

# Reversing the Shrinking of Civic Spaces: Insights for Strategies to Expand and Strengthen Activism and Organizations in Mozambique

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## Resumo

Como reverter a contração dos espaços cívicos? Este artigo sugere uma abordagem analítica para identificar os mecanismos que causam a contração dos espaços cívicos em Moçambique e apresenta um ponto de partida para a construção de estratégias para reagir a este processo. Com base em entrevistas e observação participante no terreno, explora eventos e episódios em que questões cruciais ou agrupamentos de ativistas foram neutralizados e visita a teoria da *defiance* na sociedade civil, poder e *contentious politics* para explicar como a contração dos espaços cívicos tem vindo a ocorrer em Moçambique nos últimos dez anos. É razoável afirmar que os ativistas precisam lidar com as barreiras culturais e cognitivas para enfrentar as várias expressões de poder estatal e do mercado em Moçambique. As organizações da sociedade civil precisam trabalhar com os seus doadores para criar uma nova relação mútua, onde questões de *accountability*, por exemplo, não ponham em risco espaços e projetos cívicos que fazem diferença positiva na vida das pessoas. Além disso, os ativistas precisam se concentrar em um *lobby* para a construção de um quadro legal que facilite a emergência de novos espaços cívicos nas áreas urbanas e rurais.

**Palavras-chave:** África; sociedade civil; ambiente de contestação; *defiance*; Moçambique; contração dos espaços físicos

**Abstract**

How can the shrinking of civic spaces be reversed? This article suggests an analytical approach to identify mechanisms that cause the shrinking of civic spaces in Mozambique, and presents a starting point for building strategies to react to this process. Based on interviews and participative observation in the field, it explores events and episodes where crucial issues or activists' groupings were neutralised, and visits the theory of defiance in civil society, power and contentious politics to explain how the shrinking of civic spaces has been taking place in Mozambique in the past ten years. It is reasonable to state that activists need to cope with cultural and cognitive barriers in order to face the various expressions of state and market power in Mozambique. Civil society organizations need to work with their donors to create new forms of relationship together, where issues such as accountability, for example, do not put at risk civic spaces and projects that have made a positive difference to people's lives. In addition, activists need to establish a joint lobbying focus for constructing a legal framework that facilitates the emergence of new civic spaces in urban and rural areas.

**Keywords:** Africa; civil society; contestation environment; defiance; Mozambique; shrinking of civic spaces

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**1. Introduction**

The shrinking of civic spaces is being widely observed by several authors around the world (Carothers and Brechenmacher, 2014; Civicus, 2011; Hossain et al., 2018). This paper provides a brief overview of how this phenomenon manifests itself in Mozambique, taking into account spaces of participation and contestation in civil society, and presents an approach based on theories of defiance in civil society, power (Gaventa, 2006) and contentious politics (Tilly & Tarrow, 2015). The understanding of civil society as consisting of individuals who project themselves publicly and politically, framed or not in informal organizations or coalitions, is relatively little explored in the literature, which favors an associative Tocquevillian vision. This study analyzes narrative content and data collected in participant observation between 2013 and 2016, following independent activists and within organizations as well as street protests and public audiences.

Contestation environments are formed when disputed issues are brought into the public sphere by civil society, establishing defiance, co-construction or neutralization processes (see Figure.1). This study presents events where crucial issues or civic spaces are neutralised, and demonstrates that the theory of defiance in civil society is able to explain how the shrinking of civic spaces can be seen from different analytical perspectives, bringing to light elements by which strategies to reverse this phenomenon may be set up. According to the theory of defiance, during the disputes, while challengers are at a disadvantage in the three dimensions of the contestation environment (physical, transgressive and cognitive), individuals and/or organizations are not only demobilised, but neutralized, as the real issue goes back to latency.

When the civic space is open, it works as an arena where individuals and organizations “are able to organize, participate and communicate without hindrance” (2018). First, as in Mozambique powerful civic spaces also have been built up in activities of civil society organizations, this article briefly introduces a debate about the literature on civil society in Africa and contextualizes the governance dynamics in post-civil war Mozambique. Then, it presents the legal and funding restrictions put in place by partners that end up generating dynamics in the physical dimension of the contestation environment, which may prevent the defiance against power. There then follows an analysis of how the shrinking of civic spaces occurs with dynamics in the cognitive dimension of the contestation environment. There is the adaptation of the powerless in the face of the powerful, resulting in psychological subalternization through symbols, norms and cultural values, reputations and narratives. Subalternization is here understood as influencing how individuals think about their place in the world, shaping “people’s beliefs, sense of self and acceptance of the status quo” (Gaventa, 2006, p. 29). Finally, the study analyzes dynamics in the transgressive dimension, which refers to compliance with legal or even cultural standards established by the state itself. Much more than the government ability to exercise definable aspects of political power through state institutions, this dimension consists of the ability that individuals (in civil society and state) have to transgress norms, authorities and institutions, and decision-making procedures.

