space can be defined as a complex political, military, and legal arena and humanitarian needs as the product of the dynamic and complex interplay of political, military, and legal actors and their interests, institutions, and processes (Collinson & Elhawary, 2012). Further, in the refugee camps, humanitarian space is characterized as a hybrid space—serving both humanitarian and political purposes (Janmyr and Knudsen, 2016), mixing multiple humanitarian actors, and amalgamating diverse institutional norms (Acharya, 2004).

Hilhorst and Jansen (2010) similarly characterize humanitarian space as an "arena" wherein humanitarian assistance is shaped by the social negotiation of multiple actors along the aid chain; this highlights the everyday policy practices and implementation of different actors as they develop their understanding and strategies using with the shared vocabularies, aims, and realities of aid (Hilhorst, 2018). From this point of view, humanitarian space is more attuned to civil society actors located in

civic spaces: the physical, virtual, and legal spaces where people exercise their freedom of association, expression, and peaceful assembly. Indeed, in some accounts, civic space is treated as a synonym for humanitarian space (Roepstorff, 2020), as many civil society organizations are active in humanitarian aid with different objectives for the respective spaces of humanitarian action. Hence, local NGOs (LNGOs) are deeply embedded in the respective civil societies of their countries and a shrinking civic space naturally affects their ability to maneuver within humanitarian space (Roepstorff, 2020).

Linking humanitarian space to civic space, Cunningham and Tibbett (2018) observe that a humanitarian crisis will add a layer of complication to the underlying, pre-crisis, civic space due to the enactment of new NGO laws and regulations, often causing state-civil society relations to deteriorate, and generally decreasing the quality of the operating environment for NGOs. The restrictive governmental policy settings for NGO registration processes and work permits create difficulties for international humanitarian workers, which directly affects local humanitarian workers and civil society organizations due to national laws and the government pressure that result from restrictive practices. For example, in 2019 the parliamentary standing committee of the foreign ministry of Bangladesh banned 41 NGOs working in the camps including Islamic relief, Islamic aid, Bangladeshi Chasi kalyan somiti, and the Nomijan Asthabi foundation, alleging that these organization increased awareness among the refugees of human rights and impeded the second bid for their repatriation. Notably, these organizations were involved with INGOs and UN agencies in the Rohingya response (Alam, 2021: 75). Hence, as INGOs often seek partnership with local CSOs in the humanitarian context, they need to understand the restrictive environment of civic space to avoid governments curtailing their activities and hindering their working with certain national and local NGOs (Cunningham & Tibbett, 2018).

Findings also differ from one aspect of activities to another when assessing the dynamics of humanitarian space in the Rohingya response, given that multiple humanitarian actors are intermingled in the camps, with diverse norms and interests in joint response efforts. Therefore, to avoid the looseness of the term humanitarian space, I conceptualize it as an arena hosting multiple actors, while highlighting everyday policy and implementation practices in the constrained settings of the Rohingya response from the perspective of Bangladeshi NGOs.

3   A Recurrence of the Rohingya Exodus in Bangladesh: Past and the Present Treatment

In this section, I provide a brief historical overview of the past and the present treatment of the Rohingya refugee reception crisis in Bangladesh. Predominantly, Rohingyas are a de facto stateless group, as the Myanmar government does not recognize them as Myanmar citizens (Milton et al., 2017). In August 2017, hundreds of thousands of Rohingyas were accommodated in makeshift camps in Bangladesh as a result of systematic violations of human rights by Myanmar's military junta (Faye, 2021). Consequently, humanitarian actors called for a Level 3 Emergency Response in Cox's Bazar (Bowden, 2018). It is noteworthy that the Rohingya refugee exodus in Bangladesh is not a new phenomenon, as the country has recently witnessed three massive influxes. The earliest arrivals in East Pakistan (now Bangladesh) were recorded in 1948 around the time that Burma (now Myanmar) gained its independence (Chowdhury, 2019).

Bangladesh became independent in 1971, and Rohingyas have been fleeing Myanmar and taking refuge in the country since 1978. During the Burmese military junta's Operation Nagamin (dragon king) (Chowdhury et al., 2022), foreigners and registered citizens in Myanmar were screened out and around 200,000 fled from Myanmar to Bangladesh in 1978 (Faye, 2021); however, after a bilateral repatriation agreement between Bangladesh and Myanmar, almost all were repatriated to Myanmar within sixteen months.[2] After that, due to a similar clearance known as Pyi Thaya (operation clean and beautiful nation) in 1992, around 200,000 Rohingyas again took refuge in Bangladesh. By November 1997, all but around 26,832 refugees were still in the Bangladesh camps waiting for repatriation (Saha, 2000), later staying in the Bangladeshi registered refugee camps in Kutupalong (Uddin, 2020). These groups also crossed the Bangladeshi border several times due to sectarian violence in Myanmar from 2012 until 2016 (Lewis, 2019). After the recent

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[2] Chowdhury R. Abrar, 1998. "Issues and Constraints in the repatriation/rehabilitation of the Rohingya and Chakma refugees and the Beharis." Paper presented to the conference of scholars and other professionals working with refugees and displaced persons in South Asia, Rajendrapur, Dhaka, Bangladesh, February 9–11, 1998.

2017 influx, currently approximately 918,841 Rohingya refugees[3] (as of January 2022) are registered in thirty-three[4] overcrowded camps (JRP, 2022). Unlike the past repatriation agreements of 1978 and 1992, the government of Bangladesh and Myanmar signed a memorandum of understanding immediately after the 2017 Rohingya influx for the safe, voluntary, and dignified repatriation of the Rohingyas, excluding the international community and their mandates from the discussion (Cook & Ne, 2018). The repatriation arrangement, however, has not been a success, thus enhancing the frustration and antagonism of host country Bangladesh. Moreover, due to presence of an overwhelming number of Rohingyas in Cox's Bazar, the local host communities face enormous socioeconomic and environmental challenges, giving rise to a crisis of turf conflict between the host communities and refugees (Chowdhury, 2019).

At present, the Rohingya response consists of two components, with the GoB responsible for administration and policing, and the Inter Sector Coordination Group (ISCG), a UN-led umbrella organization for the NGOs, which is responsible for humanitarian assistance (Chowdhury et al., 2022). In line with the strategy, the Ministry of Foreign Affairs also set up the National Task Force (NTF), which includes 22 ministries (Chowdhury, 2019) and UN agencies. The Refugee Relief and Rehabilitation Commission (RRRC), under the NTF, mandated by the Ministry of Disaster Management and Relief (Chowdhury et al., 2022) coordinates the operations in Cox's Bazar. The ISCG works closely with the RRRC, as it regulates and permits the access of national and international NGOs to the camps, and the ISCG then coordinates the service deliveries. It is noteworthy that the GoB rejects the refugee status of the Rohingyas and, consequently, the rights related to refugees. Therefore, Rohingyas are excluded from decision-making forums and, due to the government's tight control on humanitarian operations, humanitarian actors encounter difficulties relating to operational constraints, such as delayed

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[3] Although Rohingyas were not given refugee status in Bangladesh, we use the term "refugee" interchangeably with "forcibly displaced Myanmar nationals" (FDMN) to refer to the Rohingyas in this chapter.

[4] In 2021, out of 34 camps, the Government of Bangladesh closed Camp 23 (Shamlapur) (JRP, 2022).

project approval, systematic scrutiny of project implications, and restrictions including the prohibition of cash-based aid,[5] denial of refugee rights to Rohingyas, and building camps with barbed wire fences to control their security. Further, the draft Volunteer Social Welfare Organizations (Registration and Control) Act 2019[6] has raised serious concerns about the civic space of NGOs delivering their mandate independently, while the Digital Security Act 2018 is used against the media and civil society groups to curtail their freedom of speech and expression (Sarkar 2020). The Foreign Donations (voluntary activities) Regulation Act 2016 (Act no. 43),[7] introduced by the NGO Affairs Bureau (NGOAB), tightened controls over funding and enhanced registration processes for INGOs, delaying project approvals, slowing down implementation, and severely restricting international engagement with Bangladeshi LNGOs.

4   Capturing the Voices of Bangladeshi NGOs

In order to explore the main characteristics of the constrained humanitarian space of the Rohingya response, twenty in-depth, semi-structured interviews were conducted with participants who were purposively selected (Given, 2008) to represent national organizations, regardless of their origin—whether Cox's Bazar or other districts of Bangladesh—but working in the Rohingya response. A few interviews took place through snowball sampling, as some participants referred to other experts during interviews. The interviews were conducted in Bengali via Skype and Zoom (voice telephony and video chat) services and lasted between 40 and 60 minutes. Informed consent was ensured at the beginning of each interview, and the participants' responses are quoted anonymously. The interviews were carefully transcribed and translated into English, and then the data was coded with the help of analysis software Atlas.ti (9), followed by a data-driven inductive process (Braun & Clarke, 2021) based

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[5] Framework for NGOs, Government of Bangladesh, see http://ngoab.portal.gov.bd/sites/default/files/files/ngoab.portal.gov.bd/notices/7158baa6_dac4_4f3b_8ff1_9ef680d32f71/Framework-for%20NGOs.pdf.

[6] NGOs protest proposed social welfare law, see https://archive.dhakatribune.com/bangladesh/law-rights/2019/06/30/ngos-decry-proposed-social-welfare-law.

[7] Foreign Donations (Voluntary Activities) Regulation act 2016, see http://www.parliament.gov.bd/images/pdf/acts_of_10th_parliament/acts_of_12th_session/43.pdf.

Table 1 Focused codes and their allocation to generate main themes

Focused codes	Themes
Locally led response	Discrepancies in
Local CSOs partnership	localization discourses
Local capacity	
Operational constraints	
Government involvement	Institutional multiplicity
INGOs' involvement	
Coordination	
Power inequalities	Disparities in accountability
Humanitarian funding	mechanisms
Accountability	
Transparency	

Source Author (2022)

on thematic analysis. In the course of this, 32 initial codes were identified, and then eventually developed into themes by identifying 11 focused codes (Table 1).

When analyzing the relationships between the characteristics relevant to the study's objective, three broad themes emerged, illustrating the critical characteristics of the constrained humanitarian space in the context of the Rohingya humanitarian response: (a) discrepancies in localization discourses; (b) institutional multiplicity; and (c) disparities in accountability mechanisms.

5 Findings and Discussion

In this section, I discuss the three main themes identified in the analysis of the constrained humanitarian space of the Rohingya response, positioning them in dialogue with previous literature producing similar observations.

5.1 Discrepancies in Localization Discourses in the Rohingya Response

The first theme, discrepancies in localization discourses, addresses how Bangladeshi organizations are side-lined in the constrained humanitarian space despite their persistent demands for access to it and recognition of the "partnership with dignity" (Roepstorff, 2021). In Cox's Bazar, Bangladeshi NGOs compete in bidding for funding from humanitarian projects (Khan & Kontinen, 2022), unlike multi-mandated transnational

organizations. Since the LNGOs do not have competitive organizational capacities and logistical resources, they can barely sustain themselves in the competition, and some perform as implementing partners with international humanitarian organizations. However, following the money and power, most official humanitarian aid allocation is concentrated in the top echelon of the Western governments and a few international organizations (Slim, 2021), thereby excluding non-state humanitarian actors and CSOs. Furthermore, the response is not only concentrated in the humanitarian context but is dispersed to organizations with for-profit or business orientations. Due to reductions in international development funding in Bangladesh, many development-oriented organizations from other districts are moving to Cox's Bazar for Rohingya humanitarian response-related projects. As one of the respondents pointed out:

> Due to the fund, the humanitarian space in Cox's Bazar is expanding, but the civic space has shrunk. The role of NGOs has reduced as well as development funding. As of 2026, Bangladesh plans to shift from LDC [least developed country] status to developing nation status and become a developed country by 2041. Because of the country's economic graduation, probably the foreign funding has been deducted 20 years in advance. (Respondent 15)

LNGOs and civil society organizations continuously urge UN agencies and international organizations to provide funding, and response to the agreement made in the Grand Bargain[8] at the World Humanitarian Summit, and pledges made in the Principles of Partnership[9] and Charter for Change (C4C)[10] were locally led. Furthermore, the recent Grand Bargain 2.0[11] commitments in 2021 also prioritize two objectives: first, providing greater support for the leadership, delivery, and

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[8] The Grand Bargain—A shared commitment to better serve people in need, see http://agendaforhumanity.org/sites/default/files/resources/2018/Jan/Grand_Bargain_final_22_May_FINAL-2.pdf

[9] The Principles of Partnership (2007), see https://www.unhcr.org/5735bd464.pdf.

[10] C4C initiative aims to enable local and national actors to play a stronger role in humanitarian response by reforming the functionalities of the humanitarian system, see https://charter4change.org/.

[11] The grand bargain 2.0 endorsed framework and annexes, June 2021, see https://interagencystandingcommittee.org/system/files/2021-07/%28EN%29%20Grand%20Bargain%202.0%20Framework.pdf.

capacity of local actors and the participation of affected communities in addressing humanitarian needs; second, flexible support with "quality funding" for an effective and efficient response that ensures visibility and accountability.

In the immediate aftermath of the 2017 Rohingya influx, the local people in Cox's Bazar began to respond with person-to-person support as a form of "everyday humanitarianism" (Lewis, 2019), but after a few weeks the government, army, high-profile UN agencies, and several transnational NGOs (TNGOs) took over the emergency response. Consequently, local forms of small-scale humanitarianism were gradually replaced by large-scale humanitarian action performed by international agencies. As one of the respondents asserts, "In UNHCR's report, they state that 51% of their partners are local but do not specify how much sharing they funded. They did not mention what percentages were allocated. It is not the same, paying five million dollars to one INGO and five million dollars to fifty LNGOs" (Respondent 14). In a campaign of *localization*, Bangladeshi LNGO and CSO leaders urged INGOs and UN agencies to recognize local partners as not only implementing but also strategic partners (COAST, 2016). However, negotiations among local and national organizations are contested, and due to the reduction of funding, there is competition to become implementing partners with INGOs between LNGOs originating in Cox's Bazar and the national NGOs from other districts. Indeed, LNGOs from Cox's Bazar alleged that politics of nepotism is active in partnership-building with international actors. As another respondent asserts, "International NGOs are sceptical about working with the new local partner. Many NGOs select partners with whom they have previously worked in the North Bangladesh region. However, they lack knowledge of the geography, culture, and language of Chittagong. We are local, but we cannot work" (Respondent 10). Cox's Bazar LNGOs voiced their resentment that, regardless of their local origins, national NGOs from other districts work in the Rohingya humanitarian projects because they have previous experience working in community development projects with well-funded INGOs, who ultimately choose them regardless of their experience in the humanitarian context. Furthermore, local actors need to negotiate with the GoB over the legitimacy of their organizations, as the government has instituted operational restrictions in the camps. For example, the draft Volunteer Social Welfare Organizations (Registration and Control) Act

2019 has raised serious concerns about the civic space of NGOs delivering mandates independently. As one of the respondents stated:

> The social welfare law is challenging. The NGOs can no longer work anywhere with their registration, so we now have to renew it every five years. It involves funding, location, project approval, etc., all of which require long processes. If I get funding for a project in Neelfamari [district], where the registration is for Cox's Bazar, I cannot work there – if I do not have prior registration for Neelfamari. Additionally, NGOs are allowed to work in only five districts, so which ones should we choose? (Respondent 17)

Due to tightly governed operational constraints, the Bangladeshi NGOs have to negotiate with the government and the legislative process to ensure their organizational legitimacy for humanitarian funding with foreign donations. Therefore, regardless of the constant demand for a locally led response, the discrepancies in localization discourses, on the ground, are visible in constrained humanitarian space, while shaping the service delivery in the Rohingya response.

5.2   *Institutional Multiplicity in the Rohingya Response*

The second theme, institutional multiplicity, results from the situation that two distinct institutional settings are associated with parallel governance: one supplied by the GoB and the other by the UN agencies, which can lead to operational complexities in constrained humanitarian space. In Rohingya refugee management, under the leadership of the Government of Bangladesh, a small pool of UN agencies and INGOs lead the ISCG sectors and working groups, limiting the space for local organizations to take on leadership positions in an inter-agency coordination structure. Although the local organizations in Bangladesh have been operating in disaster management for a long time (Cook & Ne, 2018), they face enormous challenges working in the camps. In order to implement a project, local organizations should seek permission from the government first and then again from the UN-referred secretariat (e.g., ISCG) for allotment to a work sector. As one of the respondents alleged:

> INGO agencies do not allow us to work freely, as the ISCG team coordinates the process. We do not know when we will receive funding this year but working anywhere or anytime in the camps is impossible. There are at

least five tiers of the process, which overlap each other but are not entirely different. Firstly, we need to get funds from donors, then permission from NGOAB, then permission from the RRRC office, then permission from the Camp-in-Charge [CiC], and finally permission from the ISCG-regulated sector or cluster, focal for working in the camps, and sometimes more. (Respondent 15)

A group of institutions from the Government of Bangladesh and UN agencies coordinate the overall Rohingya humanitarian response. Considering the multiple actors and their mandates, this "institutional multiplicity" can be regarded as *parallel governance* (Van der Haar & Heijke, 2013) in the context of the multiple interfaces in the Rohingya response. This helps to define a situation where systems made up of multiple rules confront economic and political actors that provide distinct and different normative frameworks and incentive structures (Golooba-Mutebi & Hickey, 2016); individuals and organizations often appear to operate simultaneously in multiple institutional systems (Hesselbein et al., 2006) which are governed by different sets of incentives (DiJohn, 2008). According to DiJohn (2008: 33), "institutional multiplicity is a situation in which different sets of game rules of the game, often contradictory, coexist in the same territory, that place citizens and the economic agents in complex, unsolvable situations, but at the same time offering them the possibility of switching strategically from one institutional universe to other". This view juxtaposes the normative vision of humanitarian space against the reality of institutional multiplicity: the involvement of a wide array of actors with different norms and principles, which often leads to collective action dilemmas (Sezgin & Dijkzeul, 2015: 324).

