

NGOS IN POLICYMAKING IN TANZANIA:
THE RELATIONSHIPS OF GROUP CHARACTERISTICS, POLITICAL
PARTICIPATION AND POLICY OUTCOMES

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Abstract

Ginger L. Elliott-Teague

NGOs in Policymaking in Tanzania: The Relationships of Group Characteristics, Political Participation and Policy Outcomes

The study of non-governmental organizations in African countries has focused almost exclusively on their roles as service providers, leading to a limited perspective on their participation in society. This analysis instead considers NGOs as deliberate political actors in Tanzania. Interest group theory is used to understand organizations' behavior in the policymaking process. The research revealed that local Tanzanian non-governmental organizations acted in the same ways as Western interest groups when they attempted to influence policy outcomes. They were engaged as stakeholders, consultants, lobbyists, networkers and challengers. Variation in group behavior existed across four policy cases, but the patterns were similar. Organizations began as participants invited by the government, later deciding whether further engagement was needed to achieve specific policy goals. If they decided in the affirmative, they would then commence lobbying and/or challenging government officials. In the meantime, most of these organizations also chose to form coalitions to strengthen their policy positions. Groups that chose to challenge policymakers by changing the venue of contestation (turning either to the public or Members of Parliament) were similar in significant ways. Each organization was involved in multiple policy areas, all were large organizations, none had links to government, all were oriented toward advocacy, and all had activist leadership. They varied by age (years since being founded), cause and professional status. By contrast, organizations that chose not to challenge did not share any meaningful characteristics. However, only non-challengers were considered to have achieved a substantial number of their initial policy goals. These organizations relied on long-term lobbying to influence policy, and they developed meaningful relationships with officials. The three sets of organizations that challenged the government were unable to realize their desired policy outcomes. Their willingness to use challenger behavior was intricately linked with their organizational characteristics: being more oriented toward advocacy rather than service, having activist leadership, and having the resources to carry out active campaigns against policy. The findings suggest that to be successful in Tanzanian politics, such groups need to consider not always acting in ways that seem most natural to their activist natures, instead diplomatically engaging policymakers.

Contents

Acronyms.....	vii
List of Tables	ix
Chapter One	1
Chapter Two	19
Chapter Three	38
Chapter Four	70
Chapter Five.....	116
Chapter Six	140
Appendix.....	145
References.....	157

Acronyms

AGENDA	Agenda for Environment and Responsible Development
AIDOS	Italian Association for Women in Development
ANGOZA	Association of Non-Governmental Organizations of Zanzibar
BAKWATA	National Muslim Council of Tanzania
BAWATA	Tanzania National Women's Council
CBO	Community-based organization
CCM	Chama cha Mapinduzi (Revolutionary Party)
CEEST	Centre for Energy, Environment, Science and Technology
CIDA	Canadian International Development Agency
COOPIBO	Coöperatie Internationale Bouworde (Belgium)
Cordaid	Catholic Organisation for Relief and Development AID (Netherlands)
DANIDA	Danish International Development Agency
DFID	(formerly ODA, the Overseas Development Agency)
DOE	Division of Environment
EMA	Environmental Management Act of 2004
ENATA	Environmental Association of Tanzania
ENVIROCARE	Environmental Human Rights Care and Gender Organisation
FEMACT	Feminist Activism Coalition
GLTF	Gender Land Task Force
HakiArdhi	Land Rights, Research and Resources Institute (also LARRRI)
HIVOS	Humanistic Institute for Development Cooperation (Netherlands)
IDG	Informal Donor Group in the Environment
ILFEMP	Institutional & Legal Framework for Environmental Management Project
ILO	International Labor Organization
IMF	International Monetary Fund
IMSC	Inter-Ministerial Steering Committee
IUCN	International Union for Conservation of Nature and Natural Resources
JET	Journalists Environmental Association of Tanzania
LEAT	Lawyers Environmental Action Team
LHRC	Legal and Human Rights Centre
MLHUD	Ministry of Land, Human and Urban Development
NALAF	National Land Forum (or UHAI in Kiswahili)