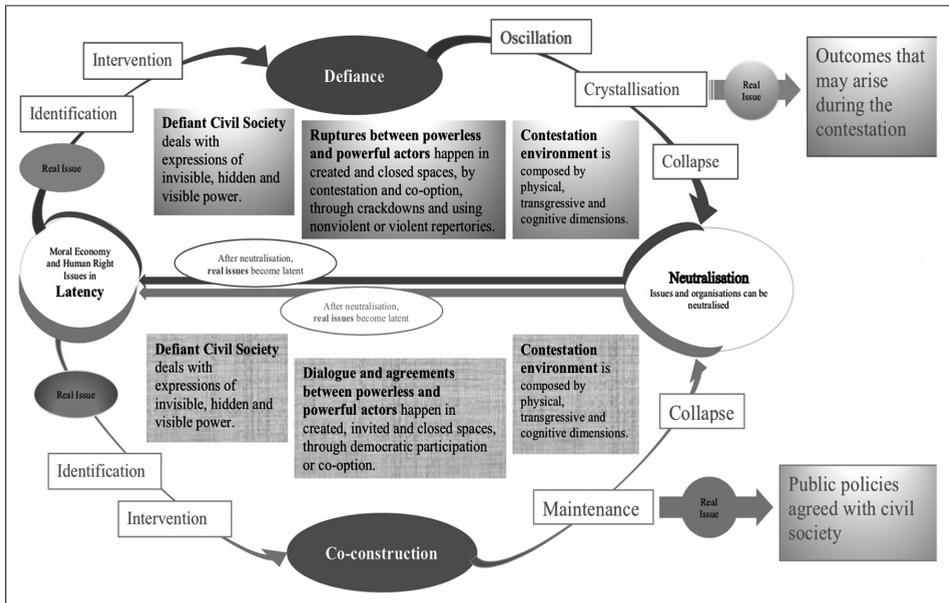


Figure 1. Theory of defiance in CS – the inter-relationship of key concepts (Pessoa, 2018)

## 2. What Kind of Civil Society are We Talking About?

Since the 1990s, neo-Tocquevillian authors have predominated in academic literature on civil society, and have generated a narrative that presents civil society as a liberal and developmental catalyst (Putnam, 1995; Carothers, 2000; Chambers and Kopstein, 2001), and a magic formula against autocratic regimes and poverty (Lang, 2013; Cohen and Arato, 1992). For these visions of civil society as a voluntary association among free individuals, distinct from the market and the state, as the sphere for a balance of power that generates trust and reciprocity on which both democratic and market interactions depend (Bob, 2011), any vibrant organizations that strengthen cohesion and disrupt ethnic and racial rifts cause anxiety.

Exogenous agents setting local agendas to work in civic spaces may sound a little strange, but this has been going on for several decades in Mozambique and other African countries. Local activists rely on foreign resources and expertise to give voice to excluded communities and to bring issues to light publicly. The practice of the Tocquevillian understanding of civil society apparently has had positive effects, but maybe has proved unsustainable. The reduction of civic spaces in Mozambique is closely linked to this paradigm exhaustion.

In Africa, Mamdani (1996) draws attention to colonial civil society's links to racism, being first and foremost the society of colons. Post-colonial civil society has also been highlighted by numerous authors as bourgeois, imported, an extension of the State, target of coercion and co-optation, and a tool of liberalism (Cox, 1993; Corry, 2010). There is an "exogenous" tendency both in literature and in general analyses to create a "false representation of NGOs" within African civil society (Fowler, 2014, pp 430-435). In truth, NGOs were an exogenous component, a stratum of African civil society made up of complex sectors that form a social space marked by a "liberal bourgeois rule of law" (Helliker 2014,160).

There are some authors, such as Lewis (2010) and Banks and Hulme (2012), who have been discussing what a genuine African civil society is supposed to be. This debate is extremely significant, but it is beyond the scope of this article. Here it will not be suggested here that everything implodes forever; but rather that what can be rescued should be rescued, and space be made for the emergence of concepts that can contribute to rethinking civil society in Africa. It is clear, after all, that if one looks at African civil society from a wider perspective than "normative Western precepts, one sees a tremendous disparity" (Hultin, 2014, p 209).