In the Rohingya humanitarian response, a sector-based coordination structure (ISCG) is responsible for bringing together UN agencies and NGOs to maintain a coherent, rights-based refugee response. It is accountable to a principal inter-agency body, the strategic executive group (SEG), led by the head of the humanitarian organizations and co-chaired by the UN resident coordinator, IOM chief-of-mission, and UNHCR representative (JRP, 2022). The camp coordination is the responsibility of government-appointed Camp-in-Charge (CiC) officers. Since there is no formal guidance or established protocols for camp coordination and site management by the ISCG, the site managers it appoints have difficulty collaborating with the CiCs. There remains some complication in coordinating overlapping interventions by the CiCs, the site management

system, and the area of responsibility, which is divided between the IOM and the UNHCR. However, the coordination structure on Bhasan Char, an island suggested as a holding pen for the refugees, is distinct from the existing coordination structure in Cox's Bazar. In this context, the same respondent added:

> Although UN agencies were completely against the Rohingya relocation in Bhasan Char, almost 20,000 Rohingyas [as of May 2020] are currently relocated there. Those NGOs who want to work in the Bhasan Char need three tiers of administrative settings. First, an approval from the NGOAB, then the UN agency, and finally the addition of the Bangladesh navy." (Respondent 15)

From the Bangladesh side, the coordination of the Rohingya response in Bhasan Char is led by the Additional Refugee Relief and Repatriation Commissioner (ARRRC), the government authorities of Noakhali District, and UNHCR on behalf of the humanitarian community (JRP, 2022). Although the GoB encourages humanitarian organizations to work on Bhasan Char, the interested NGOs need to go through another tier of governance with the Bangladesh Naval Force. Initially, a number of rights groups, including UN agencies, opposed the relocation plan of 100,000 Rohingyas to Bhasan Char (ADSP, 2020) in 2018, claiming that the government was forcing the Rohingyas to relocate without their consent. Yet the Bangladesh Government rejects the refugee rights of the Rohingyas, and they are side-lined from any decision-making process. The rejection of Rohingya rights also poses a dilemma for refugee representation in the constrained humanitarian space.

As well as affecting humanitarian activities, the administration and policing of the Rohingya response also encounter the difficulties resulting from the institutional multiplicity. In the immediate aftermath of the Rohingya influx in 2017, Bangladesh lacked a domestic advisory and refugee management system, so the government called on a number of different international humanitarian actors and interests in the search for viable solutions, rapidly transforming Bangladesh's domestic and external policy advisory system into one with international linkages. The externalization of policy advice and the participation of international organizations have increased the analytical and operational capacity for refugee

management in Bangladesh; however, it has also undermined the legitimacy of the state at the systemic level, creating governance problems (Chowdhury, 2019).

5.3   Disparities in Accountability Mechanisms in the Rohingya Response

The third theme of this study, disparities in accountability mechanisms, is linked to the power inequalities pertaining to humanitarian funding in the aid chain of the Rohingya response. While equality and accountability mechanisms are expected of the humanitarian eco-system, a daunting challenge persists in terms of the power of international agencies at the center of operations and the undermining of local and national actors, leading to inequalities in the aid sector (Hilhorst et al., 2021). Generally, the Western donors and a few international organizations largely dominate global humanitarian policy-making, exercise considerable power in the allocation of aid (Banks and Bukenya, 2022) to local partners and communities, and have strong links with global actors like states and multinational corporations. Benefitting from their extensive experience working with UN structures, many transnational NGOs from the Global North now dominate agenda setting and policy formation processes in many parts of the South (Mitchell et al., 2020).

Furthermore, the accountability for project implementations and funding allocation has not been identical for all humanitarian organizations in the Rohingya response. The international agencies team up with the host government and local organizations when implementing their projects but the relationship with the latter is mainly sub-contracting based while the agencies retain a hierarchical position of power; these are described as a partnerships offering capacity-building to the locals (Slim, 2021). Regardless of power and legitimacy concerns, NGOs are accountable to multiple actors, including patrons, clients, and themselves, thereby entrenching processes connected with keeping them responsible for the consequences of their legitimacy (Hilhorst, 2002) and particular actions (Hilhorst et al., 2021). The accountability mechanism ensures that individuals and organizations are held responsible for their actions and also for shaping their organizational mission and values, and making it available for public scrutiny and assessment of their performance in relation to goals (Ebrahim, 2003).

In general, the Bangladesh NGO Affairs Bureau (NGOAB) is responsible for approving the access of humanitarian actors to the Rohingya camps. Local and national actors registered with the NGOAB are accountable to the GoB, but multi-mandated organizations that receive funds from a UN agency are not. In this regard, one of the interviewees asserted:

> UN funding is not controlled by the government, as it is a separate entity. The lion's share [approximately 85%] of the funding is channelled through the UN, with only minimal [approximately 15%] funding with NGOAB. Those NGOs that have projects under the UN banner do not need to be accountable to NGOAB, but an organization working with local NGOs in Bangladesh regardless of funding sources must be accountable to NGOAB. (Respondent 14)

Since accountability is considered a core value in the humanitarian aid context, it is worth following how an accountability arena within the humanitarian space is shaped in the humanitarian response (Hilhorst et al., 2021). Broadly speaking, NGO patron or "upward" accountability refers to relationships with donors, foundations, and governments, and working with the money supplied from these sources for a designated purpose, whereas "downward" accountability refers to the clients to whom NGOs provide services (Ebrahim, 2003). However, due to the Rohingyas' exclusion from refugee rights, the absence of an accountability mechanism raises questions about their involvement in formal or informal accountability mechanisms. Although Rohingyas are included in the Sector Coordinator's multiple lines of accountability of agency programming (e.g., complaint response mechanism), and project planning in terms of coordinating the Rohingya response, in practice the Rohingyas have never been included in the sector coordination meeting.

Generally, the foreign NGOs and the foreign funding allotted to the Rohingya response must go through NGOAB, with short-term, emergency FD7 application forms. Each application is lengthy, with a detailed budget and material information aligned with the project proposal and distribution. Moreover, the NGOs with FD7 funding must report the project enclosure along with several levels of approval from the Upazilla office (UNO), Deputy Commissioner (DC) offices in Cox's Bazar, and foreign donation audit. In this way, upward accountability has been

assured to the government, which, moreover, monitors the response in a systematic process. As one of the respondents asserted:

> Technically, the INGOs need certificates from NGOAB for project implementation. However, many INGOs start working with project implementation without an approved certificate from NGOAB. As a result, many humanitarian NGOs were suspended on the compliance issue. For example, one of the INGOs, the International Rescue Committee [IRC] was suspended by the GoB as it carried out projects without approval from RRRC and a certificate from NGOAB. (Respondent 10)

The accountability process for UN agencies, however, is a different matter. A documentary on national television (Jamuna TV)[12] revealed the dark side of NGO involvement, while a local organization (Lighthouse), working under the UNHCR project for three years, continuously shared fake, health-related data with the UNHCR, including fake funding vouchers that were never used in the camps. Thus, there remain problems with transparency issues associated with channelling donor funds for humanitarian projects to local partners in the Rohingya response (Sundberg, 2019). The local authorities or the government cannot ask for the accountability and transparency of the funding allocated by UN agencies, although a common, open-data standard was a commitment of the Grand Bargain's Workstream 1: Greater Transparency, launched at the World Humanitarian Summit in Istanbul in 2016. Nonetheless, accountability mechanisms are still linked to power inequalities in addressing the plight of the Rohingya refugee response in Bangladesh.

6 Conclusion

This chapter has explored the three most prominent characteristics of the constrained humanitarian space in the Rohingya response, based on a series of interviews with representatives of key national NGOs operating in the sphere. First, in discrepancy with and in contrast to localization discourses, local Bangladeshi organizations are side-lined in the space as they need both to negotiate their partnership roles with international humanitarian stakeholders, and also meet the GoB's requirements for

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[12] See video: https://www.youtube.com/watch?v=sIaRzp1en-Y&t=11s.

working in the constrained refugee settings. Although Bangladeshi organizations constantly lobby for a locally led Rohingya response, due to the complementarity and partnerships with international humanitarian stakeholders, very few local NGOs have direct access to the humanitarian space in question.

Second, it became apparent that the parallel governance in refugee management led by the GoB and the UN agencies results in institutional multiplicity which produces collective action dilemmas in issues ranging from voluntary repatriation to serving impartial and neutral humanitarian assistance and protection. Although the overall Rohingya response is coordinated under the leadership of the GoB, humanitarian actors also need to deal with several institutional governances to obtain approval for work in the camps. Since Bangladesh lacked a domestic advisory and refugee management system after the massive influx of more than a million refugees, international agencies with more capacity and resources joined the humanitarian response to the Rohingyas' plight. However, the systematization and institutionalization, which result from externalizing international humanitarian organizations, create a new level of politicization (Chowdhury, 2019) in the policy and administrative settings of Bangladesh.

Finally, the power inequalities in the accountability arena of the Rohingya response perpetuate tensions in both upward and downward accountability in terms of project implementation and distribution of donor funding. In practice, the NGOs with foreign funding must register with NGOAB and report the project enclosures, yet projects with UN funding and their actors are not required to account to the GoB. Nevertheless, the existing accountability mechanism leans toward individual agency results rather than collective performance results in the Rohingya response.

If the constrained refugee settings in Cox's Bazar comprise a humanitarian "arena" in which multiple actors—including the GoB, Bangladeshi NGOs, and international humanitarian stakeholders—shape humanitarian assistance, the absence of representation of the affected Rohingya communities and their voices in the management of the Rohingya humanitarian response is conspicuous. Since Bangladesh denies the Rohingyas refugee rights, there is no refugee-led organization to agitate for Rohingyas' freedom of expression in the camps, nor is there downward accountability to the Rohingyas (except few complaint boxes, advocacy services and the hot-line numbers). Although the overall Rohingya response is

managed by the intervention of the GoB and the international humanitarian stakeholders without Rohingya representation, their efforts and priorities do not always harmonize with the ISCG processes in multiple institutional governances. Indeed, the repatriation-oriented treatment of the Rohingyas by the GoB on the one hand and the stronghold of international humanitarian agencies in the aid chain on the other often lead to collective action dilemmas.

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Global Connections and Local Civic Space

Advocacy in Constrained Settings. Rethinking Contextuality

Margit van Wessel

1 Introduction

Among scholars and practitioners working in international development, there is much interest in civil society advocacy. Seeking societal change through development projects may lead to results, but these do not address fundamental underlying conditions that shape development, such as legal rights, cultural understandings, or market relations. In contrast, advocacy is a way to address these, seeking to transform the legal, political, and social conditions that shape development. I define what I call advocacy for development as a "wide range of activities conducted to influence decision-makers at different levels" (Morariu & Brennan, 2009: 100) with the overall aim of combatting the structural causes of poverty and injustice. I include here as decision-makers not only people holding positions of power in public and private institutions, but also individuals and groups who hold more informal power, such as communities and

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their leaders, and social and cultural groups of various kinds. This definition follows the widely held belief that advocacy can be a tool to fight the causes of poverty or injustice and influence structural change, aiming to change social, political, and policy structures, and challenge power structures. In the current age of shrinking space for civil society and challenges to human rights and conflicts in many contexts, advocacy is often geared toward protecting past achievements and preventing their loss. This advocacy goes beyond influencing policy, often aiming for sustainable changes in public and political contexts. Advocacy includes then not only activities such as lobbying or demonstrations, but also awareness raising, legal actions, and public education, as well as building networks, relationships, and capacity, and the articulation of views and interests through the same.

This advocacy can have many different objectives, ranging from organizing and building voices, awareness raising, agenda setting drawing attention to issues, promoting specific understandings of issues or creating space for certain solutions, contributing to policy development and implementation or evaluation, or transforming the way decisions are made, as when more inclusive forms of policy process are sought. Many advocacy outcomes are intermediate, consisting of steps toward a desired change. Advocacy is often for the long haul, facing lack of interest or opposition from other political, social, or economic actors.

Practitioner guidance on advocacy for development commonly relates to the contexts in which it is set. Context is commonly described as defining what can or should be done, and how. Political conditions (e.g., openness to civil society influence, political opportunities) define possibilities for advocacy, and the presence of organizational capacity and specific challenges for development (e.g., gender relations or the prevalence of development issues like insecurity or hunger) shape advocacy agendas. However, there are reasons to think that context matters in more fundamental ways than is usually acknowledged in practitioner guidance, with contextual conditions raising further context-specific empirical and normative questions on diverse aspects of civil society advocacy in different contexts.

The question guiding this chapter is: how do contextual dimensions shape possibilities for advocacy in constrained settings, and how can these be addressed by practitioners? This chapter starts answering that question with a reflection on a set of limits in existing guidance on advocacy for practitioners in development. These limits concern engagement with context. The chapter then moves on to discuss how context

shapes possibilities for advocacy in two main forms of constrained context: authoritarian/hybrid and fragile contexts. In practice, traits of both types may be found in a single context. A reflection considering the findings from existing research lead to the identification of a set of considerations for further development of practitioner guidance, rooted in a deeper engagement with contextually defined possibilities and constraints. These considerations pertain to (1) CSO roles, (2) advocacy capacities, (3) strategies, and (4) risk management.

2 ASSUMPTIONS

Three assumptions concerning the nature and role of context underlie common approaches to advocacy for development. To show the presence of these assumptions and clarify their significance for research and practice, I draw on 10 years of research experience working with NGOs and donors. Publicly available advocacy manuals for practitioners in the development field, typically commissioned by large INGOs, illustrate the common presence of these assumptions (examples are: Care International, 2014; Datta, 2011; Oxfam, 2020; Vidal, 2018; Watson, 2015).

First, while remaining implicit, approaches assume that basic elements of a liberal state are in place. There is a government that creates the conditions for a relatively autonomous civil society to operate—a requirement, as Chandhoke (2001) explains, creating laws providing at least some degree of freedom of organization and expression, security, and spaces for interaction between civil society and the state. This government also has some overriding authority to make decisions that impact citizens, and seeks to implement these—and is therefore worthy of influencing. There are roles to play for civil society, engaging diverse actors like citizens, state agencies, and corporations. Selecting strategies is then primarily a question of organizational preferences, capacities, resources, and understandings of what could be effective There are also norms about the role civil society can play. Being seen as representing citizen groups, values, or interests, and with valuable knowledge and relations with society to offer, civil society advocacy has absolute legitimacy, complementing or correcting the views and workings of state and market, and advancing inclusive development. When the effectiveness of advocacy is addressed, it is mainly by considering a rather standardized set of organizational capacities, strategies, and external conditions—primarily the political and policy context. While in some cases, some attention is given to questions of

civic space or fragility (as in Oxfam, 2020: 27), this attention does not put to question the fundamental starting point of an autonomous and representative role for civil society advocacy influencing a state.

Second, approaches commonly conceive of advocacy in terms of a series of steps enacted within such a liberal state context. It typically involves a problem analysis establishing what needs to be changed, development of ideas on how the change can be achieved, relating to the specific political context, selection and development of strategies, execution of these, and evaluation and learning from the experience. Advocacy then does relate to context, in the sense that it is rooted in the understanding that strategies need to fit that context. For example, it may be emphasized that strategies should be based on realistic assumptions of what could be achieved influencing whom, how. How advocacy is to take shape then is for a big part a question of analyzing a context, monitoring it, and building relations with actors within this context (publics, partners, allies, targets such as governmental and intergovernmental agencies, media) that are relevant to the issue and its resolution. However, the basics of the liberal state and the conditions it provides tend to be taken as given, in the sense that an autonomous role for CSOs influencing decision-makers from that position is the foundation from which CSO roles and strategy emerge. The steps make sense from that starting point.