NEAP	National Environmental Action Plan
NEC	National Executive Committee of CCM
NEMC	National Environmental Management Council
NLC	National Land Committee
NOCHU	National Organization for Child Welfare and Human Relief
NORAD	Norwegian Agency for International Development
NOVIB	Netherlands Organisation for International Development Cooperation
NPF	NGO Policy Forum
NSC	National Steering Committee for NGO Policy Formulation
PINGOs	Pastoralist Indigenous NGOs Forum
SAT	Southern African AIDS Training Programme
Sida	Swedish International Development Cooperation Agency
TANU	Tanganyika/Tanzania African National Union
TAHEA	Tanzania Home Economic Association
TACOSODE	Tanzania Council for Social Development
TAMWA	Tanzania Media Women's Association
TANGO	Tanzania Association of NGOs
TAWLA	Tanzania Women's Legal Association
TGNP	Tanzania Gender Networking Programme
UNDP	United Nations Development Programme
UNIDO	United Nations Industrial Development Organization
UNIFEM	United Nations Development Fund for Women
VPO	Vice President's Office
WAT	Women's Advancement Trust
WLAC	Women's Legal Aid Centre
WILDAF	Women in Law and Development in Africa
WWF	World Wildlife Fund

List of Tables

1.1: The Number of Individuals Interviewed by Source and Policy Area	7
3.1: NGOs and the Land & Women Campaign	54
3.2: NGOs and the Land & Peasants Campaign	58
3.3: NGOs and the Campaign against the NGO Act.....	59
3.4: NGOs and the Campaign against the EMA	62
3.5: Resource Summary	65
3.6: Summary of Year Founded.....	65
3.7: Summary of Causal Areas	66
3.8: Staff Size Summary	66
3.9: Summary of Professional Status.....	66
3.10: Summary of Government Linkages	67
3.11: Summary of Advocacy Levels.....	67
3.12: Activist Leadership Summary	67
4.1: Summary of Additional Workshops of Women's Land Rights Campaign.....	78
4.2: Summary of Various Workshops on Environmental Management	107
4.3: Major Differences Among the NGO Campaigns.....	111
5.1: Summary of Group Engagement by Type of Participation and Campaign	123
5.2: Comparison of American and Tanzanian Interest Group Activities.....	126
A.1: Activities of NGOs in the Women's Land Rights Campaign.....	145
A.2: Activities of NGOs in the Peasants' Land Rights Campaign	147
A.3: Activities of NGOs in the Campaign Against the NGO Act	149
A.4: Activities of NGOs in the Campaign Against the EMA.....	154

Chapter One

INTRODUCTION

Nongovernmental organizations have achieved an unprecedented level of political participation in recent years in Tanzania. Groups promoting media access, women's rights, environmental protection, NGO access and numerous other interests have worked to make their voices heard in the public sphere. This is remarkable in a political system that since independence greatly restricted the participation of individuals in policymaking. Before the mid-1980s, nongovernmental organizations of any type were prohibited almost without exception. Since then, their numbers have multiplied such that in 2005 the government estimated that more than 8000 existed. Most of these NGOs were dedicated to providing services to local communities. A few, however, had expanded their missions to include policy advocacy at the national level. This research considers how these advocacy organizations have tried to influence policy outcomes.

The vast majority of the literature on civil society organizations in developing countries is devoted to examining their roles in social and economic development. A portion of the literature has considered how their existence and their involvement in society affect the expansion of democracy, particularly democratic norms and values. Very little, however, has explored their direct role in policymaking. (G. Clarke, 1998) Conversely, the interest group literature that focuses on group involvement in policymaking has neglected groups in developing countries. The overlap of the two literatures has been overlooked, and civil society involvement in policymaking in developing countries is significantly understudied as a result. More information is needed about how groups in developing countries participate in policymaking and whether they are having an effect on outcomes and the policy process itself. Their participation has a direct effect on the growth of democracy in these countries.

My research contributes to filling these gaps in the literature. I studied the involvement of more than twenty non-governmental organizations (NGOs) in three policy areas: land tenure and ownership, NGO regulation, and environmental management. The three pieces of legislation were the Land Acts of 1999, the NGO Act of 2002 and the Environmental Management Act of 2004 (the EMA). These issues spanned more than ten years of policymaking, and overlapped to some degree. Groups organized four campaigns across the three policy areas, with two different issues in land policy motivating NGOs to mobilize. These formed the four policy cases of my research. Further, some organizations were active in more than one issue, offering an excellent opportunity to compare the same groups' behavior in multiple policies.