There are two trends in the literature on the subject: The *purist* allows only non-violent actions and interventions in violent conflicts only for humanitarian relief, negotiation for settlements, investigation and stabilising aftermath procedures. It understands civil society as formal organizations and associations. The *realist* encompasses a perspective outside mainstream politics that does not necessarily adhere to organised groups, and considers spontaneous collectives, traditional institutions and anonymous collective actions, as "infra-political" (Scott, 1990:189). Civil society can act outside from conventional law and sees the use of violence to respond to state

violence as legitimate — as evidenced in cases in the Niger Delta (Hultin, 2014, p 203, citing Ebiede, 2011; Ebeku, 2002).

What seems to be taken for granted is that civil society should not fight to join or capture the state because it is itself a sphere that is separate from the state — in some cases more so, in others less so. Even though moves to join the political space or state machinery are common, these are individuals' moves, which while they can affect the organizations' positions, will not stop civil society itself from continuing to be a platform for violent or non-violent actions. This paper is in keeping with realist trends, but it is also aligned with the work of Bratton (1994) in the fact that — despite influences — it does not consider civil society to be the same as political society, which are political parties and other groups that aim to take control of the state and/or reshape it either through votes or arms.

### **3. Confined Democracy**

Between 1975 and 1986, the few agencies and NGOs active in Mozambique were expected to acquiesce to the only controlling party. The established legal framework and the armed conflict hindered the emergence of non-partisan civil society organizations, although some faith-based organizations tried to empower society beyond party lines, such as the Christian Council of Mozambique and the Episcopal conference of Mozambique (De Araújo and Chambote, 2009, p. 216). In the 1990 multi-party constitution and the 1992 peace agreement were set up to try to ensure freedom of expression and association. This made the environment more conducive to independent national and foreign advocacy, humanitarian, and associative organizations to set up in Mozambique. Between 1984 and 1996, international agencies started up several national NGOs, and also contributed to creating others; this meant that the number of organizations increased from just four to two hundred over the course of twelve years. At the end of the 2010s, Maputo was the base for 13% of the country's organizations, which in turn held over half of the resources destined for the sector.

The number of NGOs has increased over the years; however, the efforts of democratization, participation and development have never critically challenged the power and hegemony of the Mozambique Liberation Front (FRELIMO), which has remained in control of the state for 45 years. While it was going through its democratic transition period (1989-1994), FRELIMO collaborated with a variety of political actors, including those whom it had opposed in war, in the same sphere as everyone else in reconstructing the state. In Joaquim Chissano's first post-war term (1995-1999), however, FRELIMO set itself apart in its own sphere of state power, opening a playing field in a different sphere for all other political actors, where there are contestation environments. Thus, began a process to reincorporate the state similar to the single party, becoming both party and state together. In Chissano's second term (2000-2004), the Party/State seemed to confine day-to-day political disputes to within these disempowered contestation environments, frequented by those in opposition, and by

the media, activists and international political actors.<sup>[1]</sup> Shut off within its own state sphere, FRELIMO debated only with itself, visiting the contestation environments and forcing neutralization when convenient, and making state decisions from within the party structure.

Although Law 2/97 opened up the possibility of multi-party election in 33 of the country's *autarquias* (municipalities), the governors of the provinces and neighbourhood secretaries were still appointed by the Party/State.<sup>[2]</sup> Decree No.15 (Boletim da República, 2000) marks the moment when the Party/State finally incorporated traditional leaders, by guaranteeing their financial rewards. In practice, the Party/State expanded its power by embracing the traditional chiefs, which, according to Geffray (1991), were strong flexible grassroots institutions within the framework of political, social, cultural and rural standards. A measure that could have been used to decentralise power — with the vast majority of the population living in rural areas — thereby expanded central power. Civil society visits rural communities, where it is necessary to seek permission from local leaders who are loyal to FRELIMO.<sup>[3]</sup> A model of neo-traditional corporatism, involving instrumentalisation of traditional authorities, emerges with a fusion of ideas that are completely averse to democracy (see Robinson, 1991; Grest, 1995 and Santos and Meneses, 2010). FRELIMO managed to reconstruct its hegemony, allowing a period to cool off from the decentralisation and democratisation of the early 2000s, and used its infrastructural power to incorporate the state.<sup>[4]</sup>