Thirdly, and following from the above: the basic model of how advocacy works hardly shifts depending on context. The capacities that matter, the strategies that can come in, and the roles that civil society can have, remain roughly the same wherever advocacy is conducted. For example, advocates need to be capable of analysis and monitoring of the political context to establish opportunities and access points to gain influence, of building trusting relations with decision-makers, of developing organizational credibility, of building coalitions, and of developing compelling messages. Flexibility in responding to changing conditions and emerging opportunities is an important more general capacity. Strategies are typically identified as "inside" or "outside" strategies, sometimes combined: inside strategies involving engagement in constructive interaction in various forms, such as participation in roundtables, lobbying, development and presentation of research reports, policy briefs, and other documentation that can support policy development; outside strategies involving public and more confrontational activities, such as awareness-raising campaigns, demonstrations, and creating "bad press" for an institution one seeks to influence (e.g., by exposing misdeeds or lack of

effectiveness in addressing an issue). Roles can lie in influencing agenda setting, policy development and policy implementation. Targets can be public, governmental, intergovernmental, and private sector actors, often in combination. How elements may differ per context is hardly considered. An exception is the problem of constricted civic space, which is primarily understood to limit possibilities for advocacy in certain contexts.

All this is in line with much academic literature analyzing civil society advocacy on the fronts discussed above. This literature is often set in liberal states and similarly appears to take the liberal state as given, be it that there too, these conditions are usually not explicitly addressed (see e.g., Dellmuth & Tallberg, 2017; Mitchell et al., 2020).

3 How Constraining Contexts Matter

Research literature on advocacy in specific contexts often belies the three assumptions above. Thus far, these findings have not found their way into practitioner guidance. A notable exception to the pattern is a recent "toolkit" provided by The Lifeline Fund for Embattled CSOs, offering guidelines for advocacy in restricted spaces, which we will return to later (Greenfield, 2020). Below, practitioner-relevant findings on the role of two types of contexts are discussed. Importantly, many advocacy practitioners working in these contexts already will be taking into account the contextual conditions delineated below—in fact, their practices and insights are a prime source of knowledge that researchers whose work is discussed below draw on. It is rather that this knowledge has often not found its way into more decontextualized, often Northern-led programming, and associated guidance materials.

3.1 Authoritarian and Hybrid Contexts

In authoritarian and hybrid contexts (showing a mixture of authoritarian and democratic features), civic space is constrained in various ways. In recent years, this constriction has increased in many contexts, limiting the space for civil society to carry out their autonomous roles. Van der Borgh and Terwindt (2012: 1070–1072), integrating existing research, distinguish five sets of actions and policies that can restrict operational space for CSOs: physical harassment and intimidation; preventative and punitive measures; administrative restrictions; stigmatization and negative labeling; and pressure in institutionalized forms of interaction and

dialogue between government entities and civil society, distinguishing co-optation or closure of newly created spaces. The constraints on civic space are often selective though, with restrictions mostly affecting groups that are critical of government (Roggeband & Krizsán, 2021). Constrictions mainly pertain to freedoms (e.g., of expression, association, and assembly) and their enactment, especially through advocacy strategies, and especially in the public sphere, where regimes are openly challenged (Lewis, 2013). However, any form of critique or form of contestation may be problematic, also in the context of constructive collaboration (Syal et al., 2021). However, effects go beyond freedoms, raising further challenges for CSOs. Beyond restricting operational space, CSOs may also face risks to their organizations as such, and to staff, including violence (Bille Larsen et al., 2021). Such violence may also be coming from non-state actors working together with the state, such as paramilitary forces, private corporate security, criminal gangs, and religious fundamentalist groups (Pousadela & Perera, 2021).

The dynamics between civil society and the state in authoritarian and hybrid contexts can take varied forms. CSOs commonly respond by stopping operations, shifting from advocacy to service delivery, shifting topic (Fransen et al., 2021; Van der Borgh & Terwindt, 2014), and depoliticization of the advocacy (Fransen et al., 2021; Tadros, 2009; Tadesse & Steen, 2019; Van der Borgh & Terwindt, 2014). Recent research also reports that marginalization deepens with closing civic space, preventing broad civic engagement (Hossain & Oosterom, 2021). At the same time, states may have more leverage over registered CSOs, CSOs that seek collaboration with the state, and CSOs receiving foreign funding, than over unregistered social movements. For example, in India, protests are common, while at the same time the Indian state increasingly constricts NGOs. Different forms of CSO and CSO activity may thus be differently affected.

Authoritarian and hybrid states also instrumentalize civil society, providing access and support to organizations that can boost government legitimacy, e.g., by providing services for citizens and confirming the validity and legitimacy of state ideology (Lewis, 2013). States may also permit and support CSOs (while delimiting foreign funding) to function based on roles and ideological fit, as shown by Fröhlich and Skokova (2020) for Russia and Liu and Van De Walle (2020) for China. Restrictions can thus have fundamental effects on the advocacy role of civil society.

At the same time, CSOs may seek to respond strategically to navigate restrictions to protect their operational space. Researchers point to such strategies as reframing into less-threatening language; shifting from national-level to local-level advocacy; shifting from agenda-setting advocacy to implementation; the management of visibility, for example using different platforms and supporting social movements behind the scenes; and the building of trustful relations with state actors (Dai & Spires, 2018; Fransen et al., 2021; Tadesse & Steen, 2019; Van Wessel et al., 2019). A research paper by Neuberger et al. (2021) delves more deeply into the practical working of such strategic maneuvering of constraints. It charts how an NGO in Egypt at first "cloaked" its socially transformative agenda to appear non-threatening to the regime. Later, when it had established more legitimacy, it moved to advocate more openly, while still emphasizing harmony with key aims of the regime. For example, it framed its transformative aims in terms of national economic objectives.

Co-optation may also be an attractive option for CSOs to advance their interest (Lorch, 2017: 44) while it may also be a way to advance constituency needs and advance agendas shared with state agencies. To illustrate: Syal et al. (2021) show for CSOs working on disaster governance in India, an increasingly authoritarian context, that CSOs sought to insert elements of their agenda once trusting collaborations with state agencies had developed. At the same time, they remained highly sensitive to state requirements, and stayed within bounds set by the state, not challenging state understandings of what needed to be done, seeing little space for critique or presentation of alternatives. They tweaked their roles to find a fit and appear more relevant, careful not to overstep perceived limits. CSOs also self-censored to avoid sensitivities such as appearing too critical, publicly contesting state claims, or associating with other CSOs with confrontational stances. CSOs thus assessed the space offered by the state and maneuver their interventions to maximize the benefit to all stakeholders, including the state, communities, people they seek to work for and represent, and themselves.

The careful management of relations and forms of communication appears to be of key importance here. The state and CSOs may be aligned in their ambitions to address development issues. However, pressure from the state limits space for representation that is critical of the state. Research on civil society in authoritarian regimes has indeed stressed detrimental consequences for civil society's role of producing and sharing

perspectives alternative to dominant state perspectives (Fransen et al., 2021; Lewis, 2013: 337; Toepler et al., 2020).

3.2   *Fragile Contexts*

Compared with the literature addressing advocacy in authoritarian/hybrid contexts, the literature that addresses advocacy in fragile contexts is very limited. However, some publications provide relevant insights that illustrate some potential areas of attention for research and practice in advocacy for development.

CSOs working in fragile contexts deal with unstable and, at times, unsafe environments. While the specificities of fragility vary, fragile states are commonly described as incapable of assuring basic security, maintaining rule of law and justice, or providing services and economic opportunities for citizens. Fragile states have less ability to create conditions (e.g., security, autonomy, a legal framework, and a bureaucracy to engage) for civil society to carry out advocacy roles (Lorch, 2017; cf. Chandhoke, 2001).

However, also in fragile settings, people may find ways to influence governance. For example, Gaventa and Barrett (2012) show that in fragile settings, associations can have important roles in constructing citizenship, improving practices of participation, strengthening accountability, and contributing to social cohesion. Lorch (2017), too, argues that the political influence of civil society may be considerable in fragile contexts, for example by taking up roles otherwise taken up by the state, creating positions of influence within these roles. Van Wessel et al. (2021) illustrate this insight by providing a collection of case stories of CSO advocacy in diverse fragile contexts influencing policy by engagement with various stakeholders, taking initiatives building connections, and contributing to change by intermingling advocacy, policy implementation, and service delivery roles. This collection of stories also showed the advocacy as shaped through careful reading and engagement with various relations, seeking out possibilities, and managing risks (Van Wessel et al., 2021) in conditions where rules and roles may be unclear, ambiguous, or shifting. For example, a story of a CSO initiative in Afghanistan seeking to coordinate state and traditional justice mechanisms engaged multiple state and non-state authorities to provide better access to justice for Afghans. The careful maneuvering involved suggests the importance of capacities of handling contextual complexities and dynamics beyond what is commonly

indicated in advocacy manuals. The forms of relating to other stakeholders are more multiplex and more negotiated. Given that CSOs in fragile contexts often take up roles that are taken up by the state elsewhere, they may also be more enmeshed in governance. Research also shows that boundaries between state and civil society can become blurred and civil society autonomy from powerful actors can be limited (Lorch, 2017; Verkoren & Van Leeuwen, 2014). Lorch also argues that civil society will mirror the deficits of a state, and CSOs can become enmeshed in the conflicts in their societies, having close relations with different power holders and lacking autonomy. The extent to which civil society can represent diverse interests then becomes questionable. Their influence also does not necessarily promote democracy and may rather contribute to undemocratic purposes such as favoring certain groups and endorsement of violence perpetrated by power holders or groups CSOs are associated with. Explaining such conditions, Lorch analyzes the nature of weak states, in which civil society may take up roles usually taken up by states, the state is not autonomous itself, and different alternative and competing powers exist. Patronage, corruption, and violence are common, while international donors may have important intervening roles (Lorch, 2017; see also Verkoren & Van Leeuwen, 2014). CSOs need to navigate the risks associated with these conditions. In addition, given the fragility of a context, CSO results achieved by CSO advocacy within such contexts may be fragile too. Changes demanding longer-term investment and development may stall and deteriorate for lack of stability in government, security, and other fragility-related reasons (Van Wessel et al., 2021).

4   Rethinking Contextuality

In light of common conceptualizations of civil society advocacy and underlying assumptions, as discussed in the introduction, the discussion on advocacy in constrained contexts above raises questions regarding how to understand, assess, and relate to civil society advocacy in such contexts. Below, I will present some areas of reflection for academics and practitioners working on advocacy for development, regarding CSO roles, advocacy capacities, strategies, and risk management in authoritarian/hybrid and fragile contexts. By this, I seek to contribute to a rethinking of assumptions around contextuality underlying civil society advocacy as an intervention in development.

4.1   CSO Roles

CSOs in authoritarian/hybrid contexts seek ways to operate, moving toward co-optation or away from it, working within co-opted roles seeking collaboration, or finding ways to maintain or enhance operational space by different types of strategies. This raises dilemmas for them and potentially also their donors and supporters, as they balance ideals of autonomy and voice, seeking continued relevance and organizational survival, risking exclusion and persecution. Thus far, the development sector and research community have not addressed the question of what could be appropriate policies for CSOs and their allies and donors for handling constraints and approaching possibilities.

Similarly, challenges to CSO autonomy in fragile contexts, where CSO roles are often embedded in close relations to different types of power holders, have hardly been addressed in the development sector. As Lorch (2017) shows, CSOs in such contexts may be aligned with power holders because it provides avenues for influencing that are otherwise closed, provide opportunities to achieve organizational objectives that may in themselves contribute to inclusive development like land reform, or may offer protection from rival groups or an oppressive state. Power holders, in turn, may co-opt CSOs to further their ideology or to be able to allocate services to groups and thereby gain support. Such alignment may contribute, however, to societal division and clientelist distribution of resources that can lead to exclusion of sections of society.

These realities, each in their own way, challenge assumptions of CSO autonomy underlying currently common approaches to advocacy in the development sector, and they deserve to be much more widely addressed in research and practice. Constraints on autonomy can have grave implications for representation of society by CSOs—a matter that receives little attention thus far but is fundamental to CSO roles as supported by donors and other actors in development. Liu and Van De Walle (2020), for example, show how in China it is presently common for the Chinese Communist Party to embed branches in CSOs, thus exerting control from within. With the tendency of authoritarian/hybrid states as well as power holders in fragile contexts to instrumentalize CSOs, there are also more fundamental questions regarding the roles that specific CSOs can have in a specific context, and with what legitimacy—in their own eyes, that of the state, society, and potential donors, or considering the specific values that the CSO seeks to serve.

Such questions are: what can be standards regarding autonomy or ways of handling limits to autonomy in contexts where autonomy may be constrained in various ways? Based on what principles and rationales? CSOs may be embedded in relations with power holders in both authoritarian and fragile contexts, and may be in that position because it is one from which influence on power holders can be achieved. For donors and allies, the question therefore also arises under which conditions to support what kinds of roles. A further consideration here is that international donors can play a mitigating role (Lorch, 2017), for example, by enhancing autonomy of CSOs by providing them with an independent financial base. They can also play an aggravating role through the public association of CSOs with "foreign agents" through their relations with foreign funders, or, more specifically maybe, the way these CSOs and international donors manage their relations (e.g., regarding visibility of their associations, see Van Wessel et al., 2017).

4.2   *Advocacy Capacities*

Civil society advocacy in authoritarian/hybrid and fragile contexts appears to require strategic capacities on top of commonly recognized ones. For advocates working in authoritarian/hybrid contexts, these may include the capacity to navigate the challenges of gaining trust and influence while seeking also to represent or advance values not aligned with those of the state. Greenfield (2020), for example, points out the capacity to build broad coalitions and seek out unlikely allies close to government, like a political party or business association (Greenfield, 2020: 21). For the protection of organizational missions, the capacity to navigate constraints appears crucial from the literature available so far. The diverse possibilities for creative strategizing to, for example, manage visibility and work with or around constraining laws and policies need much more exploration and sharing than we see thus far in the development sector.

If we acknowledge the challenges to civil society autonomy in fragile contexts, advocates in such contexts need to have the capacity to negotiate this autonomy. If we accept that autonomy may not be realistic, it may be more apt to say that advocates need to have the capacity to engage and gain the support of various types of power holders, making the most of the possibilities for advocacy that may arise as they creatively manage relations, while negotiating autonomy. In addition, as they often take up roles taken up by the state elsewhere, advocacy often cannot be

seen separately from CSOs' capacity development and policy implementation/service delivery activities. Their work may thus involve a much broader and fluid approach to advocacy than the influencing of decision-makers and the public. Organizations are often participants in change processes as much as external advocates influencing decision-makers. For example, Van Wessel et al. (2021) show how a CSO seeking to integrate teaching on gender-based violence in the school curriculum in the Central African Republic combined advocacy and service delivery, contributing to a change process involving many actors and stages of the process, including implementation. Influencing in a constraining context may thus require capacities to take up roles that address different dimensions of change processes, including e.g., coordination of multiple actors and policy implementation.

These capacities deserve to be acknowledged in development practice, recognizing the specific challenges CSOs in constrained contexts face as much as what it takes to work and perform in such contexts. Given the paucity of knowledge or even conversation on these capacities in the development sector, starting interaction on this within the sector, and research to support the development of conceptualizations of required skills and knowledge, would help to contextualize capacity and capacity development.

However, given the many legitimacy and effectiveness issues that may arise (with civil society possibly contributing to societal division and exclusion), donors and allies need to develop their capacities to analyze and assess the advocacy roles that CSOs can play in specific contexts.

4.3   *Advocacy Strategies*

Whereas advocacy manuals as well as academic literature on advocacy capacity focus on the standardized set of capacities listed in the introduction, the literature on advocacy in authoritarian/hybrid and fragile contexts suggests more complex ways of relating to actors in a context as important for success. Advocates need to relate to diverse power holders or relate in ways that overcome or circumvent constrictions, as research increasingly shows. So far, the field of practice hardly identifies or acknowledges these strategies, nor how and when to use them. A manual produced by Greenfield (2020), as said, is a notable exception, offering strategies for advocacy in restricted contexts. She discusses, for example, usage of alternative entry points that have influence with the public,

such as religious leaders; coordinating with several CSOs to bring out a sensitive report to counter targeting of individual organizations; countering slander by building trusting relations with selected media outlets; and using the diaspora for spreading messages, mobilizing funds, and addressing domestic audiences when domestic CSOs cannot. But strategy also needs a broader conceptualization for constrained settings, and this has received little attention thus far. Building a legitimate position from which to influence appears to be a fundamental challenge in authoritarian/hybrid contexts. For example, Syal et al. (2021) describe how CSOs working in disaster management in India perceive opportunities to influence to grow within depoliticized roles supporting the government. It is through the trust built through collaboration in such roles that careful insertion of CSOs' own agenda points (within limits) can be possible, interviewees in that study felt. Relatedly, Neuberger et al. (2021) approach legitimacy-building as an ongoing and central endeavor for the NGO in Egypt that they studied. It carefully strategizes through engaging contextually defined possibilities in a way that the authors call "optimal assimilation", cloaking, being more assertive, and framing to fit regime aims to achieve its objectives while not losing legitimacy with the regime. This research illustrates the need to address much more systematically how choice of strategy affects autonomy in both types of settings discussed in this chapter. Making strategies and their implications for autonomy more explicit through research and discussion of these strategies in practitioner literature, will create more transparency as to what can come in with advocacy in constrained contexts. It will also facilitate engagement with normative questions that may emerge.