NGOs' involvement was extensive, varied and unexpected. Despite a weak public and legislature, groups were willing to try anything to get their favored policy concerns addressed by the government. They engaged in a wide assortment of tactics, which varied by policy campaign. Within the variation, however, significant patterns of political engagement stand out. Differentiated by the level of commitment required and the amount of group initiative demanded, five types of group engagement were observed. When I compared the four campaign cases, it was evident that group engagement may be linked to group characteristics. Further, the data suggests that outcomes also may be related to group engagement. I discuss these relationships in chapter five.

I began my research on civil society interest groups in Tanzania with a single guiding question: what is their involvement in policymaking? Data collection then focused on two aspects of this question; the first was the specific tactics and strategies used by groups to influence policy outcomes while the second was the extent of their influence. I believed that NGOs would behave differently when acting as interest groups than organizations in the United States and Great Britain. I suspected that they would engage in different tactics and use different strategies, responding to the singular aspects of Tanzanian social and political systems. This suspicion was only partially correct. Regarding influence, I did not expect to find anything in particular; I did

not know if the desired policy outcomes of groups were making it into new legislation. I sought to discover what was happening.

The empirical contribution of this study is relevant to groups around the world that have consistently challenged government policy. People throughout Africa are talking about how groups can bring about democracy. The behavior of groups outside the West is only rarely considered through the lens of the interest group and policymaking literatures, even in places where groups have had dominant roles in policymaking (such as in South Africa). Yet groups are acting in ways that cannot be explained through the models provided by social movements or civil society. While such models are important, they do not explain the policy role of formal groups. Unfortunately, the scholarship that should provide some insight has yet to be applied in settings that have institutional structures not characterized and shaped by a strong economy and full democracy.

For these reasons, The United Republic of Tanzania is worthy of study. It differs from the United States and most European countries in its level of economic development and average personal wealth. The first condition could be critically important because it reduces the resources available (e.g., time and money) to individuals to give in support of their favored interests. It may also dramatically increase the collective action problem, especially for the promotion of interests that may not directly and immediately affect participants economically. (Olson, 1965) Given the poor transportation and communication infrastructure that has resulted from having a weak economy, it is exceedingly difficult to mobilize the Tanzanian public on any issue. The poverty of the nation (and therefore of groups) also suggests that patrons will have a singular role in affecting group mobilization and maintenance. (Walker, 1991) Foreign funding may have some role in determining group activities.

The second condition faced by Tanzanian groups—a weak democracy—provides an interesting context for group engagement. Given the historically central role of the party in political life in the country one could expect decision-making to be highly centralized. It

particularly may affect the role of the Members of Parliament whose behavior has always been highly constrained by party and (therefore) government demands. Additionally, the Tanzanian Media have experienced government restrictions on what they could report for many years. Although freer than in the past, some may still feel that confronting the government on policy issues is not worth the risk. Because of these limitations, groups may not have any effect on policy no matter what they do. The weakness of public opinion could exacerbate this problem, since groups cannot rely on an ability to generate a groundswell of support for their positions. However, group involvement in policymaking may have long-term consequences for democratic reform in the country. The fact that groups are increasing their participation suggests that democracy is growing in Tanzania, not languishing.

I also expect that the weak economy—and the subsequent poor infrastructure—will affect group activities and influence. Groups may choose not to engage in strategies that focus on mobilizing public opinion to sway officials. Further, if they do attempt to use public opinion, they may not be successful, falling short of their mobilization goals. I also expect that the weak democracy will affect group activities and influence. Groups may not engage in behavior that challenges the government because of possible repercussions against their organizations. Further, turning to the Parliament may be ineffective if members are highly bound to the dominant party and the administration. Finally, if the government is essentially strong, it may have the ability to do what it wants no matter what groups do or say (especially in a system in which it would not face a public outcry). Only the presence of foreign donors to whose demands the government would feel pressured to respond might counter this.