#### 4. Physical Dimension: New Laws and a Different Donor Stance

There are no legal restrictions to civil society receiving donations from governments that cooperate with Mozambique, bilateral and multilateral agencies, or international organizations and foundations. Law 8/91 (Boletim da República, 2006), establishes that civil society is not for profit and does not regulate accessibility to private or international resources. In addition, the “patronage law”, Law 4/94 (Boletim da República, 1994), establishes the donation model as a potential funding source. However, barriers start with access to public resources, where legislation gives scope for subjective decisions and policies. Article 11 of Law 8/91 gives access to public resources

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1. It is important to note that this phenomenon occurred at a time when FRELIMO feared losing power. This can be demonstrated by the apparatus used to elect Chissano in a highly controversial scheme full of irregularities (Manning 2002:194-199; De Brito 2007:1).
  2. Law 2/97, 18 February 1997, was the legal framework for local municipalities institutionalisation. It was altered by the law 15/2007, 27 June 2007, and 1/2008, 16 January 2008.
  3. This was seen at several points in different field research projects in Malema, Montepuez, Ancuabe, Manica, and Chókwe, among others (Fieldwork notes).
  4. Neo-traditional Corporatism first took place in 2000, when FRELIMO realised the importance of allying with traditional leaders and realised that it could have a “nonconflictual society in which organic unity provides a check against competitive pluralism and corporate groups facilitate mass mobilization for economic development equivalent to the assertion of the hegemonic culture of politics” (Robinson 1991:15; FRELIMO 1991:1, Lundin 1992; Geffray 1991).

to organizations that meet requirements for public utility and cooperate with “public administration in providing services centrally or locally, and that present all the evidence needed to demonstrate their claim (Boletim da República, 2006). Article 1 of decree 37/2000 requires that organizations draw up contracts where cooperation is “shown” to prove “its existence” (Boletim da República, 2000). The result is that the organizations with greater access to public resources are the cultural and youth socio-professional groups that were created at the time of the single party, deeply connected to FRELIMO. Even faced with the politicisation of access to public resources, a chain of thought in civil society argues that the state should finance these organizations.<sup>[5]</sup> This could be seen as dangerous, as it can lead to neutralization. It discusses the possibility of seeking funding from the private sector. Many multi-national corporations run social projects, but there is still no regulation over this type of funding or any guarantees of the inexistence of politicisation. Politicisation is also characterised by “informality”: “personal relationships” with anyone taking a decision about the structure of donation agencies facilitates access to resources (Francisco, 2015, p. 32).

Law 8/91 sets out which organizations have mechanisms for internal governance such as AGMs, fiscal boards and executive direction. At least ten people are required to set up an organization — although it is rare that all of them need to be fully involved. Organizations tend to start with an individual (or sometimes two or three) who decide to work on a theme. The obstacles start with the list of documents required — such as an identification report and a certificate of criminal records for each individual. All districts lack legally trained staff to facilitate analysis and processing of these documents. The registration process costs US\$440.00, plus the fee for publication in the Republic’s Official Gazette, which charges according to the number of pages (Ibid: 18). This is a challenge to CBOs, as Mozambique is a relatively low-income nation. Many donors consider state recognition of organizations as a condition for transfers, and this can also hinder access to resources. These pre-requisites and ensuing bureaucracy create delays in registration (Topsøe-Jensen et al., 2015).

However, these delays may also be down to political reasons. Lambda is a NGO that works with gender issues and freedom of sexual orientation. It has been waiting since 2007 for its registration.<sup>[6]</sup> All the necessary pre-requisites have been met, but there has still been no confirmation. A similar case is that of the Muzo Community Association in Zambezia, which stands for interests counter to those of the local authorities in Maganja da Costa. The registration took three years and was only finally granted after the district administrator had been replaced. The authorities had economic interests and blocked the forest demarcation lines in favour of ACODEMUZO.<sup>[7]</sup> In the first half of the 2010s, fiscal intermediary organizations came to have

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5. NGO worker interview, Maputo, 15 May 2015.

6. NGO worker interview, Maputo, 22 April 2015.

7. CBO member interview, Zambezia, 4 May 2015.

considerable influence through administering thematic projects and demanding “efficient and democratic” management from civil society.

An example of the involvement of fiscal intermediaries is the AGIR project, led by Sweden, which began to require stricter upward accountability models, to refuse expense sheets, and to introduce audits and retain transfers. Since 2013, NGOs working with human rights and governance have experienced unprecedented difficulties. In certain organizations, the conflict between these NGOs and intermediaries has been damaging — with interminable, unproductive meetings, lowered management morale, diplomatic interventions, internal conflicts, dismissals and unpaid salaries. Embassy staff admit off the record that there is no way to “work with organizations in Mozambique” and that the basic values of good professional conduct have been forgotten. Organizations’ assets have been sold to pay off debts due to a lack of donations as set out in strategic plans.