4.4   Risk Management

Advocacy in authoritarian/hybrid and fragile contexts involves risk management. Academic and practitioner literature thus far do identify these risks as such, but there is little attention to risk management, and thus little guidance on how to identify, mitigate, and respond to diverse types of risk is available. For illustration, a few domains needing attention may be mentioned here. For advancing organizational survival and the attainment of objectives, averting or promoting co-optation can be an important ongoing managerial task. Risks to autonomy are diverse, challenging organizational missions and integrity. Risks of delegitimization, legal prosecution, or shutdown require management of visibility,

leveraging personal relations and information and data management. Protection against violence and other personal and organizational risks may require ongoing risk assessment, intelligence work, maneuvering around funds, and careful management of relations for protection and leverage. A rare illustration of this is provided by Li and Wang (2020), showing how Chinese environmental CSOs' management of uncertainty about what action is permissible is key to risk management, and how they address this need through obtaining insider information from state officials. Much more research and practical engagement with questions around risk management in constrained contexts is needed to obtain fuller and more adequate understandings and approaches.

5   Conclusion

As research in fragile and authoritarian/hybrid contexts has begun to show, the advocacy roles CSOs can have, the capacities needed for that, the strategies that can work, and the management of risks, are all contextually defined in important ways. For specific actors, legitimacy is often under fire, and needs to be negotiated. Strategies are relational in highly complex and dynamic ways. Autonomy is relative, while risks abound. On top of this, important normative questions may emerge within these dynamics. While rooted in the actual practice of advocacy within fragile and authoritarian/hybrid settings, these insights have not found their way into the guidance of advocacy practice as developed in the context of INGO-administered and supported advocacy programming. This is a major lacuna. Many settings in which these international programs are carried out, are shaped by fragility and authoritarianism. Addressing the context specificity of advocacy roles, capacities, strategies, and risks is a matter of effectiveness, and clarity on normative standards. Additionally, rethinking contextuality in advocacy as suggested in this chapter would also contribute to epistemic justice in development—helping to produce practitioner advocacy guidelines that acknowledge and do justice to essential contextual knowledge that advocates working in specific contexts hold.

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The Changing Amazonian Civic Space: Where Soy Meets Resistance

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1 Introduction

The soy Global Value Chain (GVC) passes through, changes, and takes over territories. Although the official governmental motto has been, for decades now, that the Amazon is a big empty space ready to be developed,[1] the territory is historically occupied by hundreds of traditional

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[1] A recurrent discourse since 1750, with the division of the Americans between Portuguese and Spanish crowns; more recently emphasized by the Brazilian dictatorship

communities[2]—*quilombolas, ribeirinhos*,[3] and indigenous groups. The Amazon is neither the place of consumption of soybean products, nor is it where jobs are created and profits are kept, but it is the soil and the outflow path of a commodity that feeds cattle and production demands in places far from its borders.

Using the case of the Arco Norte, a Brazilian Amazonian grain outflow complex of road, railroad, and ports,[4] this chapter looks at processes of deterritorialization of local communities through soy production—a process coordinated by both the Brazilian state and by multiple sources of capital. Set within a vision of globalization where capital accumulation is driven by GVCs and their related infrastructure, these corridors of local–global product flow are seen in relation to the dynamics of the civic space, one involving a collision between the state, capital, and communities in these territories.

While transnational capital and the international demand for soy strongly determine the installation of the soy GVC and necessary infrastructure in the Amazon, the state also plays a decisive role. At the Brazilian end of the soy GVC, the state has become a most unambiguous supporter and underwriter of an agro-industrial model of exports and development. Moreover, the long-lasting developmentalist perspective of the Brazilian government in relation to the Amazon Forest has been accentuated even more since the Brazilian coup in 2016 and, especially,

starting 1964 (with a few exceptions). See: https://issblog.nl/2020/05/05/contesting-the-amazon-as-an-open-space-for-development-by-lee-pegler-and-julienne-andrade-widmarck/.

[2] In addition to the over 180 indigenous communities that inhabit the Amazon, there are other groups historically living off the forest in a sustainable way. In free translation, a few examples would be: riverbankers (*ribeirinhos*), seamstresses (*piaçabeiros*), açaí pickers (*peconheiros*), and maroon communities (*quilombolas*). According to the Brazilian Presidential Decree 1040/2007, Traditional Peoples and Communities are "all those groups culturally differentiated that identify themselves as such; that have their own forms of social organization, that occupy and use natural resources as a condition to their cultural, social, religious, ancestral and economic reproduction, using knowledge, innovation and practices generated and transmitted through tradition". See: http://www.planalto.gov.br/ccivil_03/_ato2007-2010/2007/decreto/d6040.htm.

[3] Brazilian riverside community dwellers.

[4] Rather than using the well-developed channel of soya movement from central Brazil to Santos Port then onto Europe/Rotterdam Port, the new highway seeks to carve its way up from Mato Grosso do Sul through the Amazon using (evolving) transport systems—to and along the Tapajós River and out of Brazil to Europe via the port of Barcarena.

with the election of Jair Bolsonaro. State and capital are, thus, important drivers that influence the dynamics of the disputed Amazonian civic space.

According to the Organisation for Economic Co-operation and Development (OECD), civic space is about policies, laws, institutions, and practices. The more individuals can freely express, associate, and assemble themselves, the broader and healthier the civic space.[5] This chapter argues that for traditional communities traversed by the soy GVC in the Amazon, civic space is also, and more fundamentally, a way of being and a right to be. Milton Santos (2006: 12) defines space as "an indissociable set of systems of objects and systems of actions." Territory is space, but appropriated, a space where there are rules, laws, regulations, defined material, or immaterial borders (ibid.). Following his argument, the civic space is here understood as an indissociable element of the material and social bases dialectically de/re-composing the Amazonian territory. It is, thus, where the different logics of social reproduction clash and concur over "policies, laws, institutions, and practices" of a territory. State and capital, based on their logic of capital accumulation, have intervened in these territories for over 500 years. Existing, within this context, already represents a form of resistance of these communities.

It is, however, not the only one. Throughout time, indigenous, *quilombola, ribeirinhos*, and other traditional communities have resisted in many other ways. Fighting state and capital to maintain their lives and their ways of living, these groups have resorted to an extensive repertoire of contestation such as blockades, marches, and occupation (Tarrow, 1998; Tilly, 1978). In recent years, however, many traditional communities have resorted to Convention 169 (C169) of the International Labour Organization (ILO). This ILO Convention on Indigenous and Tribal Peoples offers tools and strategies for communities to demand, from the state, the recognition of (i) their identities, (ii) their territories, and (iii) their rights. This tool, used in different contexts, has shown different degrees of success.

Two Amazonian territories comprise the case studies through which we here analyze the effects of the collision of GVC infrastructures, especially ports, with civic spaces. Each of these cases has its own social and political context and has involved resorting to the use of C169 at different levels. The core of this chapter is, consequently, the battle for space brought

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[5] See: https://www.oecd.org/gov/open-government/civic-space.htm.

about by the building and use of ports as nodes of logistics and distri-bution *versus* communities' rights. These rights are fundamental as they define access to and use of resources such as land and water. Within each of these case studies, we focus most specifically on the varied application and relative efficiency of C169 as an important rallying tool for voice and action against the impacts of the GVC on community identity, resources, and livelihoods.

2   CHARACTERISTICS OF THE AMAZONIAN CIVIC SPACE—WHERE AGENCY AND STRUCTURES MEET

Soybeans are celebrated as the expression of modernity in agriculture, as its production relies on the wide use of cutting-edge technologies such as advanced soil studies, genetically modified seeds, pesticides, chemical fertilizers, and machinery (Aguiar, 2021). In 2021, Brazil produced 362.947 million tons of soybeans in a planted area of 127.842 million hectares.[6] This same year, Brazil became the world's bigger grain producer, reaching 135.409 million tons,[7] ahead of the traditional leader, the U.S., whose production was 112.549 million tons.[8]

Although the history of soy in Brazil goes back as far as to the nineteenth century, it was only by the mid-1990s that soy reached the Brazilian Amazon (Costa, 2012). Aguiar (2021: 6) calculates that "in 43 years, Brazilian production expanded tenfold, jumping from 12 million tons (in the 1976/77 crop) to 124.8 million tons (in 2019/20)". This expansion in production, according to the author, was due, in part, to the increase of "5.3 times in the planted area: from about 7 million hectares in the 1976/77 to almost 37 million hectares in 2019/20″. This expansion of the planted area happened mostly in the regions between the Cerrado[9]

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[6] See: Dado registrado pela Embrapa Soja, disponível em (USDA). https://www.emb rapa.br/soja/cultivos/soja1/dados-economicos.

[7] See: Dado registrado pela Embrapa Soja, disponível em (CONAB). https://www.emb rapa.br/soja/cultivos/soja1/dados-economicos.

[8] See: Dado registrado pela Embrapa Soja, disponível em (USDA). https://www.emb rapa.br/soja/cultivos/soja1/dados-economicos.

[9] Commonly referred as the Brazilian Savanah.

and the Amazon, and in the Cerrado areas of the states of Maranhão, Tocantins, Piauí, and Bahia.[10]

This wide expansion of both production and planted area required a connection between capital and the Brazilian state to finance and regulate the building of outflow infrastructure. As Brazil exports have been historically dependent of roads, highways, and Southern ports, increased Chinese demand and the further expansion of production deeper in the Amazon brought about a fundamental change in the logistics of the Brazilian soy production. By restoring BR-163 road, building the Ferro Grão railroad and several ports in the heart of the Amazon, this multimodal infrastructure, the Arco Norte corridor, has redefined soy outflow routes in Brazil and changed global commercial routes—just as it has changed and impacted peoples' lives.[11]

The new routes opened by this logistical complex are the *apple of the eye* of Brazilian agribusiness, especially since the approval of law 12.815, from 2013, which allowed the establishment of private ports in the country, and the operationalization of third-party cargos. Between 2014 and 2020, the volume of soybeans exported grew the most in seven ports, all of them located in the Amazon region: Santana in Amapá; Itaituba, Barcarena, and Santarém in Pará; Itaqui in Maranhão; Porto Velho in Rondônia; and Itacoatiara in the Amazon state. Of the ports created in the Arco Norte, nine have fundamental importance in increasing the participation of the ports of the Amazonian region in total soybean exports in Brazil (see Table 1).

In these extensive areas of soybean plantation, traditional communities used to live off diversified agricultural production and forest areas with fruits, roots, wild fauna, and domesticated animals. The structural result of this agrarian transformation was called by Aguiar (2021: 15) the "expansion of a monotonous spatial phenomenon: regions dominated

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[10] Aguiar, D. (2021). Critical Dossier of Soybean Logistics: In defense of alternatives to the monocultural chain. (pp. 28). Rio de Janeiro: PHASE.

[11] Interviews with "Ernesto", May 13, 2019. All names have been changed to pseudonyms following recommendations of information confidentiality of participants, protection of their identities, and the use of interviewees' images and voices—complying with resolution 510 from the Brazilian Committee of Ethics in Research. See: https://conselho.saude.gov.br/resolucoes/2016/Reso510.pdf.

Table 1 Port terminals with soybean export activities in the Arco Norte flow route implemented from 2014

Terminals established from 2014 in Arco Norte	Location	Control	Product load of the soybean complex moved in 2020 (in tons)
Terminal Vila do Conde	Barcarena—PA	Hidrovias do Brasil S.A	5.509.862
Terminal Ponta da Montanha	Barcarena—PA	ADM of Brazil + Glencore	3.308.122
Terfron	Barcarena—PA	Parliament + Amaggi	2.418.445
Waterways of Brazil Miritituba	Itaituba—PA	Hidrovias do Brasil S.A	2.392.931
Portochuelo Grain Shipping Terminal	Old Port—RO	Ammagi	1.890.507
Terfron Itaituba	Itaituba—PA	Parliament + Amaggi	1.726.409
Cujubinzinho Station	Old Port—RO	Bertolini (Italy)	1.320.641
Cianport Miritituba Station	Itaituba—PA	Cianport	983.777
Port of Santana	Santana—AP	Public (Cianport operates a Private Use Terminal (TUP) within the port)	318.024

Source Diana Aguiar (2021: 28)

by the logic of agribusiness, demarcated by extensive monocultural landscapes for the production of meat, soybeans, corn, cotton and sugarcane on an industrial scale, to the detriment of family and peasant agriculture".

According to Costa (2012) and Aguiar (2021), the territorialization by these companies and soybean producers came at the cost of the deterritorialization of peoples and communities. With the newcomers and the logistical structures of the soy GVC, came land grabbing, land concentration, social inequality, deforestation, pollution, water exhaustion, erosion of biodiversity, and many other forms of violence. The script went, and still goes, as follows: first, expel indigenous and other traditional communities from their territory; then, open pasture lands for cattle and, soon after, start grain production, moving the cattle to newly grabbed land.

In each of these processes, soy plantations and the building of correlated infrastructure was met by resistance from traditional communities in the defense of their territories. They suffered multiple impacts caused by

the arrival of activities linked to the soy GVC, either in the implementation of production or in the implementation of logistics for the flow of this production.

A traditional form of resistance of many Amazonian communities affected by the soy GVC has been their insistence to remain in their territories.[12] As the logic of capital accumulation seems incompatible with the forms of life of these communities, insisting to preserve their means of living and physical lives is a form of resistance aimed at protecting both these communities and nature. Since 1989, nonetheless, the statement of rights codified by C169 has also been progressively incorporated into their resistance repertoires. The next section thus outlines the different ways and degrees to which Amazonian communities have incorporated C169 legislation into their struggles.

3 Convention 169 from the International Labour Organization: Where Resistance Meets Rights

To survive and to resist, Amazonian communities have amplified their repertoires over time. On the one hand, they began articulating in local and global networks, while, on the other hand, they started using international legal instruments as a tool for democratic resistance. C169 is one of such instruments. Among other rights, the convention regulates the preservation of the ethnic, cultural, and religious integrity of indigenous peoples, their original rights over their lands and over natural resources that there might exist, guaranteeing equal (human) rights between indigenous and non-indigenous peoples.[13] C169 also determines that governments must develop, together with the participation of the peoples affected, coordinated and systematic actions to protect said rights and their integrity.

The right to Consultation and Free, Prior and Informed Consent (FPIC) has been used as an important instrument in defending the right to traditional territories. The FPIC guarantees traditional peoples the

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[12] In the "Carta do Encontro das Águas", or "A Letter from where Waters Meet", free translation, 2019, more than 40 indigenous groups and allies state the importance of their right to be based on C169. See: https://saudecampofloresta.unb.br/wp-content/uploads/2019/06/CARTA-DO-ENCONTRO-DAS-%C3%81GUAS-ATUALIZADA.pdf.

[13] C169 stands out for its multiethnic and pluricultural inspiration, decisively surpassing the former ILO Convention 107, which adopted an assimilationist paradigm.

right to intervene in the proposition, formulation, and execution of any legislative and/or administrative measures that directly interferes and/or affects their ways of living and their territories. Aware of the power imbalance they are facing in this war for territories, traditional peoples have been building a network of support to force the Brazilian state to respect the right to FPPIC. This supporting network is composed of indigenous, *quilombola, ribeirinhos*, small farmers, rural workers' unions, youth organizations, international human rights organizations, the public prosecutor's office, public defenders, International Non-Governmental Organizations (INGOs), university students, and researchers, among others. This process has given communities confidence and helped facilitate the construction of so-called Free, Prior and Informed Consultation Protocols.

These Free, Prior and Informed Consultation Protocols have been developed by indigenous peoples and other traditional communities as defense mechanisms against attempts to unilaterally decide and implement projects that may affect their territories or put them at risk. By making use of the protocol as a legally guaranteed right, traditional peoples impose on the state the obligation to recognize their traditional forms of decision-making. It is also a legal instrument intended to effectively consider what traditional peoples think so that they can manifest and decide their own priorities.

The Free, Prior and Informed Consultation Protocol is an important instrument in two ways. First, through conversations about C169 and FPPICs, both law implementors and traditional communities begin a social process of knowledge accumulation and basis for a common recognition of their rights. Spreading and deepening the knowledge on these rights helps in their *dissemination*. Second, the process of discussion and elaboration of protocols works as a form of mobilization of communities and aggregation of interests of different agents (a process that might otherwise have been dispersed) in the defense of their territory. The protocols, thus, unite and keep communities *mobilized and politically organized*.

The first protocols date back to 2014: the Wajãpi Consultation and Consent Protocol (2014); Munduruku Consultation Protocol (2014); Mountain and Mangabal Consultation Protocol (2014). Since then, protocols have been growing in number and in importance. Between 2014 and 2022, there were 61 Free, Prior and Informed Consultation Protocols (see Table 2). These protocols involved more than 62

peoples of different ethnicities and more than 400 communities in the activities of mobilization, discussion, reflection, and elaboration. Protocols devised by other traditional peoples (*ribeirinhos*, fishermen, *quilombolas*, extractivists, settlers, pickers, gypsies, among others), brought together more than 250 traditional communities to their making. About 22 civil society organizations, 7 social movements, 15 government agencies, 7 public universities, and 13 international organizations have been involved in advisory, organization, production, and technical and financial support activities.