METHODS

My methods for uncovering the activities and influence of NGOs in the policymaking process in Tanzania were straightforward. Information is difficult to attain in Tanzania. Government offices move frequently, both physically and within the ministerial system. Documents are not

maintained regularly or systematically. Further, newspapers through the years have developed a reputation for sloppy reporting, occasionally stating incorrect information in published articles. For these two reasons, I wanted to rely on interviews of central actors for information about group activities. Fortunately, staff turnover in NGOs and the government is infrequent. Most of the people working for organizations in 2005 had been there for many years, many since their founding up to ten to fifteen years earlier. In government¹, officials rarely leave office altogether, although they typically change positions every five years when a new administration is elected. From the start I was thoroughly confident that finding the individuals involved on both sides of the NGO-government debates would be unproblematic. Whether they remembered events correctly, however, was an open question.

Even though most events had happened fairly recently (within the past ten years), it seemed prudent to confirm all information obtained in the interviews from other sources. Along with interviews from multiple individuals, I relied on a large number of documents including internal documents such as emails, meeting minutes and letters; workshop and meeting reports; annual reports of organizations; donor reports and documents; unpublished research and published books of local professors; parliamentary proceedings; and yes, newspaper articles. I was able to confirm almost every event or group activity through at least two sources.

Gathering information about influence was somewhat more difficult. While it was possible to rely on individual interpretations of influence, such evaluations are generally anecdotal. An organization representative or government official may not realize the true extent of a group's influence, highlighting or underscoring it depending on his or her personal impressions. Instead, I tried to rely on actual changes in the final legislation compared to before

¹ Throughout this paper, I refer to the executive branch of the Tanzania government as “the government.” This was the nomenclature used by both NGO representatives and government officials in Tanzania. Although it is not standard usage even in the literature that focuses on Tanzanian politics (Mukandala, Mushi, & Rubagumya, 2004), it highlights the control that the executive has over the legislature, emphasizing that the latter is not an equal partner but is highly deferential to the former. Some scholars use the term executive and government interchangeably in their writing. (Shivji, 1985)

group involvement (or at the beginning of it). This consisted of looking at the actual draft bills and the changes that were made over time as well as reading group documents and papers about the desired policy outcomes and then comparing those to the final bill. Because of the problems encountered with individuals involved with the EMA, the former method of comparison was impossible. Although promised to me, early drafts of the legislation were never received, nor were comments from workshop participants demonstrating groups' positions. Comparisons were easily made for the land and NGO regulatory policies.

The research was conducted in Tanzania between March 2005 and January 2006. The majority of individuals were interviewed in Dar es Salaam, although a few interviews were conducted in Arusha in the north of the country. Although at the beginning I knew a few of the names of individuals involved, I also knew that it can be difficult to gain access to busy individuals without some sort of personal reference. I therefore approached known American contacts first, with the hope that they would be able to direct me to the appropriate Tanzanians. This proved extremely helpful. Once I had introduced myself to and interviewed one local NGO representative or government official, they gladly directed me to others with whom they thought I should also meet.

This snowball technique was quite effective, and by the end I was able to speak to the vast majority of the individuals directly involved in either making policy or trying to influence it from the outside. My only problems encountered were in the arena of environmental management. Some persons were very reluctant to speak to me, and I was unable to meet with them. Unfortunately, because of their reluctance, I was also unable to obtain some documents that I thought would be critical to supporting the form and extent of NGO involvement. Despite these setbacks, I am fairly confident that the account of NGO participation is reasonably accurate, although the details are less defined than in the land and NGO regulation policy areas, where I was given excellent access to information.

I interviewed fifty-nine individuals, nine of them twice. The interviews were spread across many different occupations: seven staff members of donor organizations or international NGOs (USAID, World Wildlife Fund (WWF), Pact Tanzania, Concern International and the Sand County Foundation); thirty-eight staff and representatives of local NGOs; nine government officials; and four professors. The division of these occupations across the three policy areas is presented in Table 1.1.

	Donor/Intl NGOs	Local NGOs	Government	Professors	Total
Land Acts	0	14	3	0	17
NGO Act	4	11	2	0	17
EMA	2	6	2	2	12
Other	1	8	2	2	13
Total	7	38	9	4	59

Because the research focused on the activities of NGOs in policymaking, the vast majority (about sixty-four percent) of interviewees were representatives of local NGOs. The lists of organizations involved in each policy area are provided in chapter three. The “Other” category in Table 1.1 refers to individuals interviewed who were not involved in the three main policy areas; they provided general information on lobbying and the policymaking process, or details about Tanzania’s political system. There was some variation across the three policy areas of the occupations of interviewees. The most noticeable difference is the lack of interviews from donors on the Land Acts. This reflects that none were directly involved in the process itself.