The moral, material and human resource liabilities are incalculable. There are also several organizations going through bankruptcy proceedings and accumulating employment costs.<sup>[8]</sup> The LDH, for instance, had accumulated debts of more than half a million US dollars by the end of 2015.<sup>[9]</sup> In the NGO Youth-Parliament, work to create a civil society news-agency was shut down and research projects were cancelled.<sup>[10]</sup> At the FORCOM, successive budgetary cuts reached 20 per cent between 2011 and 2015, meaning that numerous projects were held back and entailing a review of the strategic plan. The intermediaries’ strategy is interpreted as insufficiently proactive and excessively punitive. However, intermediaries seem convinced that this is the right way forwards:

I don’t think that civil society is in crisis, I think it’s better than ever. Nor do I think it’s in a crisis of transparency. Perhaps though it’s suffering from growing pains, and they hurt. There are a number of things that need to be organised, such as internal governance. If you’re not open enough, you could get into trouble. Activism is great, but it also needs good internal management.<sup>[11]</sup>

Organizations that rely on funding from the Norwegian Agency for Development Cooperation (NORAD) for projects on gender issues also show an apparent “reduction of interest” from donors. A manager of an organization that reacted with “compromise” to donors’ restrictive measures says “they [donors] want us to receive support from the state... self-sufficiency in this country is impossible. Perhaps the only alternative is to redefine activities”.<sup>[12]</sup>

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8. CS analyst interview, Maputo, 10 July 2015.

9. NGO worker interview, Bonn, 5 October 2016; NGO worker interview, Bonn, 9 October 2016.

10. NGO worker, Maputo, 18 November 2014.

11. Intermediary worker interview, Maputo, 14 November 2014.

12. NGO worker interview, Maputo, 24 November 2014.

## 5. Cognitive Dimension: Challenging Narratives and Stereotypes

Breaking bonds imposed by power dimensions (Lukes, 1974; Gaventa, 2006) is one of the challenges to breaking the quiescence of powerlessness. It is common to hear phrases like: “before even setting foot in the community, you have to contact the local area secretary to explain your work”.<sup>[13]</sup> Fear of reprisal, persecution, boycotts and the absence of citizenship are detrimental to participation. CBOs especially are still limited by a lack of understanding of rights and duties, and of knowledge of legal frameworks and the functioning of governmental institutions (ITAD & COWI, 2012, p. 35). Even the more intellectualised or demanding sectors face “invisible barriers” to translate and position themselves.

On 7 March 2015, a core group of students from Eduardo Mondlane University organised a demonstration in tribute to Professor Gilles Cistac, who had been assassinated the previous week. Civil society organizations and social sciences students took part in the demonstration and raised other issues, asking for “protection of freedom of expression, academic freedom and justice”. But the law students rejected the defiant discourse, even though they admitted that the crime was political; as one student said:

We are reluctant to say it was an attack on freedom of expression, but for someone of average intelligence, considering what happened and the days leading up to the murder, one can only reach this conclusion. Some of the professor’s comments sparked hatred in a certain group of people. One could arrive at this conclusion by drawing causal links. However, as students, we cannot be hasty.<sup>[14]</sup>

The Cistac case united heterogenic groups with different ideologies in non-violent action. It is important to remember that Mozambique does not often see heterogeneous groups of people occupying public spaces to complain about the same thing. It was not only a demonstration of solidarity but also a process of defiance with other subsequent and interconnected non-violent actions. However, what is crucial at this point is to note that hesitations like this derive also from invisible and hidden barriers (Gaventa, 2006) that contribute to the cooling off of the contestation environment. Some students believe their opinions will not be “taken seriously” in the context of local governance and that they “may be persecuted” for expressing them. “As most are in need of public employment”, “being an activist” is not really to be recommended. The same survey interviewed officials from districts that are reluctant to share public budgetary information with the civil society provincial forum, and who argue that this information “could be misused” (ITAD & COWI, 2012, p. 35).

In mid-2014, Lambda tried to import 20,000 tubes of lubricant gel from South Africa, but they were confiscated at customs. The losses were estimated to be around US\$2.500. After extensive negotiations with the Health Department, the product is

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13. Fieldwork notes.