It is clear that, for many of these affected Amazonian communities, C169 has been a means both for organizing resistance and for demanding the effective implementation of their internationally recognized rights. They dispute "intrusions" and assert their claim on Amazonian civic space by directly contesting any legislation or policies that might affect their ways of living, in light of the ILO convention. Proactively, it means that any infrastructure plan (by companies) or permission (by government) is read using ILO lenses: communities demand to be informed, to be considered, and to be heard in such a way that the whole community, having clearly understood the matter, is able to participate and decide. Reactively, when these communities see that their concerns or demands

Table 2 Quantity of Free, Prior and Informed Consultation Protocols—FPIC/Convention 169-ILO, by year of approval—2014–2022

Year of approval	Quilombola	Indigenous Peoples	Traditional Peoples and Communities	Sets: indigenous, Quilombola and traditional
2014	02	00	01	00
2015	0	00	00	00
2016	01	01	00	00
2017	03	02	05	00
2018	04	03	02	00
2019	09	01	02	01
2020	04	04	01	01
2021	02	02	03	01
2022	02	00	01	00
Sem data	01	00	02	00
TOTAL	28	13	17	03

Source Previous Consultation Protocols, 2014–2022. See: http://observatorio.direitosocioambiental.org/

have been overlooked, they will, many times, file suits together with the public prosecutors' office. As discussed in this chapter, through time, these groups have had different degrees of success when resorting to C169.

4   Lower Tocantins: Barcarena and Abaetetuba

Barcarena, a municipality with about 127 thousand people situated on the Pará river, is a very important node of the soy GVC. Given its location, both very close to the capital Belém but with waters friendly to deep-draft vessels, it is a strategic location for the outflow of huge amounts of ores, cattle, oil, and, especially, soy.

The territorialization of the soy GVC there was preceded by the mining industry. In the 1970s, during the Brazilian military dictatorship, a large area of the municipality was destined for the alumina and aluminum industry and its related ports in a top-down autocratic governmental decision. The industrial complex was established with no room for dissent and a lot of violence. The state intervened heavily to make it happen, calling it "development" while giving away permissions, land, and infrastructure to multinationals such as Vale, Imerys, Hydro, from countries like Japan, the Netherlands, France, Norway, and Brazil (Hazeu, 2015).

The area quickly became a battlefield. Communities were expropriated and divided by State Companies of Economic Development, which sold the ground to corporations, leaving the remaining residents isolated and surrounded by industrial activity. Some families were partially compensated, others were resettled in small urban lots, and others were given agricultural plots in remote, poor areas. In common, they have the fact that they were all expropriated from their lands and means of living. Many families got neither lots nor compensation and were forced to seek housing and subsistence completely on their own.

The communities, although displaced and scattered, got politically organized and requested a revision of these "agreements". Starting from the 2000s, some groups managed to retake parts of their expropriated land that had not yet been occupied by industrial activities. There were various conflicts with security guards and police forces, who removed people every time they tried to return. Many of these conflicts generated legal battles, giving some of these communities and their descendants part of their land back. Five of these territories (Burajuba, Cupuaçu, Conceição, Gibrie de São lourenço, São João) fought and succeeded

in being recognized as *quilombola* communities. Many other territories still haven't had their traditional identities recognized, a legal requirement that would guarantee their permanent residency in the area (Canaã, Tauá) (Hazeu et al., 2019).

This story of a territory invaded by mining, however, has now been relived through the impacts of the soy GVC, which has taken advantage of the infrastructure already built by the state and the mining industry in the past. Once again, Barcarena gained attention and investments due to its strategic location in relation to plantations and the markets of soybeans and palm oil. Not only was the location excellent, but the state also offered very attractive tax exemptions, investments, and partnership opportunities with the local municipality.

Two sites already have port terminals installed or planned. There are still several licenses for the installation of (approved) ports in areas already sold and destined for companies trading manganese, gas, and soy (this last by the ADM Company). However, despite this historical and continuous occupation of the riverbanks, the ports needed more space. The solution came from a "silent" change in the designation of the rest of the border of the river. A federal decree was signed establishing that all the Pará river coast of Barcarena was suitable for large-scale port projects (Brasil, 2004). This decree not only furthered the displacement of fishing communities, but it also effectively barred their access to the river.

Already enduring the consequences of the mining industry, its ports, the building of roads, energy lines, and pipelines, the territory of Barcarena became subject to legislative revisions which allowed it to accommodate the interests of soy exporters. Entrepreneurs and companies began to develop port projects and purchase the necessary lands and goods well before any of the communities ever knew their ancestral territory was set to become dominated by Unitapajos (a joint venture of Bunge and Amaggi) and Hidrovias do Brasil (Rodrigues et al., 2019).

Having occupied virtually every waterfront location in Barcarena, importers of fertilizers and pesticides for the soy plantations used the same ports and settled their industrial plants in nearby areas, also displacing residents (e.g., Yara, Tocantins Fertilizantes and Fertz Fertilizantes, among others). Abaetetuba, a neighboring municipality, also started to be targeted for its riverbank locations (Hazeu et al., 2021).

Affected communities resist and organize themselves against the impacts. In the 1970s and 1980s, resistance groups linked to the defense of the Amazonian territory were mostly engaged with direct action against

the corporations. In the 1990s and 2000s, due to major environmental disasters and increased environmental awareness by the population and workers, there was a change in the scope of their repertoire, which now included, in addition to the struggle for their territories in themselves, a discourse and focus on the environment (Hazeu et al., 2019).

The end of the 2000s to the mid-2010s, saw a growth in territorial battles and traditional occupations of territories via the organization of traditional peoples in the defense of their rights and its reflection in judicial processes and conflict. The identity element came to be more explicitly added to disputes related to community's concrete relationship with land and the defense of their possession and permanence on it. The more recent period is also characterized by direct confrontation with companies within the industrial-port-urban complex by traditional communities and the expansion of their connections with broader community groups. These groups include university employees, lawyers specialized in environmental law, public prosecutors focused on the environment, agrarian action groups, as well as direct action via participation in committees, street blockades, and demonstrations.

Resistance in the municipality has always been organized within the territory, without initially emphasizing its indigenous, *quilombola*, and traditional roots. With the exponential expansion of the occupation of their territories, and especially of the rivers and borders, the fight for formal recognition as *quilombolo* communities started. For instance, occupation, resistance against forced reintegration, interventions by prosecutors, and the efforts of a prominent anthropologist and the foundation for *quilombolo* rights (Fundação Palmares) led to the recognition of five *quilombolo* communities.

There are nonetheless more than 30 traditional communities, with different backgrounds and identities in this region. To guarantee their rights as traditional communities, other tactics were sought in the global contestation repertoire, i.e., the use of C169. Initially, access to rivers and their traditional territories were a simple part of life, historically and naturally always available. Once the soy GVC arrived, communities understood that they had to position themselves within this dispute. By sharing information with other communities resisting the soy GVC in the Amazon, the struggle gained momentum and came to be supported by the international recognition of their rights.

At this time, in the neighboring municipality of Abaetetuba, recognition as a *quilombola* was already part of the repertoire of local groups,

as was the elaboration of Free, Prior and Informed Consultation Protocols based on C169. They had observed earlier conflicts and were thus less surprised and better prepared and connected than communities in Barcarena in the 1980s and 1990s.

In Abaetetuba, in 2021, *quilombola* and riverside communities organized a mobilization against the Cargill port for soy export. One of their strategies was to draw up a C169 FPIC. Another strategy was for direct action, making it impossible for the company to install equipment in the area. One of the first steps Cargill took in response was to release a video praising the benefits the private port (TUP) would bring to the region. Local leaders and other civic partners took the opportunity to debate and orchestrate a concerted reaction. A second step by Cargill was to physically surround part of the Capim river with mooring buoys for the barges. Not only did this happen without the consent of the communities, but it also effectively barred communities from their fishing activities. Riverside families then responded by closing the river with their boats and canoes, preventing the companies from further installing buoys (Farias et al., 2020).

These examples suggest that, at times, the voice of affected communities speaks very loudly. The marginal number of temporary and precarious jobs generated by the port will never compensate for the loss of food security and access to the river, for the inability to fish, or plant and harvest, or for their expropriation and resettlement in far away, poorer regions. It is by remaining in their territory that they resist. It is by returning to the land from which they have been expelled, that they fight. The tools provided by C169, as well as the clear statement of traditional communities' rights in this convention, have proven to be of considerable value for many of Amazonian groups resisting the soy GVC in Barcarena and Abaetetuba. Although facing a different context, the Lower Tapajós region is also an interesting case of how a changing civic space can be challenging to traditional communities—and how C169 has been integrated to their fundamental struggles.

5   Lower Tapajós: Santarém, Itaituba and Miritituba

Santarém is a city of 306 thousand people, where the Amazon and the Tapajós rivers cross. In the heart of the Amazon Forest, Santarém's role in soy GVC is more one of outflow than of production per se. This mid-way

character, however, does not make it easier for traditional communities fighting the onslaught of state and capital over their lands. Put in numbers, the land conflict in Pará is so sharp that this Brazilian regional state hosts three units of the public office for land delimitation—every other of the 26 states have only one. Yet, what we see in Santarém is an earlier and somewhat more organized and proactive set of responses to these challenges to traditional territories. A dynamic "action-response-counteraction" process has been evolving and is still growing with much influence of C169.[14]

State and capital resort to a plethora of strategies to develop soy GVC-related infrastructure: (1) the (re)organization of public spaces for private purposes; (2) the non-recognition of traditional lands and identities[15]; (3) forced migration; (4) the bribing of public representatives; (5) lack of transparency; and (6) cooptation. Most of these processes are, of course, intertwined, as are the strategies of resistance to them, where the application of C169 is of paramount relevance.

The (re)organization of public spaces for private purposes is one of the most encompassing strategies of expropriation and displacement of traditional communities in Pará. The Planification Act[16] (PA) is a mid-term form of legislation aimed at structurally (re)organizing the urban development of municipalities in Brazil. Community participation is mandatory to the process, but their demands, recommendations, and concerns are not binding to its approval.

The dangers of this consultative character of the PA were evident in 2006, when Santarém's City Council voted to turn environmental reserves into private land for soy expansion. Despite massive participation and protests from small-scale farmers and indigenous communities, it only took a year for these lands to legally become soy plantations. The same goes for the port of Maicá. Until 2017, the area where the proposed

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[14] Although we mainly discuss here the most recent developments in Santarém, it is important to mention that deforestation, expropriation, and violence related to soy production dates at least from the 1980s, when Cargill built its port and silo there, on an archaeological site. Currently, Cargill's port exports around 2.5 ton of soy per year to China, Europe, and India.

[15] The recognition of traditional identities is relevant to the delimitation of their lands. By failing to recognize these identities, the state makes it harder for tradition communities to pursue legal action and recognition of their territories.

[16] *Plano Diretor* in Brazilian Portuguese.

port should be built was legally a Permanent Area of Protection (PAP),[17] meaning no port or related facilities were allowed to be built. Given this legal protection, social movements and a local NGO[18] managed to halt the building of the port.

On the one side, civil society organizations argued, then, that the region was legally protected, as it was a PAP. On the other side, the enterprise neither had the required environmental licensing nor had the communities been previously consulted, as demands C169. By the end of 2018, the City Council had already changed the PAP status of the Maricá area. By 2019, the PA made the building of the port legal.[19] This process of making the illegal legal by changing the PA then became a trend. Atemps, a company also operating in the region, used the same modus operandi to try to build its port.

Resistance to these enterprise proposals came from the public prosecutor's office, which demanded C169 based free, previous, and informed consultation and by a class suit filed by a Federation of *Quilombola* Organizations, an indigenous council, and an NGO.[20] Furthermore, the communities of MuruMuru, MuruMuruTuba, Jardim, and Tiningu have developed a Previous Consultation Protocol based on C169, but there is still great risk that the building of the enterprises will continue.

The construction of the Atemps port will also endanger the Borari,[21] another indigenous group from this region.[22] In 2009, they requested the legal recognition of their territory, Alter do Chão, without success.[23] Due to the gentrification of their land (via a new hospitality hub) and the expansion of soy, the Boraris have been through a process of "*aldeiamento*",[24] which means the resettling of their communities into

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[17] "Área de presernvação Permanente" or APP in Brazilian Portuguese.

[18] The NGO is called "Land of Rights" or *Terra de Direitos* in Brazilian Portuguese.

[19] Interview with "Chico", June 11, 2019.

[20] The Santarém Federation of *Quilombola* Organizations (FOQS), the Conselho Indígena Tapajós Arapiuns (CITA) and Terra de Direitos (TdDs).

[21] Interview with "Chico", June 11, 2019.

[22] For the Boraris, there's a correlation between physical integrity of indigenous people and their territory, so their proposal is to maintain biodiversity and lands for their people and retake lands. Lands are also related to ancestors and original people's capacity to keep memory and history alive.

[23] Interviews with "Ernesto", May 13, 2019.

[24] The literal translation from the Brazilian Portuguese is "villaging".

other indigenous groups. The delimitation of the Borari's territory is, after all these years, still under consideration at the jurisdictional level.[25] The state, by failing to recognize the Borari's traditional lands, supports the expansion of the soy GVC.

Not recognizing traditional lands is but one of the legs of the state's power over these communities' rights. One step further toward the recognition of their rights would be the legal validation of their identities. While communities file, fight, and wait for this recognition, there is a strong veiled campaign by key drivers of the soy GVC to undermine these identities. It is not uncommon to hear claims that *quilombolas* are faking their history, that indigenous communities do not exist anymore, or that black peoples are masquerading as *quilombolas* to get access to land. In the support of these communities, the public prosecutor's office launched a technical note reaffirming the existing definitions of traditional communities in legislation.

This "cat-and-mouse" process of claim and counterclaim illustrates the dynamic behind this crucial social and environmental context. On the side of these legal battles, lack of transparency, cooptation, and bribing remain in a consistent supporting role. For instance, when research evidence of environmental impact was noted, the document, necessary for an informed and previous consultation process, could not be downloaded. Companies, like Embraps, spent significant resources promoting their narrative, organizing conferences, and lobbying organizations such as the Brazilian Bar Association.[26] A former mayor of Santarém, Lira Maia, had his campaign strongly supported by soy producers.

One must also not disregard the role of propaganda in the co-optation of these communities. In contexts of severe scarcity, big capital arriving with the promise of bringing a future with safe/effective pesticides, the correction of the soil, and abundant technology, can be convincing. The region will develop, the story goes, and so will its peoples.

Little is said, however, about the consequences of the implementation of such dreamed modernity in traditional lands. For example, the health system in Santarém was prepared to take care of the growing number of people intoxicated by pesticides[27] but it is unclear if this is sustainable as

25 Interview with "Dorcelina", May 13, 2019.

26 Ordem dos Advogados do Brasil in Brazilian Portuguese.

27 Interview with "Eduarda", June 18, 2019.

research has shown that the glyphosate in groundwater might have already reached the igarapés (river tributaries), making it impossible for those who stay to survive. Indeed, as territories are being invaded by soy production and correlated infrastructure, migration to urban peripheries is rampant (e.g., Juá). For the affected communities, the loss of their historical lands has thus been coupled with moving to places areas where this exodus has impacted crime, prostitution, and the prison system.[28]

New larger projects are under way. Traders are financing the Ferro Grão railway through public–private partnerships. In the context of this project, around 30 ports should be built. The right to previous and informed consultation, a right emanating from C169, has been able to halt some of these enterprises, but there is still a long way to go for these communities to have their rights, lands, and identities (i.e., their civic space) secured.

In a similar way, in Itaituba and Mirituba, twin cities across a river, disputes include: the lack of licensing from private initiatives, inaction from policy makers, ports in the hands of public–private consortia, the criminalization of activists, militias, the (re)organization of public spaces according to private interests in closed door meetings, a boom of private ports, the loss of subsistence for local fishermen, a risky environment with plenty of accidents for locals, and a series of formal documents that provide no real improvements to peoples' lives.

What distinguishes these two cities from Santarém is the fact that the geography of the area is less suitable for soy plantations. It is thus clearly more a logistical hub and silo location than a production core. There, however, key drivers of the soy GVC combine with the impact of small-scale miners, who exert great influence in the process of expropriation and assault of traditional communities' rights and territories.[29]

The port of Itaituba has the same history of conflict as other ports we visited in Santarém: the port and much of the land is under legal dispute, an environmental license is missing, public prosecutors are involved in an attempt to legally support traditional communities, and port construction has led to intensive migration to urban peripheries.[30] Part of the port is

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[28] Interview with the Public Ministry, June 14, 2019.

[29] One could say that while Santarém is about conflict over land and resources, Itaituba and Mirituba are dominated by the raw and hegemonic of the miner.