Land, NGO Regulation and the Environment

I chose the areas of land, NGO regulation and environmental management for specific reasons. First, all three were large, comprehensive new pieces of legislation and appeared to have received a lot of government and NGO attention. Smaller pieces of legislation were ignored for those reasons. Although intriguing and likely good places to look at long-term group engagement, most were the focus of only one or two organizations. Issues such as disabilities and midwifery (which

I did not know about before I arrived) are certainly worthy of further study, but the time constraints required that I choose a limited set. Second, although there was donor involvement in two of the three, it was not so substantial that the government was placed in a secondary policymaking role. In areas such as poverty, HIV/AIDS and trade, international organizations such as the World Bank and the IMF were very involved, clouding any influence of local organizations.

Third, only two other large pieces of legislation were known to have been passed recently when the research was started, one each on sexual offences and poverty. Poverty remediation was too big a policy issue to study because no single piece of legislation governed it. (AFRODAD, 2002) The Sexual Offences Act was passed near the time that the land bills were being written, and many of the same women's groups were interested in it. Since the land bill process was particularly intriguing, it seemed prudent to focus on another policy issue not directly related to women.

I believe the NGO Act of 2002 is worth studying because it received incredible amounts of NGO attention from the beginning. Its provisions concern the operations of NGOs, and it raised questions about the creation of new regulatory structures and group participation in their development. The government invited organizations to be involved in its development from the start, and many different types of groups participated. Further, group involvement differed greatly depending on the phase in the policy process. I deliberately chose the Land Acts² because they were some of the first pieces of legislation to receive input from nongovernmental organizations. More importantly, they are the only known bills to have had active input from two different coalitions, some of whose policy objectives collided. These two coalitions ran two campaigns, although at times their involvement was coordinated.

² These refer to the Land Act and the Village Land Act. Up until a year before they were passed in Parliament, they were one bill. They were written, discussed and passed simultaneously, and are considered companion bills.

Finally, I chose to study the Environmental Management Act because my early research on the process indicated that members of various groups played key roles in its development. While this proved to be true, it appears really to be a story of cooptation and group silencing. It raises questions about what it means to participate, and how the appearance and, more importantly, the nature of participation may differ from the outside to the inside. In the end, while many organizations participated at different moments in the process, only one organization actually mounted a brief campaign against the EMA. This caused it to be completely shut out of the rest of the process.

While the research is modeled on a comparative case study analysis, the cases are not perfect similar nor dissimilar cases. Even so, each policy case provides unique insights into the policymaking participation of organizations. The land campaigns allow comparison between two coalitions in the same policy environment, and provide two campaigns to study. The NGO Act campaign reveals the close relationships of dissimilar organizations and their willingness to challenge a bill that affects them directly. The EMA campaign suggests that single, co-opted organizations cannot have a voice outside the channel of formal involvement. Most importantly, while the NGOs in the four campaigns engaged in similar activities at the beginning, by the end their paths diverged, depending on their resources, preferences and options. The cases show that there is not a single path groups must take to influence policy, although certain strategies appear to work better than others. Why this may be true is discussed in chapter five.

The following section presents a brief history of Tanzanian politics. The rest of the dissertation is divided into five chapters. Chapter two presents some of the theories of group engagement in policymaking, focusing on the U.S. and Britain. Chapter three discusses the characteristics of all of the organizations included in the study. They are reviewed by policy area to present a clear picture of the organizational context of each campaign. The policy histories are presented in chapter four, beginning with the Land Acts and ending with the Environmental Management Act. These focus on the nature of NGOs' political participation in each area.

Chapter five discusses the patterns of group activities I found in the data presented in chapter four as well as the factors that appear to affect group influence. Chapter six summarizes the findings and presents areas for further study.