14. Students interviews, Maputo, 27 March and 5 April 2015.

now included among other imported health care products and is tax exempt. An interviewee commented: “We lost US\$2.500 dollars, but we won the war”. Lambda is not recognized by the state and is not registered, but it participates in Health Department meetings. The NGO is not able to hold public demonstrations for the rights of the LGBT community; however, it does take part in protests for women’s rights. When trying to decide the organization’s name, explicit alternatives like the “Association of gays, lesbians, transgender and bisexual people in Mozambique” were discounted through fear of prejudice within civil society and the state.<sup>[15]</sup> According to an activist, this is how the name Lambda came to be chosen, “We didn’t want to have to fight two battles”.<sup>[16]</sup> The Greek letter Lambda was used for the first time as a symbol for the New York Gay Activists Alliance in the 1970s. Even the organization’s headquarters in Maputo, are anonymous and unmarked. In other words, although it is a hidden and silent struggle, it is still a struggle nonetheless.

Lambda tackles the effects invisible power (Powercube/IDS, 2011) inside the LGBT community with subtle awareness campaigns about prejudice, health matters, self-acceptance, self-confidence and mutual support, but, despite the fact that the real issue is no longer in latency, it has stalled in a limbo between *identification* and *intervention* stages — neither following defiance or co-construction (Pessôa, 2018).

Some progress in terms of gender equality have been achieved by the Women’s movement in Mozambique. These advances have contributed positively to the LGBT population, but it has not fully met its needs. An alternative strategy would be to set up a consistent coalition able to embody LGBT issues through processes of co-construction and/or defiance. However, this approach is still a challenge within Mozambican civil society because of the resistance that Lambda faces among the media and other organizations. Gender discrimination hinders the LGBT community from finding employment, and Lambda expect responses from the state “because sexual expression should not be a barrier to meeting basic needs”.<sup>[17]</sup>

## 6. Transgressive Dimension: Dealing with Visible Repression

There are moments when Mozambican activists are welcome. In certain invited spaces — such as the National Assembly, the Budgetary Monitoring Forum and the Planning and Budgetary Commission — organizations are able to discuss public health, education and budgetary policies. However, there are also times when they may be “seen as a threat”.<sup>[18]</sup> In areas with natural resources and human rights, invited spaces operate in an anomalous fashion due to the dynamics with hidden power in the contestation environment. At provincial and local level, the rules of this participation are sup-

15. NGO worker interview, Maputo, 22 April 2015.

16. NGO worker interview, Maputo, 22 April 2015.

17. NGO worker interview, Maputo, 22 April 2015.

18. NGO worker interview, Maputo, 17 April 2015; NGO worker, Maputo, 20 April 2015; NGO worker interview, Maputo, 24 November 2014.

ported by decree 11/2005 using mechanisms and consultation forums that are upheld by the government (Portal do Governo, 2015). That is to say, despite these spaces, there are still issues that are neither discussed in-depth, nor even touched on.

Some invited spaces are not seen as a priority. The OD (*Observatório do Desenvolvimento*, Development Observatory) is a national and provincial space that meets twice a year, where the PARPA (*Plano de Acção para a Redução da Pobreza Absoluta*, Action Plan for the Reduction of Absolute Poverty) and the PES (*Plano Económico e Social*, Economic and Social Plan) are evaluated. The OD encompasses members of the government, civil society, the private sector and also international partners. A civil society platform called G20 coordinates the involvement of the organizations. ODs have to rely on the availability of government representatives in order to proceed. Sessions are often postponed and are frequently cancelled.<sup>[19]</sup>

Some invited spaces became gradually co-opted and less effective (ITAD and COWI, 2012, p. 39). For example, the “Land Consultation Forum”, drawn up under decree 42/2010 (Boletim da República, 2010), was organised by the government through the National Land and Forestry Office in annual meetings. In 2015, the government commemorated its eighth event, as opposed to the civil-society organization having held only two (Jornal Notícias, 2015). “There were just two; the first was very controversial because it was the first time that a civil society and government had discussed the theme so openly. The second was considered “muted and silent. Now, organizations are being blocked”, explains an environmentalist.<sup>[20]</sup> In this case, the transgressive dimension dynamics meant that the forum had to meet several times — more than had been planned for — but selected participants.

Certain invited spaces are neutralised. One example is the CNAM (*Conselho Nacional para o Avanço da Mulher*, National Council for Women’s Advancement). The activists manage to speak their minds, but there are no established clear plans or concrete actions to resolve major issues. Another similar space that is open to civil society is the CNDH (*Comissão Nacional dos Direitos Humanos*, National Commission of Human Rights), which has limited influence over the Party/State regarding significant advances. Both CNAM and CNDH can play important roles in co-construction processes as, despite their inefficiency in advancing different issues, some members do manage to break the silence and raise debates in the media, Parliament or international bodies.