[30] Interview with the Public Ministry, June 14, 2019.

owned by Blairo Maggi, an influent politician, lobbyist, landowner, and soy producer/exporter in Brazil.[31]

Indeed, up to seven ports[32] are operating in the region and 70% of the local economy is dominated by the mining sector, most of them owners from São Paulo.[33] The expansion of soy and mining is promoted by both state and capital, and resistance to their activities is persecuted. For instance, the Movement of Peoples Affected by Dams[34] has been repeatedly framed as a movement against progress, contrary to sustainable development—even as a terrorist group.[35]

As in Santarém, in this region a PA was also drawn up without the participation of civil society: in this case, however, it was discussed behind closed doors in a hotel. According to an activist informant, not only did this PA disrespected C169 and several Brazilian environmental laws, but the local department who was supposed to regulate the issue specifically promoted public audiences clearly favoring the construction of ports.[36] Here, even if public prosecutors would take the side of traditional communities, as in Santarém, there are too few resources available for effective opposition.[37]

C169 has been permeating the claims of the affected communities of Itaituba and Miritituba, as it has in Santarém. In the twin cities, however, the ILO Convention is under attack much more often. In both cases, though, C169 has given solid grounds and international recognition for communities to reclaim their historical identities and lands.[38]

6   Conclusion

The two case studies show that engagement with Amazonian civic spaces is quite heterogeneous. At times, prominent local protagonists and a

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[31] Interview with "Helenira", June 18, 2019.

[32] Such as Betolini (balsas), Bunge, Hidrovias, and Cargill. Interview with Tucuruí, colônia de pescadores, October 27th, 2019, and Fred (Mab), October 26, 2019.

[33] Interview with "Márcio", October 26, 2019.

[34] MAB in Brazilian Portuguese.

[35] Interview with "Márcio", October 26, 2019.

[36] Interview with "Márcio", October 26, 2019.

[37] Interview with the Public Ministry, October 27, 2019.

[38] Interview with the Public Ministry, June 10, 2019.

few international NGOs have spearheaded an anti-chain view. At other times, local NGOs focus on the environment or on indigenous/farmer-fishermen rights. Various agencies of the state provide zoning and technical advice and sometimes, also support. These network responses themselves also vary per local context.

Despite context-based hierarchies of power, there is evidence that some groups are developing the core for what might be called a social movement. Their opponents are easily identifiable, and their repertoires of contention often go beyond just politics to issues of material, social, and cultural significance. The use of Convention 169 and consultation protocols by traditional communities constitutes strategies within historical processes of existence as a standpoint, in the face of state colonization and capital accumulation.

It is not the emergence of a new civic space, but a new form of struggle, using civic weapons, within constrained settings. The use of C169 is an amalgam of legal, juridical, and political instruments that were created in a spirit of participation and via international pressure on behalf of traditional communities. It has occasionally opened, within the limits and contradictions of each territory, new spaces for participation, autonomy, and resistance.

The bases of traditional communities' struggles remain the same, or are even strengthened and become more evident, being their collective identities, ways of living, occupation, and traditional use of the territory. As with all instruments and strategies, in the cases studied here, these tools are situated within complex and contradictory fields of interest, where the state, through legislation, policies, and judicial decisions, interferes and is present. Moreover, the interests and actions of capital often advances over communities and the state. In such complex settings, the results of applying C169 are unpredictable.

The cases discussed in this chapter are all linked to the soy GVC. Access to information on international legislation that guarantees rights gives legality to their struggles and has strengthened organization and resistance in all the territories. It was also observed that first contact with this legislation occurred at different conjunctures. Consequently, the use and application of C169 has differed depended on various factors including the existence of external interlocutors that can support the process, as well as the position of the public prosecutor. While the public prosecutor is expected to be a formal guardian of collective rights, at times their actual role tends to be aligned with the interests of traditional communities,

whereas, at other times, they act in accordance with the developmental interests of state and capital.

Achievements from specific contexts stimulate and inspire other communities in the region, but at the same time provoke further attempts from both state and capital to react and enforce their interests. As an international instrument, the application and use of the convention by communities has expanded the struggles of local conflicts to national and international dimensions and possibilities. The dynamic battle over understandings of the Amazonian civic space will undoubtably continue. It is a battle between one that is vivid and that encompasses the active participation of traditional communities versus another that sees the Amazonia as an empty space ready for investment and capital accumulation. Due to the historically violent forms of integration of the Amazonian territory, civic participation as understood by the traditional communities investigated here is an intrinsic part of their lives and ways of being—not an individual choice. The struggles over the appropriation of civic space have been constant, but their integration to more or less formal ways of disputing civic space will vary. Whether C169 will remain an important tool in support of traditional communities in their rightful struggle for their lands and rights cannot be foretold, but it is undeniable that the convention is already an indelible part of the Amazonian civic space.

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Local Civil Society Initiatives for Peacebuilding in North-East Congo

Niamh Gaynor

1   INTRODUCTION

The Democratic Republic of the Congo (DRC) is the site of one of the most egregious conflicts in modern times. Fuelled by a violent political economy of mineral and natural resource extraction, the lengthy cycle of violence and intimidation has resulted in the highest death toll in any war since World War II. Shortcomings of internationally sponsored peacebuilding efforts in the region have led to a local turn in peacebuilding literature and practice where a role for community groups in local conflict resolution and development is being promoted (Autesserre, 2010; Mac Ginty, 2008; Richmond, 2011). Working together across ethnic, gender and class-based divides, in tandem with local political authorities, such groups have the potential to (re-)build trust and solidarity within fractured communities.

This chapter draws on fieldwork conducted with seven community groups, six local CSOs, 13 local political authorities and 22 randomly

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selected individual community members which explored the successes and limitations of local civil society initiatives implemented by the mentioned groups and CSOs for peacebuilding in Ituri Province in north-eastern DRC.[1] While acknowledging the importance of local initiatives for peace-building, the chapter argues that, in situations where national and global forces interact with local actors, local civil society actions on their own can only do so much as they remain constrained by both state failure in support for public service provision and a militarised culture of violence and intimidation, both of which are both linked to and symptomatic of a globalised political economy of extraction and violence. The experience of Ituri is that local actions need to be accompanied and supported by national and global actions which, acting in support to and in solidarity with local communities, challenge and address the globalised political economy of conflict. This means (re)politicising interventions and engaging with the global actors engaged in resource extraction, as well as working in greater cooperation with local actors in land reform, service provision and resource management. In the absence of this, local civil society initiatives remain limited to conflict containment rather than conflict transformation.

This argument is developed as follows. In the following section, I review the recent literature on peacebuilding and the role for local agency and action in this regard. I highlight the links between this literature and the earlier 'participatory' turn within development studies and suggest that, while the focus on local agency and power dynamics is welcome, there is an associated tendency to ignore the broader structural contexts of inequalities and grievances. I then go on to focus on the specific case of Ituri in North-Eastern DRC where I argue that a complex interaction of global, national and local political forces lies behind the ongoing environment of inter-ethnic tensions, distrust and hostilities. Drawing on my field research with community groups, local authorities and local CSOs in the region, in the fourth section I outline the principal activities and approaches adopted by local groups in attempts to (re)build trust and accountability, mitigating the conditions for further unrest and violence. The successes and limitations of these are discussed. I conclude

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[1] The fieldwork arose from my conversations with members of three local CSOs at a conference a year earlier in Kinshasa. In particular, I was interested in local CSO's analysis of and attempted actions in relation to the internationalised extractive roots of the region's conflict.

the chapter with some thoughts on what the findings mean for local civil society agency and scope.

2   The Local Turn in Peacebuilding

The disappointing outcomes of liberal peacebuilding approaches worldwide have led to a 'local turn' in peacebuilding literature, policy and practice. Scholars such as Mac Ginty (2008), Autesserre (2010) and Richmond (2011), among others, argue that the liberal peacebuilding paradigm privileges the aims and interests of international peacebuilders over those of local communities, resulting in hierarchical, top-down approaches to peacebuilding which minimise or negate the space for local, indigenous approaches. As Autesserre, in her detailed, comprehensive and compelling analysis of the UN's mission in the DRC notes (Autesserre, 2010: 95), 'the main reason that the peacebuilding strategy in Congo has failed is that the international community has paid too little attention to the root causes of violence there: local disputes over land and power'. She, together with a range of other commentators (see, for example, Kisangani, 2006, 2010; Englebert & Tull, 2008; Larmer et al., 2013; Trefon, 2011), has called for greater support to more locally rooted, community-based peacebuilding initiatives.

This relatively recent local turn in the peacebuilding literature reflects many of the concerns of the earlier participatory turn within development literature, policy and practice in the 1970s wherein development interventions were heavily critiqued for their top-down, hierarchical, Western-driven agendas and mechanisms. Giving little attention to local agency and voice, these often resulted in inappropriate, ineffective and largely unsustainable development interventions (Chambers, 1997; Cornwall & Gaventa, 2001; Gaventa, 2004). Again, greater support for more locally rooted, community-based initiatives were exhorted, although attention was drawn by some to the need to seek to comprehend and engage with local power dynamics and their associated inequalities, with participation being charged with the label of 'the new tyranny' by some (Cooke & Kothari, 2001).

This more recent turn in both peacebuilding literature and approaches has been critiqued by a number of scholars on two principal grounds. First, it is argued that what precisely constitutes 'the local' is poorly understood and operationalised. And second, it is noted that 'the local', however constituted, always exists within the context of broader national,

regional and global dynamics (Autesserre, 2010; Mac Ginty, 2010; Richmond, 2011). Such critiques have resonances with other important associated concepts employed in the development field such as 'participation' and 'empowerment'. As Cornwall and Brock (2005) have argued, such overloaded concepts or 'buzzwords' can be spun in ways which negate the political roots of peace and development challenges, thereby ignoring some of the key drivers of conflict. In this chapter, I suggest that this is indeed the case in Ituri. My findings suggest that international approaches supporting local civil society actions, while successful, to a degree, in healing local grievances and divisions, tend to treat local actors as implementers of external agendas rather than local political actors in their own right, thereby ignoring the globalised, and highly politicised, extractive political economy which forms the context for such grievances in the long run. Such civil society capture, where international donors view local actors as implementers of their agendas rather than independent political agents (Mac Ginty & Richmond, 2013), restricts the parameters for local civic agency, effectively reducing the civic space.

3   Ituri: A Globalised Political Economy of Conflict and Predation

Taking its name from the Ituri river, Ituri is a richly endowed province in North-Eastern Congo with a population of over four million. The province has been the site of some of the bloodiest fighting and gravest atrocities in Eastern Congo since conflict first erupted there in 1999. Tens of thousands of civilians have been killed and hundreds of thousands displaced in waves of massacres and militia attacks (Human Rights Watch, 2003). During the worst years of the conflict, from 1999 to 2003, an estimated 50,000 to 60,000 people were killed and a further 500,000 were displaced (Human Rights Watch, 2003; Amnesty International, 2003: 15) as local rebel groups and warlords joined forces with Ugandan and Rwandan actors and networks to gain control of the district's mineral wealth. Following a period of relative stability in the mid-2010s (during which time the fieldwork underpinning this chapter was carried out), violence again broke out in December 2017 and has continued since. Hundreds of civilians have been killed and tens of thousands more have been displaced, many for a second or third time since the violence first erupted in the province (Human Rights Watch, 2020). With tensions and violence escalating, in May 2021 a 'state of siege' was announced

by the Congolese President in both Ituri and neighbouring North Kivu provinces[2].

Popular commentary, as with African conflicts more broadly, tends to attribute violence in the province to ethnic tensions alone, notably between the agriculturalist *Lendu* and the pastoralist *Hema*. However, the ongoing violence actually stems from longstanding issues around the control of land and natural resources, in particular, competition over the provinces' small-scale open pit gold mines. Mined in perilous conditions by locals hoping to earn a paltry few dollars a day, Ituri's gold has long been a lucrative source of wealth for ex-rebels, politicians and Congolese military officials who, exploiting local tensions to gain control of the mines, are involved in transnational networks of gold smuggling (Human Rights Watch, 2020; Vlassenroot & Raeymaekers, 2004). This globalised violent political economy of extraction has knock on effects in terms of state failures in service provision and a militarised culture of intimidation and violence which makes daily life for many Iturians difficult and risky. Yet, international efforts aimed at stabilising the region have failed to address these issues in any way (Anten, 2010; Autesserre, 2010; Hellmueller, 2014; Tamm, 2013). As a local CSO representative[3] put it to me in 2014, 'Ituri today is a zone of neither war nor peace' with the exploitation and expropriation of the district's natural resources by new networks of internal and external '*resource entrepreneurs*' continuing apace (Vlassenroot & Raeymaekers, 2004: 385). The continued failure to address the ambiguous and easily manipulated land tenure laws leaves a legal vacuum whereby powerful vested interests override the rights of ordinary Iturians seeking to sustain a livelihood for their families (author interviews CSO representatives and focus group discussions 2014; see also RCN 2009). The illegal timber harvesting in the forests of Mambasa (author interview and personal correspondence RCN 2014); the insecurity around the gold mines towards which former militias gravitate[4]; and local tensions around the secret oil deals reportedly signed between

[2] See https://www.france24.com/en/africa/20210501-dr-congo-declares-a-state-of-siege-over-worsening-violence-in-east.

[3] The representative was from Réseau Haki Na Amani (RHA).

[4] Companies are reported to include the British companies Kibali Gold Mines, Ashanti Gold Kilo (AGK), Auris Gold and Kilo Gold; the British and South African company, Muana Africa; and the Canadian company Loncor—author interviews Kilo and RCN, 2014; see also IKV and RHA, 2012.

Kinshasa and a range of international oil companies for prospecting rights in Lake Albert[5] all serve to fuel local grievances. Communities witness this ongoing external appropriation of their resources in the context of poor and/or non-existent public services and widespread intimidation and violence.

This failure to address this globalised political economy of violent extraction and conflict, led to fresh outbreaks of violence and unrest in late 2017. A group of local militia from the *Lendu* community, calling themselves the *Cooperative for the Development of the Congo* (CODECO), have claimed responsibility for this[6]. Their grievances are reported to centre around two principal issues. The first is land ownership (specifically a reclamation of land allegedly stolen by the *Hema* in the context of the ongoing failure to address problematic land tenure laws). The second is the foreign exploitation of local resources (International Crisis Group, 2020). The United Nations estimate that national and transnational actors have illegally extracted billions of dollars' worth of gold over course of the war. In 2019 alone, an estimated 1.1 tonnes of gold were smuggled out of Ituri. This would have earned the province up to $1.88 million in taxes if it has been legally exported, facilitating the funding of much needed infrastructure and public services throughout the province (UN, 2020). The Africa Report (2020) also attributes the recent spate of violence to the continued exploitation and expropriation of the province's natural resources, in particular, by new networks of domestic and transnational national resource entrepreneurs supplying global chains as far as Dubai and Switzerland where gold from Ituri can end up as gold bullion bars for sale on the international market (Africa Report, 2020). Ituri's violent extractive mining economy is illustrative of both the globalised nature of what are often framed as local atrocities and the impact of this globalised economy on peoples' everyday lives and livelihoods.

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[5] Companies are reported to include Heritage Oil, Tullow Oil, Total, Divine Inspiration Consortium, H-Oil Sud, Congo Petroleum and Gas, Caprikat and Foxwhelp (Pottier, 2003; Cafod & Trocaire, 2012; author interviews RHA and RCN).

[6] While this suggests ongoing ethnic tensions, it is important to note that this group appears to be comprised of youth militias alone and *Lendu* leaders have distanced themselves from it (International Crisis Group, 2020). This, as noted below, indicates a level of success of local civil society initiatives.

4 Local Civil Society Responses—Successes and Limitations

Reflecting the localised turn in peacebuilding more broadly, one approach in the region, in the aftermath of the 1999–2003 atrocities, was international support, channelled through local CSOs, to local communities. A number of other international actors and local and national actors also operated in the region at the time although their interventions were often focused on humanitarian assistance rather than peacebuilding per se. Meanwhile UN operations remained largely limited to peacekeeping and stability rather than broader peacebuilding (Berdal & Ucko, 2015; Hellmueller, 2014). The peacebuilding initiatives examined in this research were carried out through a number of local community groups (some previously in existence and some newly formed). The seven community groups analysed here comprised between 10 and 24 members. They are made up of a diversity of people from different ethnic groups (including *Lendu* and *Hema*, but also *Alur, Buri, Babira, Nyali* and *Wangiti*) and social classes. Four were mixed gender groups, and three were women's groups. The groups were formed at different times, from 2003 to 2014. While some members had been approached and asked to join, others had joined of their own volition. All groups continued to meet and function from the time of their establishment, although their composition varied somewhat, reportedly due to members' own changing personal circumstances.

Training workshops in conflict management and rights-based approaches (notably women's rights) were provided to all groups by local CSOs. These local CSOs, in turn, were funded by a number of international NGOs, although funding and hence training workshops have been somewhat sporadic. The fieldwork which forms the basis for this chapter consisted of focus groups and individual interviews with group members from the seven groups, together with interviews with local political authorities, CSO representatives and randomly selected community members. Focus groups and interviews with community group members sought, in particular, to explore how and why members became involved; how groups functioned; their strategies and activities; and their impacts. Interviews with other respondents sought to explore the broader context for local community actions including their interactions with local political authorities.