HISTORY OF POLICYMAKING IN TANZANIA

Tanzania formed in 1964 from the union of the islands of Zanzibar and the Tanganyika mainland. The countries have different colonial and pre-colonial histories, and became independent in different years. Tanganyika gained independence in 1961, after 43 years under British rule (as a League of Nations/United Nations mandated trusteeship). Before the end of World War I, Tanganyika had been a German colony since 1885. Zanzibar instead had been a part of the Omani dynasty since the 18th century. Keeping a Sultan as the head of its government, it became a British protectorate in 1890. In 1963, Zanzibar gained independence from Britain, although in early 1964 a revolution occurred that replaced the Arab leadership with African leaders. Three months later, the president of Tanganyika, Julius Nyerere, pressured the revolutionary president of Zanzibar, Abeid Karume, to unite the two countries to prevent a radicalized Zanzibari government. (Burgess, 2005; EISA, 2004) In the Union, Zanzibar has retained a good deal of autonomy over its own governance. Very few policies apply to both the Mainland and Zanzibar (although the policies of both are similar on many issues). Because the policies studied here pertain exclusively to mainland Tanzania, little else about Zanzibar's history will be recounted.

The current policymaking system on the Mainland is similar to the system that has operated since independence in 1961. The government still writes the policy, the legislature continues to be weak, and one party maintains its control over both. Nonetheless, changes have occurred. The most significant for this research is the deliberate incorporation of groups into the policy process. The institutions of public participation have been restructured in the past two decades. Before the mid-1980s, formal nongovernmental organizations had almost no role in Tanzanian society; the party was all. (Mmuya & Chaligha, 1994) Tanzania experienced economic

upheaval in the late 1970s and 1980s, causing the party and the government to turn to the major international donors (particularly the IMF). The government had to restructure many of its policies at the time, and groups took advantage of the opportunities presented by a weak government. The upheaval led to the adoption of a multi-party system in 1992, with the first multi-party elections held in 1995. Since that time, groups have flourished, as has public participation outside the traditional party structure.

The party that has ruled Tanzania since independence is Chama cha Mapinduzi, or the Revolutionary Party (CCM). It was formed out of the Tanzania (or Tanganyika, before 1964) African National Union (TANU) and the Afro-Shirazi Party of Zanzibar in 1977. TANU/CCM essentially was the government for more than thirty years. “All state institutions, the bureaucracy, the legislature and the judiciary became mere extensions of the single party dominion” (Mmuya & Chaligha, 1994, p. 144). Julius Nyerere, President of Tanzania for more than twenty years, consolidated party rule in the early 1960s, and a single party system was adopted in 1965. At the time, the government issued a report identifying the National Assembly (the Parliament) as a rubber stamp, and suggested that party discipline was so strong because of the presence of opposition parties in the National Assembly. It recommended that the “legal recognition of only one party would lead to a true renaissance for the parliamentary function” (Kjekshus, 1974, p. 60).

This argument appears to have been a false one. Kjekshus (1974) provides good evidence that the independence of Members of Parliament was questioned early in the single party system, and that by 1968 CCM control was firmly established. Many MPs were expelled at that time for “bad” party behavior. (Kjekshus 1974, p. 77; see also Shivji 1991) Likely, the single party system was instituted not to promote legislative independence, but to stifle it. One of the main arguments for the re-institution of a multi-party system was that the National Assembly has lost all autonomy. “The humiliation of the Parliament by the Party and the Government (Executive) is testimony that without opposition parties in Parliament, it will continue to be decimated by the

party” (Mmuya and Chaligha 1994, p. 162). Near absolute party control over Parliament is not unusual across the world; indeed, when backbenchers in the UK House of Commons recently turned against the government, it was considered unusual behavior. (Whitaker, 2006)

CCM continues to control its Members of Parliament. Between 1996 and 2000, 79.6 percent of MPs were CCM representatives (controlling 218 seats). CCM members are still expected to toe the party line—especially since the adoption of a multi-party system—and individuals have been threatened with losing their seats if they do not do so. (Mallya, 2004, p. 122) In the mid-1990s, CCM implemented several measures to extend its control over Parliament. Since then, CCM MPs first elect ten members from among themselves to join the party’s National Executive Committee (the NEC), who are then expected to “account for the activities of fellow members of Parliament” to that body (Mmuya, 1998, p. 80). Second, MPs are appointed to positions in the party Secretariat at local, district and regional levels. While this measure brings MPs closer to the party and to the people, it also serves to increase party control of those MPs. Third, the Speaker of Parliament has become a member of the NEC, making him more accountable to the party leadership. “The government has always [resolved] to make sure that the bills it initiates are passed” (Mmuya 1998, p. 75).