Despite the constitutional guarantee of freedom of expression, group meetings and demonstrations, these rights are under threat. The state monitors citizens and organizations and restricts press freedom aggressively, with arrests, seizure of journalists’ equipment, death threats, and the closure of community radios (CIP, 2015; Chichava & Pohlmann, 2010; Pessôa et al., 2014).

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19. NGO worker interview, Maputo, 17 April 2015; NGO worker interview, Maputo, 20 April 2015.

20. NGO worker, Maputo, 20 April 2015.

On 5 September 2014, President Armando Guebuza signed a peace agreement with the RENAMO leader Afonso Dhlakama after 66 rounds of negotiation to try to resolve the political and military conflict. The agreement ensured the integration of those from RENAMO who were unhappy in the Army and the police forces. In addition, it was a foundation for the economic and social reintegration of RENAMO ex-combatants. It also guaranteed that the presidential elections could take place securely. In October and November, Mozambique saw a highly controversial election campaign marked by political violence, public finance scandals, ballot paper theft, data falsification and lack of transparency (Pessoa et al., 2014). RENAMO contested the legitimacy of the election and did not accept the result. It threatened to separate the northern region of the country, which is the centre of extractive industry projects and agricultural programmes such as ProSAVANA. During the months of December, January and February 2015, Dhlakama promoted rallies in the Northern and Central regions. Respected academics engaged in the debate, including the constitutionalist Gilles Cistac. Cistac argued that the constitution allows for the creation of “autonomous provinces”, provided the parliament gives its approval: “It could even be a good solution in any critical political-military crisis” (DW Africa, 2015a). The fact Cistac is a white immigrant critic and academic led to nationalist and racist rants from FRELIMO supporters in the mainstream press and on social media. The UEM (Eduardo Mondlane University) lecturer complained to the Attorney-General’s Office that he had received death threats. He was murdered on 3 March, gunned down as he left a café in the centre of Maputo.

Since 2013, the attacks on critical voices and the space given to organised crime have startled society. In 2014, after the wave of abductions, the judge Diniz Silica was shot in his car at a busy intersection in one of the city’s central districts. Millions of meticais were found in the judge’s car. The following year, Cistac and the journalist Paulo Machava were also shot in busy areas in central Maputo. In 2016, the RENAMO representative at the Defence and Security Council, José Manuel, was assassinated, and the state prosecutor Marcelino Vilanculos was gunned down in front of his home in Matola, near the capital. The same year, the academic José Jaime Macuane was shot in the legs. Macuane was a political commentator on Mozambican TV and the attack against him provoked protests from other commentators: “The goal is to silence people so they can’t express themselves. For me, this is where to attack. Where are the authorities?”<sup>21</sup> There was an increase in the number of executions and assassination attempts by RENAMO local and national leaders. SISE (*Serviço de Informações e Segurança do Estado*, State’s Intelligence Service) and the elite police squad have been suspected of planning and carrying out crimes, and being part of what the media has dubbed as “death squads”. In return, FRELIMO leaders in the provinces also began to be targets. The “death squads” were revealed in the press in 2016 through an alleged witness report by Mozambican police officer (Verdade, 2016)

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21. NGO worker interview, Maputo, 19 April 2015.

These attacks fired-up political debate and were extremely uncomfortable for the government. They also drew attention to the paralysis and delays of the police. Some activists kept quiet as they understood that — in the eyes of the *frelimistas* — they were considered “unpatriotic opponents” working for foreign interests. What happened with Cistac and other critical voices suppressed the defiance processes. Before Cistac’s assassination for example, the activists had had to face a series of intimidating actions. After the assassination, activists avoided giving interviews, either by simply not answering the phone, or by claiming they had prior commitments.<sup>[22]</sup>

In the first half of 2013, strikes affected public services in Mozambique. Police officers, teachers, nurses and doctors introduced important dynamics to the contestation environment. The movement *Médicos Unidos pela Saúde* [United Doctors for Health] held two protests. The first was in January, when an agreement with the government established three points: 1) there would be no retaliation regarding any strike action, 2) public sector reform and adoption of the doctors’ statute and 3) the creation of a space for ongoing dialogue with an array of concrete actions and deadlines. The second was in May, due to non-compliance with these requirements. It had a national reach with discussions on Facebook, protests in Maputo and public gatherings that were disrupted by the police. The President of the AMM (*Associação Médica de Moçambique*, Medical Association of Mozambique), Jorge Arroz, became nationally recognised. He was held under arrest for several hours and accused of sedition, i.e., defiance — which implies revolt or rebellion against established authority, and crime against national security. His eventual release was due to pressure from social networks, popular demonstrations, strikers, and civil society members (Verdade, 2013a).