4.1   Civil Society Responses

Community groups carried out four principal activities, two of which reflected the priorities and strategies of their supporting CSOs and donors, and two of which reflected their own priorities and strategies of operation. One of the key activities—notably in the immediate aftermath of the 1999–2003 conflict—was a common peacebuilding approach supported by CSOs and donors in the region. In collaboration with local authorities, this involved the organisation of community *Baranzas* in different villages and jurisdictions. A *Baranza* is a traditional large-scale community meeting where issues are debated and discussed at length. These *Baranzas* focused on the causes of and mobilisation strategies employed during the conflict and aimed at mitigating the possibility for people to be mobilised and manipulated in a similar manner again. A second activity carried out—notably by the women's groups—again reflected international donor strategies for assistance and support to victims of gender-based violence. While this was a core activity in the immediate aftermath of the 1999–2003 conflict, it remained, at the time of fieldwork, a common activity still, with members of community groups offering support and advice to both victims and their partners and referring victims to appropriate services and redressal mechanisms as appropriate. These activities were now generally carried out in the absence of donor supports or assistance.

Two other activities came from the community groups themselves. One was assistance and support to local authorities[7] in both managing local disputes and conflicts, and in implementing local development projects and activities. Another involved attempts to reduce the additional costs and 'fees' associated with everyday life. Examples in this area included attempts to secure reductions in school 'fees', together with attempts to reduce road 'taxes' at military blockades. Among the many immediate economic difficulties faced by families is managing to pay local school 'fees'. The lack of state investment in education, as in all other social sectors, means that teachers' salaries remain extremely low and sporadic and there is no public infrastructural expenditure. Education has

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[7] Local authorities in Ituri comprise a hybrid of traditional (hereditary) and modern (appointed) leaders. Little distinction is made between both by local communities, and, in the absence of functioning state structures, these are the sole political authority in the province.

consequently been, de facto, privatised. In the sites visited, primary school 'fees' are approximately $3/month; secondary school fees approximately $6/month; and university fees approximately $450 per annum. Group members attempted to negotiate these fees to bring about a reduction and greater affordability. An additional daily expense is that of road 'taxes'. All roads in and out of towns and villages are blocked by armed military who levy a tax on travellers (typically 50c-$1), reportedly discharging their weapons if they attempt to pass without paying. For women selling produce in local markets and regularly travelling, the costs quickly escalate. Again, attempts were made, notably by female group members, to negotiate these costs to make travel to markets more affordable and possible.

4.2   Successes

Three main successes of these activities can be identified. First, support to and solidarity with victims of gender-based violence was, at the time of field research, ongoing and a much greater awareness of the egregiousness of the issue and the need to support victims appeared prevalent.

> There are men who refuse to live with women who have been victims of sexual violence. Even though they have followed their [medical] treatment. So we have identified these men and we would like to invite these men and to speak to them so that they will not abandon their women. It is not these women who wanted to be victims but it is just the consequence of war. (Individual interview, Female community group member, Site D)

This is apparent in relation to broader gendered inequalities and violations within the community in the time of relative peace as well. There was some evidence of challenges and resistance to traditional gendered norms and discriminations.

> I am a widow. After the death of my husband, following the custom, they [husband's family] had prepared a brother of my [late] husband who was now to be my husband. But thanks to the training, on the rights of the widow, I defended myself in front of the family who wanted to give me a husband by force and I defended my own rights and those of my children. (Female FGD participant, Site A)

Second, there is evidence of a transformation of relations (both ethnic and gendered) among group members. This is due, in part, to diverse group compositions and the impact this has had on members and broader communities alike. It is noteworthy in this regard that *Lendu* local community leaders—who actively mobilised their communities during the 1999–2003 conflict—are reported to be distancing themselves from the current *Lendu* mobilisations (International Crisis Group, 2020). The possibilities for mobilisation along ethnic lines alone therefore now appear significantly reduced.

A female FGD participant explains how her experience within her local community group changed her views on and attitudes towards the ethnic 'other'.

> When X [local CSO] came here, there was a training in the form of a seminar. They asked the local authorities to bring women and men from this area. There were also the two ethnic groups [Hema and Lendu]. Up until then the two ethnic groups didn't work together. At this meeting I was one of the ones that prepared the food, and I participated in the meeting. And when I saw that the two groups were sitting together - we sat together and ate together which I never saw before, working together which did not happen before – that gave me the courage and the inspiration to join the community group. (Female participant FGD, Site E)

In relation to impacts on gender relations, a female group member explained…

> What forced me to be involved is that the Village Chiefs are very violent towards women. If there is a problem that concerns that woman, they do not judge that clearly [justly]. Even if the fault is with the man, the fault is always said to be with the woman. That always shocked me. And it motivated me to be one of the defendants of the women in the face of the men at a local level. (Female participant FGD, Site D)

And third (and related), there appears to be evidence of a reduction in perceptions and attitudes of fear and powerlessness towards local authorities, together with possibly increased responsiveness and accountability in this regard. One of the key benefits of community group membership identified by members is the enhanced status and prestige accrued from these closer relations to authorities. This derives from the strategy

of working with local authorities—in some cases seeking (traditional) office—to secure local peace and development. Success in this area needs to be tempered by the danger that this is merely reinforcing existing hierarchies, however (see below) although such hybridised processes are necessarily complex and messy…

> What impresses me the most is the relationship with the authorities. At the start I was afraid of these people. But when I am at the head of the group, in meetings for example, I speak. People know me. And even people when they meet me on the road, they say '[name of group] how are you?'. I am very proud of that. (Individual interview, Female community group member, Site E)
>
> The advantage of being a [group] member is that we are closer to the power… As a member of [group G], I am given an honour on the road [I am respected], by the military people, the police. I am known as a member of this association. (Male FGD participant, Site G)

4.3   Limitations

A number of limitations of the strategies and activities employed can also be identified. Group members themselves identified three principal limitations. First, although significant improvements in local relations were reported, land disputes remain. Continued state and donor failures to reform the ambiguous and easily manipulated land tenure laws continue to result in serious and sometimes violent disputes. While, working with or on behalf of local political authorities, group members at times have managed to settle some of these disputes in relation to land ownership and occupation, others have not and land issues remain, according to many interviewees '*the most thorny form of conflict*', notably when the displaced return. This is likely to recur in the future following the current round of violence.

Second, possibly the biggest limitation, and one which has reportedly led to the return of widespread violence and displacement since 2017, is the inability of local groups—by virtue of their very localism and powerlessness in the face of broader structural constraints—to address these same constraints. The main issues here are the lack of investment in basic services and facilities in the context of an extractive political economy which thrives in a context of non-transparency, insecurity and chaos. This lack of services in a militarised culture of intimidation and violence makes daily life difficult and dangerous. Efforts to alleviate this situation

have yielded little success. For example, local group members' actions to reduce both the school 'fees' and road 'taxes' described above, both attributable to a, at best negligent and, at worst, predatory state, have failed to produce any positive results. Education leaders blame the lack of state funding for the necessity for school 'fees', while the armed forces blame unreliable and inadequate remuneration for their 'taxes'.

Third, the continued exploitation and expropriation of the district's natural resources by new networks of internal and external resource entrepreneurs continues apace. Although one CSO interviewed, in particular, has made great efforts to uncover and challenge the murky, if not illegal exploitation of oil resources in Lake Albert, members have been stymied at every turn. Even when, working with local communities, the CSO has managed to uncover who some of the global and national actors involved are and where they are based locally, it has proven impossible to secure any meeting or to gather any further information on their activities. Moreover, local communities and the CSO in question have received little support or cooperation from either regional political authorities or international donors for its work in this area. A CSO representative outlines the problem.

> Because the company in Block One and Two [oil divisions in Lake Albert], it is a company that is very in flux [constantly moving]. It is very hard to know who is responsible. They opened an office here even. But if you go to the office you will find a Guard, but there are no people inside. And each time we called them to try to have a meeting, we got no response. (Local CSO representative)

Clearly local CSO actions on their own are powerless in the face of such faceless, nameless networks of power. They need to be accompanied and supported by national and global actions which, acting in support to and in solidarity with local communities, expose and challenge these globalised networks.

5   Conclusion

The remarkable achievements of the community groups and CSOs analysed here deserve recognition. Operating in extremely difficult and challenging circumstances, they continue to render important and, in some cases, life-saving services to friends and neighbours. In collaboration

with local political authorities, their actions and activism in both challenging and transforming local gender relations and in mediating disputes over land ownership and access demonstrate their capacity to tackle some of the underlying drivers of conflict and to make life more livable for some. Moreover, their work within communities, through *Baranzas* and through community groups themselves, appears to be effective in reducing levels of fear and distrust of the ethnic 'other', thereby reducing possibilities for ethnic mobilisation as in the past. These are significant achievements. They demonstrate the important role local civil society groups play in mitigating the circumstances and conditions of local unrest and the critical role they play in peacebuilding more broadly.

However, as the material presented in this chapter also demonstrates, there remain significant constraints to local civil society agency in this regard. Chief among these is the persistence of an exploitative and violent globalised political economy. As long as this political economy prospers, so too will many of the underlying drivers of conflict including ongoing land disputes, failures in service provision, and a militarised culture of intimidation and violence. One of the principal lessons from Ituri therefore is that local civil society actions need to be accompanied by national and global actions which, acting in support to and solidarity with local communities, challenge and address the globalised political economy of conflict. Specifically, this means moving beyond viewing local actors as mere implementers of initiatives driven by external actors and/or donors to working in cooperation and support in areas prioritised by local actors such as land reform; service provision; and natural resource management and oversight. The divisive and sometimes violent political roots of these issues cannot be denied and the risks—to local communities, CSOs and donors/INGOs alike—are real. However, as this chapter has hopefully demonstrated, local communities and CSOs have already demonstrated their willingness to take on such risks. They know this is necessary if peace is to be achieved. In the absence of international supports for such actions, local civil society initiatives will remain limited to conflict containment rather than conflict transformation and ongoing violence and unrest will be inevitable.

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Conclusions: Spaces of Hope and Despair?

Kees Biekart, Tiina Kontinen, and Marianne Millstein

1 Introduction

This concluding chapter will summarize the findings and explore where we see perspectives for positive social change. The starting point of this volume was to look at three interrelated questions. The first was: *what is the context in which civic actors operate in relation to 'constrained settings' or 'changing civic spaces'?* And *what are the characteristics of these?* The idea was to see how contexts influence the situation of specific settings and changes in civic spaces. The second question was related to the specific angle taken by each author: *which questions are addressed, and what are*

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specific findings, or arguments and/or contributions? And the third question tried to look at the implications for civic action: *how are civil society responses summarized and discussed in the various chapters? What would be three main characteristics or conclusions?* As was demonstrated in the previous chapters, the authors have had very different ways to address these questions, while the case studies covered a wide array of contexts. Below, we will draw out some commonalities as well as issues that merit further discussion.

2   Context of Civic Action

During the period of preparing and discussing this volume, the context of civic action changed dramatically worldwide. The February 2022 invasion in Ukraine led by the Putin regime comes just a year after the attempt to end American democracy with the raid on the Capitol in January 2021. Vladimir Putin, Viktor Orbán, Jair Bolsonaro, and Donald Trump, as well as many other 'modern' populist and/or authoritarian (male) leaders worldwide are actually coming to power in ways that are strikingly similar to how Hitler's National Socialist German Workers' Party (NSDAP) was elected in the 1930s. They used their societal support to undermine the democratic process by persecuting opposition leaders, eliminating democratically established organizations (such as trade unions) and withdrawing historical rights by basically reversing laws (on abortion, or LGBTIQ+, etc.). The purpose was to polarize society and to scare the population by massively circulating fake news. The only solution left, they argued, was to limit democratic rights, re-establish law and order which must be implemented by a strong leader. The restrictions for citizens' movements and gatherings during the COVID-19 pandemic were also used to constrain opposition and civil society activists in more direct and even more violent ways (CIVICUS, 2021; Pleyers, 2020).

A series of national and international developments can be identified that profoundly changed the world which has had its impact on our perceptions of changing civil societies and civic spaces. A first series of events started in Hong Kong in the Spring of 2019, when massive popular street protests demanded an end to the extradition law, generally seen as an erosion of Hong Kong's legal system and increased control of China. Even though the law was eventually suspended, a massive civic movement of an estimated one million inhabitants continued its street protests, which stood at the basis of a landslide victory of pro-democracy parties

in the November 2019 elections. The protests kept growing in size, until lockdown measures in 2020 prevented people from taking the streets. Another key development was the worldwide outbreak of COVID-19 and the measures taken by many governments to restrict civic freedoms from March 2020 onwards, as we have seen. The Russian invasion in Ukraine unleashed widespread social unrest in all neighbouring states of the Russian Republic. And not least in Europe, where progressive governments are massively losing national electoral contests (most recently in Sweden and Italy) to neopopulist and right-wing coalitions with a strong anti-migration and anti-EU agenda, often openly supporting the Putin regime.

What all these developments have in common is that they are shattering a common belief in democratic norms and confirm an international trend of increased authoritarianism and a disruption of state-citizens relationships. This was already felt with the restrictions of freedoms during the pandemic (often for a good reason) with a rapid introduction of new legalization to restrict movements of citizens. Often these new laws at a later moment were also used to further restrict opposition protests and civic spaces more generally. Overall, they revealed a profound weakness of the multilateral system, in particular the United Nations, most clearly demonstrated by intergovernmental bodies such as the WHO (during COVID-19) and the UN Security Council during the Russian invasion in Ukraine. In addition, press freedom was no longer a basic principle, as state restrictions—legal and violent—were imposed to silence dissent and media, thereby also allowing a massive emergence of fake news and a circulation of half-truths on social media. This 'neopopulist turn' has been channelling general citizen's disappointment away from a society controlled by what is said to be 'a (global) left-wing urban elite' into the hands of a weird global coalition of conspiracy trolls, anti-vaccination circles, and climate change doubters, to mention only a few of their supporters. The result is that liberal democracy is threatened worldwide and democratization processes are either slowing down or are reversed. The authors in this volume have observed its consequences: drastic changes in civic spaces, confirming the global trends we already identified in the Introduction of this volume.

3   Approaches to (Changing) Civic Space

The concept of civic space is still relatively young, and this is clearly reflected in the multiple meanings used in this volume. One can broadly identify four different ways in which civic space was conceptualized by the various authors.

The first and most common one is that civic space is defined as *an arena for established CSOs* to engage with human rights and advocacy, but in addition also an arena in which individual citizens and informal groups can act to address issues meaningful for them (Kontinen and Nguyahambi, this volume). This conceptualization usually holds that the widening of civic space typically is connected with democratization, while restricting civic space has been seen as a feature of pushback against it (Carothers & Brechenmacher, 2014). Biekart and Fowler (this volume) add that civic space may also be widening due to the expanded activities of anti-democratic and neopopulist groups in civil society, acting as constituencies for the new hybrid and authoritarian regimes. In their view, civic space is not only the space especially dedicated for democratic associations and CSOs. Overall, defining civic space as an arena for CSOs and citizens groups, be they democratic or anti-democratic, emphasizes the dynamic nature of civic space.

A second approach of civic space is to highlight 'humanitarian space' (Khan, this volume). Hilhorst and Jansen (2010) characterized humanitarian space as an arena in which humanitarian assistance is shaped by the social negotiation of multiple actors along the aid chain. Khan refers in his chapter to three fields: respect for humanitarian law, the relative safety of humanitarian workers, and the access of humanitarian actors to the population at risk. Looking at Bangladeshi NGOs, Khan (this volume) found three defining characteristics: (i) discrepancies in localization discourses; (ii) institutional multiplicity; and (iii) disparities in accountability mechanisms. He sees humanitarian space to be 'more attuned to civil society actors located in civic spaces: the physical, virtual, and legal spaces where people exercise their freedom of association, expression, and peaceful assembly'. Therefore, here we see the typical approach of a humanitarian 'enabling environment' with a multitude of humanitarian actors in addition to what Khan calls 'everyday policy and implementation practices in the constrained settings of the Rohingya response from the perspective of Bangladeshi NGOs'.

A third approach to civic space is found in Pegler et al. (this volume), which is building on a notion from the Organisation for Economic Co-operation and Development (OECD). Here, civic space is understood wider *as a set of policies, laws, institutions, and practices*; the more individuals can freely express, associate, and assemble themselves, the broader and healthier the civic space. However, Pegler et al. specify civic space in the setting of traditional communities in the Brazilian Amazon that are traversed by the global value chains of soy. In that sense, they argue that 'civic space is a way of being and a right to be'. They refer to Milton Santos who defines territory as 'the appropriated space'. The idea is that civic space is 'an indissociable element of the material and social bases dialectically de/re-composing the Amazonian territory'. It is a space that is permanently disputed as part of 'the different logics of social reproduction'. Traditional communities have resisted the intervention of state and capital and their capital accumulation in their territories, which has been going on since the start of colonization 500 years ago. The fact that they are still in that space, despite these interventions, is depicted as a form of resistance for decades by these communities against a combination of land grabbing, land concentration, social inequality, deforestation, pollution, water exhaustion, erosion of biodiversity, and many other forms of violence.