Despite the continued control of CCM over Parliament, organizations in several policy areas have approached MPs to lobby for policy changes that the government chose not to grant. Organizational representatives have believed for some reason that Parliament does hold some power over policy outcomes; this may be a result of the perceived weakening of government and CCM officials in the early and middle 1990s. Mmuya and Chaligha (1994) wrote that during the early 1990s, the competence of CCM leadership was questioned, and that power seemed to extend even to the Speaker of the National Assembly (p. 132). There were numerous government scandals in the 1990s, and the Parliament attempted to exert pressure on the executive for greater accountability (p. 148). While most of these efforts failed, some officials did lose their jobs and

the government's public appearance suffered. It may have also been the impetus for the new party regulations mentioned above for the involvement of MPs in the party.

Organizations in Tanzanian Society and Politics

Organizations, formal and informal, have always had a place in Tanzanian society. Many unions and public organizations, especially TANU, played a critical role in the campaign for independence. In the 1950s, many civil society groups existed, particularly in rural areas; most were either economic or cultural organizations. (Gibbon, 2001) As the decade progressed, others tried to form and get legal recognition, but the British colonial regime passed legislation that prohibited organizations from proclaiming political goals, among other restrictions. (Lissu, 2002; Mmuya, 1998) This legislation was not changed when the independence government took power. By 1970, most organizations had ceased to exist because the socialist state considered itself, as a direct extension of the people, the sole necessary provider of services. Lissu (2002) describes the historical legal situation as authoritarian, justified by a belief that a strong state (without local organizations' involvement) was essential for national development. He notes that before the mid-1980s, "it was virtually impossible to organize independently outside state structures" (p. 4).

"The political regime did a thorough job of decimating independent civil and civic organisations and removed them from the political scene, as alternative centres or contenders for power. The underdevelopment of the civil society was thorough" (Bagenda, 1994, p. 66). Interest groups, unions, women's groups and cooperatives were all subsumed within the party system. (Mmuya & Chaligha, 1994) Only a few service and religious organizations were allowed to operate; even these, however, were closely associated with CCM and the government, and through 2005 remained friendly with them. Three of these organizations were studied for this research: the Tanzania Home Economic Association (TAHEA), the Tanzania Council for Social Development (TACOSODE), and the National Muslim Council of Tanzania (BAKWATA). One

of the few organizations through the years to operate completely outside the party structure was the University of Dar es Salaam Staff Association (Campbell & Stein, 1991, p. 22).

The lack of civil society groups did not mean that individuals did not participate in local, regional and national governance.

Democracy has always been a primary value in Tanzanian political ideology. Successive political reforms have regularly been presented and justified as the institutionalisation of democracy...In many respect, the level of effective citizen participation, not only voting but also informed and critical interventions in national political debates, is higher in Tanzania than in much of Africa and the Third World...Tanzanians *do* speak out on policies that concern them and *are* able to influence both the policies and their implementation. (Samoff, 1991, pp. 241 & 243)

Most of this participation occurred through CCM. The single party system was organized at multiple levels, incorporating local neighborhoods in the form of ten-household party “cells.” Multiple cells made up local branches, which in turn combined to form wards. Individuals were expected to participate in the local party operations (although not all citizens were party members). Multiple wards formed district bodies, while districts formed regions. The Party Congress and the NEC, along with a Central Committee, governed CCM at the national level. (Mmuya 1998) The Congress was made up of elected individuals from the regions. Although the Congress was the ultimate decision-making body, frequently it delegated its powers to the NEC, whose members were the party elite.

While the party system ostensibly incorporated public discussion into its decision-making apparatus, decisions were made by the party elite. The CCM leadership was comprised of an “almost permanent political bureaucracy whose sustenance depended on control of the state as a means of accumulation,” and who worked to exclude other entrants into the regime (Mmuya and Chaligha 1994, p. 135). Goran Hyden (1994, p. 111) described policymaking in Tanzania as a secretive affair. Important decisions were made by the NEC or Central Committee of CCM, and there was little public discussion. Although Samoff (1991) proclaimed the ability of citizens to participate, he also acknowledged that the popular institutions designed to incorporate public

participation were “regularly overwhelmed in Tanzania by a deep-seated ethos of modernisation: decisions require official expertise, which means that the popular role must be severely constrained” (p. 243). This was especially the case when the IMF deal was adopted in the mid-1980s and thereafter; there was no public discussion of the economic changes to come. (Rusimbi, 1994, p. 4) Kiondo (1991, p. 44) argued that the government became much more secretive in its policymaking as its economic strength was threatened. This may have helped to encourage individuals to form outside organizations to counter the decrease in public participation in policymaking.