After 27 days of strike action, an opportunity for dialogue between the government and the AMM was finally set up mid-June. Arroz implied that the end of the strike was “due to the suffering of the people” and pointed out that the lack of “colleagues was justified” regarding the strike (Verdade, 2013c). In August, he then complained about the “retaliation” against strikers (VOA, 2013). However, Arroz gradually reduced the defiant discourse. Not only did he retire from active involvement, but he also campaigned in Tete for the FRELIMO candidate in municipal elections (Jornal Notícias, 2013). Information shared by members of “historic FRELIMO” is that the SISE was spying on the movement.

The activity of SISE triggers several dynamics in the transgressive dimension. Co-opting is common, but is not used on its own. The process of neutralization demonstrates a repertoire of intimidation.<sup>[23]</sup> One method is the violent harassment through familial kidnapping and physical threats to activists. Alongside this, advantages may be offered such as well-paid positions in public or private entities linked to the Party/State. Although their family may be under threat, activists can improve

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22. NGO worker interview, Brighton, 1 December 2015; NGO worker interview, Aracaju, 12 November 2015.

23. Intermediary worker, Maputo, 13 May 2015; NGO worker, Maputo, 20 November 2014.

their financial situation.<sup>[24]</sup> A further example is the *madjerman* — the group of Mozambican workers who migrated to the Democratic Republic of Germany in the 1970s and 1980s for training purposes and temporary employment opportunities. This group has accused the government of confiscating the financial transfers they made from Germany. Based on documents from 1990, the *madjerman* are claiming back approximately US\$20.000 per head. They have demonstrated in Maputo since 1999. In 2015, the press reported that a foreign ambassador had suggested that the *madjerman* hold a demonstration in favour of administrative decentralisation. After they asked the press to correct the information, the leaders were arrested. They spent a week in prison and were released only after an international outcry. “I was arrested five times, and kidnapped. In 2005, they tempted our leaders with our own money”.<sup>[25]</sup>

## 7. Conclusion

As we saw above, the shrinking civic spaces can be seen as what the theory of defiance calls “neutralization” (see Fig. 1 in p. 2). This occurs when issues, organizations and individuals end up at a disadvantage in the contestation environment. This paper proposes reversing this process by bringing to the fore real issues to break latencies and re-start defiances.

Real issues can create contestation environments, and a defiant civil society is able to make itself robust in those environments (see Pessôa 2018). First, because individuals directly interested and affected by the real issue constitute an inherent part of the contesting group. Secondly, because all the people involved see the real issue at stake, and there is collective identity and reason for the mobilisation. One challenge for the development aid is, for this reason, to have the perception on what are real, peripheral and non-issues — an ability that is not developed in NGOs nor in donors.

Defiance in civil society is a process that begins with individuals, and not with NGOs. Also, indeed, that defiant civil society (DCS) is not a fixed group of people, but rather individuals in a public momentum. That is to say, when there is a strong enough issue to make the individuals of this group rise up to demand it. It becomes visible when power structures are overcome and latency is ruptured — that is to say, real issues are conducted into the public sphere and contestation environments are formed. The stronger the activists’ identification with the cause and with the people interested, the greater is the chance of this ‘insubordination’ happening. That is to say, activists and professionals need not only to understand, but to feel why the real issue has to remain in defiance or co-construction.

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24. NGO worker interview, Nampula, 1 May 2015; NGO worker, Maputo, 20 April 2015; NGO worker, Quelimane, 7 May 2015; Intermediary worker, Maputo, 13 May 2015; NGO worker, Maputo, 18 November 2014.

25. Independent activist interview, Maputo, 28 June 2015.

Therefore, reversing the shrinkage of civic spaces involves:

- 1) Awakening defiant civil society, which is a challenge for development aid and activists to realize and understand, because finding the real issue requires a historical and anthropological approach that aid sector's stakeholders sometimes ignore.
- 2) Strengthening civil society in contestation environments. The theory of defiance in civil society presents starting points for setting strategies based on the analysis of the physical, cognitive and transgressive dimensions of contestation environments. The stakeholders engaged in strengthening civil society — activists, development partners, communities' representatives — need to cope with cultural and cognitive barriers in order to face the various expressions power. They need to create new forms of relationship together, where issues such as accountability, for example, do not put at risk civic real issues in co-construction or defiance. Finally, dealing with visible expressions of power requires lobbying, public advocacy and mobilization strategies. It is essential that activists show defiance as publicly and transparently as possible, acting fearlessly and boldly when necessary — even if it means also being transgressive.

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