A fourth approach looks at civic space within a *specific civil society sector*, such as women's organizations. Huxter (this volume), for example, identifies a special 'women's civic space' as a space for peace. She follows the UN definition of civic space as 'the environment that enables people and groups (…) to participate meaningfully in the political, economic, social and cultural life of their societies' (United Nations 2020). She argues that civil society actors, such as women advocates, 'should feel safe to freely express their views and effect change peacefully and effectively'. Her point is that women's civic space has been considerably constrained, after the breakout of the Kosovo conflict, by widespread ethnic/national division, alongside traditional patriarchal structures. This was triggered by the fact that women often left their jobs after the outbreak of conflict and stayed home to take care of family and children, leading to women's empowerment as they were in charge at home. However, after the conflict ended, they often did not return to their earlier jobs, whereas men took charge again of the decisions at home. Huxter concludes: 'Double trapped by patriarchy and the ethnic/national divisions in the city, women felt silenced and powerless. In response, women from different

ethnic/national communities started getting together to learn, work and travel as part of their participation in women's empowerment initiatives facilitated by local and international organisations'. This then is what she has labelled as a 'women's civic space' for peace, which is rather different from previous notions that generally emphasize a wider enabling environment.

Still, the various conceptualizations of civic space do not really seem to contradict each other, as they are all specifications of the same idea that was articulated by CIVICUS (2016) as 'the place, physical, virtual, and legal, where people exercise their rights to freedom of association, expression, and peaceful assembly'. What is clear from the chapters is that these various spaces were all changing in some way or another. Gaventa and Anderson (this volume) argue that after a period of democratic gains, we have entered a period of 'democratic reversal'. They refer to Tilly and Tarrow (2015) who speak of the 'new normal' of hybrid regimes—combining some elements of democratic representation with the hallmarks of authoritarianism and intolerance of dissent (Alizada et al., 2021; Repucci & Slipowitz, 2021). A clear example of this new hybrid regime discussed in this volume is Brazil. Mendonça et al. (this volume) describe the rise of conservative governments in all spheres of public authority, of course culminating in the election of the populist Brazilian president Bolsonaro in 2018. The result was that many civil society organizations were forced to close down, and that others were threatened in their existence. Speaking of Brazilian philanthropy, Mendonça et al. point at the aggravation of social inequalities and the increase of vulnerabilities of the marginalized. Despite this, they detected 'an explosion of mobilizations and donations provided by corporations, wealthy families and individual donors'. In fact, this was seen by many as a watershed in the culture of giving and grant making in Brazil.

In the case of Algeria, Spitz (this volume) argues that civic space was already restricted long before the uprisings of the Hirak. He points out that it was already very difficult to launch demonstrations as they were forbidden by the regime. In addition, all kinds of obstacles were created for establishing and funding nongovernmental organizations (NGOs); in addition, the media were censored and intimidated in order not to report on civic resistance. It was the popular resistance and mobilization that opened up civic space, even though the regime quickly responded with a combination of co-optation and repression to regain control. By the time the Hirak movement restarted, it was soon faced with all kinds of

repression, which illustrated that the gains made in civic space expansion had been lost again.

A similar experience is reported by Kontinen and Nguyahambi (this volume) referring to Tanzania, which has democratic institutions and allows multiple political parties, but basically has been ruled by a single party that has hindered large-scale mobilization by opposition parties. The authors refer to several examples in which civic space was restricted by the regime: (i) restriction of NGO activities by bureaucratic harassment and reporting requirements; (ii) vilification by highlighting stereotypes of NGOs as *wakorofi* (trouble-makers) and/or agents of imperialists; (iii) critique of foreign NGOs campaigning for gay rights as 'colonial', thereby stressing African culture. In addition, the government restricted civic space during campaigns and elections by slowing down the internet, controlling social media, and excluding particular CSOs from voter education activities. Especially after the 2020 elections, demonstrations against election fraud organized by the opposition forces were hindered by security forces, leading to the arrest of many opposition members. Kontinen and Nguyahambi argue that 'this closing of civic space and co-opting civil society action was part of the new politics of African socialism, which revolved around one party'.

Policies to control the COVID-19 pandemic often were another instrument to limit civic space. In the case of Sri Lanka, Fernando (this volume) describes how the chief of the armed forces was appointed to head the National Operations Centre on COVID-19. Special intelligence units of the military and the police carried out search operations for contact tracing and arrests of those who violated curfew and quarantine regulations. In fact, the entire health infrastructure was militarized with quarantine centres run by military personnel and their camps. Gaventa and Anderson argue that the pandemic 'led governments around the world to legislate, regulate, and police more aggressively and autocratically in the name of public health'. Sometimes, these restrictions of civil liberties were seen as acceptable, given the general state of uncertainty that required severe measures in order to safeguard the public health system. But in several countries, they reported extreme effects of these restrictions such as heavy policing of lockdowns and mobility restrictions which led to extra-judicial deaths, as well as providing opportunities for sexual violence and corruption by security forces. In other countries they witnessed harassment of journalists critical of the COVID-19 response by governments, curtailing of press freedom and attacks on media offices.

Protests were forbidden, especially by opposition political parties, when the parties of the government were not harassed. As Kontinen and Nguyahambi show, it allowed the Tanzanian government to declare the country free of COVID-19 in the middle of the pandemic, and to refuse its participation in the international Covax-vaccination scheme, arguing that it was part of a conspiracy to harm Africans. Instead of vaccinations, it was proposed to use traditional herbal remedies and steam treatment against the virus. As such, the COVID-19 restrictions provided many governments with legitimate ways to curb popular protest against government policies and to restrict freedom of press and association.

Gaventa and Anderson emphasize that the freedom for citizens to organize, raise their voices, and to make claims have been restricted through legal as well as physical means, both offline and online. Forced disappearances of prominent government critics were common tactics as well as targeted harassment of individuals online. It echoes the assertions of Van der Borgh and Terwindt (2012: 1070–1072), who distinguished five sets of actions and policies that can restrict operational space for CSOs: physical harassment and intimidation; preventative and punitive measures; administrative restrictions; stigmatization and negative labelling; and pressure in institutionalized forms of interaction and dialogue between government entities and civil society, distinguishing co-optation or closure of newly created spaces. An important observation here is that constraints on civic space often seem to be selective, as restrictions are mostly affecting groups critical of the government. As we have seen before, also in the monitoring of civic space by CIVICUS (2016), a common pattern is that these restrictions are generally related to the freedom of expression, association, and assembly and how these are implemented (Lewis, 2013).

4   CIVIL SOCIETY RESPONSES TO CHANGING CIVIC SPACES

The chapters in the book describe a wide variety of actions by civil society organizations (CSOs) as a response to restricting civic spaces. Basically, seven different responses can be identified: community-level reactions, street protests, women's initiatives, artist interventions, donor-funded NGOs, co-optation with the regime, and advocacy efforts. Below, these various civil society responses are briefly summarized.

The first reaction seems to be initiated at the local (community) level, later reinforced by national as well as international support. Gaynor (this volume) notes how in the DRC, the community groups were financed via local CSOs as part of international peacebuilding efforts in the aftermath of the 1999–2003 atrocities. These community groups carried out externally designed peacebuilding activities in collaboration with local authorities. But they also carried out their own initiatives, like supporting local authorities in managing local disputes, and attempts to reduce fees for schools and 'road taxes' at military roadblocks. Gaynor emphasizes that these local actions, in order to really have an impact, inevitably had to be supported out of solidarity by national and global actions and networks: 'in the absence of international supports for such actions, local civil society initiatives will remain limited to conflict containment rather than conflict transformation and ongoing violence and unrest will be inevitable'. Also zooming in on local-level responses, Pegler et al. suggest that the voice of affected communities can speak very loudly, when they realized they were not '(…) compensated for the loss of food security and access to the river, for the inability to fish, or plant and harvest, or for their expropriation and resettlement in far away, poorer regions'.

A second set of civil society responses is quite evident in the form of collective action and street protests with a variety of tactics. These actions often emerged from a sense of moral outrage and also when more institutionalized channels for engagement were missing or were distrusted (Hossain et al., 2021). Gaventa and Anderson mention large protests, particularly to demand access to affordable and reliable energy in the countries they focused on. These national-level fuel protests were triggered by cuts of fuel subsidies, and especially in countries with high levels of national resources and relatively weak forms of governance. Despite the rapidly closing civic spaces during the COVID-19 pandemic, many citizen mobilizations emerged throughout the world, both in the North (with movements such as Black Lives Matter) as well as in countries of the South related to health and harassment issues (Anderson et al., 2021; CIVICUS, 2021; Pleyers, 2020). Especially in the months preceding the global COVID-19 pandemic-induced lockdowns, street protest flourished as a way to protest against the restrictions to civic space, as several chapters in this volume also highlighted; sometimes quite successful, as Spitz showed with the Hirak movement in Algeria.

A third reaction can be characterized as a gender-specific effort to counter restrictions of civic space. Gaventa and Anderson (this

volume) observe that the sense of moral outrage around insecurity often seemed to be a trigger for collective social action, in particular by women. They mention the example of women from the Hazara ethnic group who mobilized against the ethno-sectarian killings of their sons and husbands. Also, in countries like Mozambique and Pakistan, women engaged in gender-specific protests, maintaining community norms around gender roles: '(…) foregrounding their identities as concerned mothers or wives, or their role in defending the honour of the community, made their actions more socially acceptable (…)'. Huxter (this volume) in her research on Kosovo explains how women expanded their civic spaces to cooperate in training activities, business initiatives, joint travels, in order to create opportunities for new relationships beyond the traditional patriarchal and/or ethnic-national dividing lines.

A fourth civil society response is the active role played by artists. In the case of Algeria, Spitz (this volume) describes how artists and protesters used their creativity as a lever for political action, using popular art forms such as music, graphic, novels, satirical cartoons and photography. This was disseminated through online platforms, unauthorized poster campaigns, underground posters and graffiti messages on walls. He quotes Ben Boubakeur, who stated: 'music can mobilize a crowd, animate the event and remobilize, especially in the face of police brutality'. In addition, Spitz describes how the protesters used placards and banners for their political expressions, showing creativity and humour. The Hirak movement also was supported by cartoonists who circulated their work in the national and international press. The work by artists contributed according to Spitz to building a counter narrative, opposing the official image of the Algerian state as an Arab-Islamic nation, and unmasking the authoritarianism of those in power. Similar experiences with artists are reported by Gaventa and Anderson when they describe how hip-hop was found to be an important way of conveying demands for public accountability in Mozambique. They argue that cultural expressions of dissent and critique of the status quo are more often seen in closed or authoritarian settings.

A fifth type of civil society response is indirectly coming from donor-funded NGOs and CSOs. Gaventa and Anderson (this volume) show how donor-funded programmes can create space for citizen action to resolve pressing issues at a community level and engage in dialogue with officials. Kontinen and Nguyahambi (this volume) warn that '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'. They stress that civic space in Tanzania should not only be seen from the point of view of established CSOs but also take into account the views from local and informal groups. In addition, it should be analysed why certain kinds of civil society activities enjoy more freedom than others and how these differences relate to the dynamics of the political system. Khan points out that Bangladeshi NGOs had to negotiate with the authorities to ensure their organizational legitimacy for humanitarian funding with foreign donors. So even though there is a demand for a locally led response, there is a paradox about this localization discourse as humanitarian space is constrained for organizations that are located low in the power hierarchy.

A sixth response from civil society may be to be co-opted by the regime. Van Wessel (this volume) suggests that CSOs can respond strategically in order to navigate restrictions to protect their operational space. She identifies strategies such 'as reframing into less-threatening language; shifting from national-level to local-level advocacy; shifting from agenda-setting advocacy to implementation; the management of visibility, for example using different platforms and supporting social movements behind the scenes; and the building of trustful relations with state actors'. Co-optation can be a way to advance the needs of the constituency or even to promote particular agendas of state agencies, for example by being sensitive and not challenging state requirements. Gaventa and Barrett (2012) also showed that associations in fragile settings can have important roles in constructing citizenship, improving practices of participation, strengthening accountability, and contributing to social cohesion.

A seventh and last civil society response has been to engage in lobbying and advocacy initiatives. Gaventa and Anderson mention how NGOs have played important roles as advocates for citizens, as watchdogs and monitors, and as protectors of key rights and policies. Especially during the COVID-19 pandemic, new CSO alliances and collaborations met immediate needs and played a watchdog role on government action (Anderson et al., 2021). They also demonstrate that engagement and claims-making with authorities can happen more discretely as a form of self-protection, or via a web of informal intermediaries. Van Wessel (this volume) reminds us that these advocacy efforts in contexts of restricted civic spaces involves risk management, even though there is little guidance on how to identify, mitigate, and respond to the diverse types of risk. She mentions risks

like organizational survival, losing autonomy and integrity, delegitimization, legal prosecution, or shutdown. It will require careful operation and intelligence work, as well as keeping a close eye on funding and relationships.

5   Spaces of Hope and Despair?

There is a clear consensus that authoritarian (and hence anti-democratic) forces are contributing to a further restriction of civic spaces all over the world. Biekart and Fowler (this volume) argue in addition that civic space is actually expanding for the constituencies of these authoritarian and neopopulist governments as these used the key tools of civic space (such as social media) to become dominant civic forces by using fake news and half-truths to manipulate public opinion. Civic spaces are therefore changing in different directions and with unclear outcomes. The findings in this volume trigger the question whether current developments in civic space actually provide civil society actors with opportunities to be hopeful. On the one hand, after seeing the diversified ways in which civil society actors are responding to the reduction of civic freedoms, one may be optimistic that eventually democratic forces will overcome these restrictions. On the other hand, are the many instances of shrinking civic spaces rather pointing at bleak perspectives for the near future?

Returning to the relational and contextual research agenda elaborated in the Introduction, we suggest a few perspectives and new research agendas that may provide civil society platforms to identify, analyse, and sketch some hope, despite this current context of despair.

First, while civic space is much discussed in relation to the space for NGOs and other CSOs, some spaces of hope may be identified in the everyday spaces where people's agency is continuously exercised to improve life conditions and to show solidarity. After all, it was during COVID-19 when we witnessed impressive practices of solidarity at the local level throughout the world, often without any government interference. The lockdowns had reduced the world to a multitude of local communities where latent civic agency suddenly flourished with spontaneous support to the more vulnerable people in the community. Soup kitchens, basic health care, but also artist-led creative solutions, showed that our individualistic societies still were capable of generating basic human solidarity. The latent civic agency also has potential to manifest itself not only through local solidarity but also in ways that engage with

the unjust circumstances through everyday resistance and 'doing things differently'. Therefore, more analysis is needed to identify the ways in which civil society actors exercise agency within and across different scales to promote both incremental and transformative changes (Jacobsson & Korolczuk, 2020; Millstein, 2017).

Second, the trend of diminishing donor funding for local CSOs is hindering their capabilities to act, but it can also open possibilities for new forms of civic action. This may materialize issues and ideas previously introduced by donors, but in more localized ways without a need to strictly align with donor agendas or to depend on donor funding. However, as some chapters have showed, international networks and contacts are often essential for marginalized voices to be heard and transformations to take place, as they can provide much-needed leverage against the power holders. Therefore, alternative ways of supporting the agency, agendas and ideas of Southern civil society actors should be identified, also together with the civil society actors from the Global North (see van Wessel et al., 2023).

Third, while some of the developments in authoritarian contexts might seem to be 'hopeless', there is often some kind of latent civic agency, which can under certain circumstances turn into more open protest and result into tangible transformations. We have seen this with artists like Wei Wei in the Chinese context. Even Russia has shown examples of this from the female protest group *Pussy Riot* in 2011 to the social media comments by opposition leader Alexei Navalny from his prison cell a decade later. Also in Brazil, we see signs of hope with the growing opposition against the Bolsonaro regime, which to the despair of many had followed an orthodox Trumpist pathway.

Finally, some issues may have been missing in this volume, and we look forward for this to be addressed in future research. We already referred to China and Russia, countries with relatively closed civic spaces that need to be analysed more systematically as they evolve in different directions. But this certainly also goes for many countries in the Global South not addressed in this volume (Biekart & Fowler, 2022: 300). Another area that we may have given insufficient attention is the dynamic of civic space in relation to markets and financial gains. Even though there are reflections included in the chapters by Pegler et al. and by Gaynor who describe civil society actors resisting extractive industries supported by regimes for the promise of financial benefits. A further field of research is related to the monitoring (and 'measuring') of civic space and especially the changes

that happen over time. Currently, civic space is often described in a static sense, even though multiple dynamics are affecting its situation over time. Which brings us to the final prospect: academic scholarship as well as policy-oriented studies still have a lot to contribute in terms of providing evidence to sustain the wide variety of civic spaces with all its local features and appearances. Whether we expect predominantly hope or despair for civic space research, it certainly is a young and unexplored field of study to which this volume has contributed. We do hope it may inspire further research rather than provide overarching conclusions on how civic space should be conceptualized, measured, or protected through development interventions.

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