The government no longer prohibits the formation of outside parties, organizations or movements. This is an outcome of the economic and political upheaval of the 1980s and early 1990s, when CCM recognized it no longer had the strength to control all aspects of Tanzanian society. State service provision failed to meet the society’s needs, and groups started forming to support the local communities. In the late 1970s, Tanzania began experiencing economic recession resulting from increased oil prices, a war against Uganda (to remove Idi Amin), and a drought that affected agricultural exports. (Ndulu, 1984; Rusimbi, 1994) Between 1964 and 1977 the average GDP growth rate was 5.4 percent, but between 1978 and 1983 it averaged 0.28 percent. (Ndulu 1984) Government regulations over income generation forced many individuals to enter the informal economy to make enough to eat. This was true for government bureaucrats as well as local farmers. (Spalding, 1996, p. 92) Tanzania had to turn to donors to finance its debts. It tried to restructure its own economy in the early 1980s, but failed, and in 1986 it adopted an IMF restructuring plan. It was not a coincidence that this occurred after Nyerere left the Presidential office in 1985. (Rusimbi 1994, p. 3)

One of the first discussions of the need for greater autonomy for non-party organizations occurred towards the end of 1982, when CCM proposed changes to the Union Constitution of 1977 and the Zanzibar Constitution of 1979. The proposed changes centered on party and government administration, but the public discussion was more far-reaching. “The popular

demand, albeit weakly expressed, revolved around the democratisation of civil society: separation of the party from the state; democratisation of state life; autonomy of civil organizations, entrenchment of the Bill of Rights, and the extension of civil liberties” (Shivji, 1991, p. 81). Of all these requests, only a new Bill of Rights was incorporated into the Constitution in the mid-1980s. Although a formal change in legislation was never made, policies toward CSOs were loosened around that time, and new organizations started forming soon after. (Lissu, 2002)

“Community organizations became more important...and state tolerance allowed a ‘private space’ to grow up in which voluntary associations could take root and expand, though still insecurely” (Spalding, 1996, p. 92). Once they began permitting group formation, the state was too weak and too unwilling to contain them. Spalding notes that harassment decreased while public approval increased, and the number of organizations operating in Tanzania grew. As organizations formally registered with the government (under one of three different policies), they became more confident in their activities. By the mid-1990s, they were working with the government, although much of this participation resulted from the efforts of donor organizations. (Rajani, 2005) Women’s groups were some of the first to do this, working together to represent Tanzania at the International Women’s Conference at Beijing in 1995.

This brief history of participation in policymaking in Tanzania demonstrates the great changes that have occurred in recent years. Within just a few years, the traditional policymaking apparatus of the party became weaker. In the 1980s, some control was relinquished to international institutions that were financing many of its programs. In the 1990s, opposition parties gained a small foothold in Parliament. These openings led to greater opportunities for additional outside actors to participate. Overall, “there wasn’t kicking and screaming about bringing groups in” (Rajani, 2005). The government seemed to recognize the changing protocols of participation and were willing to adjust themselves to the new trends of development and policymaking.

The roles of groups in creating development in African countries are fairly well documented across many issue areas. (Hoben, Peters, & Rocheleau, 1998) Unfortunately, these trends are not as well-recognized within the literatures that concern policymaking, including comparative politics, policy analysis and interest groups. (G. Clarke, 1998; J. Clarke, 2004) Policymaking in developing countries has received little attention, and what has been written neglects the roles of groups. (Grindle & Thomas, 1991) The literature on group participation in policymaking is discussed in chapter two, which presents the dominant approaches in the Western literature. It also highlights the lack of attention given to these issues in developing countries. Given the growing involvement of groups in policymaking in Tanzania, a new attempt must be made to understand and explain what they are doing and to what effect, particularly in light of the potential for democratic growth and reform.

Chapter Two

THEORETICAL APPROACHES

“Democracy” has been defined in a multitude of ways, but all of these definitions require citizen participation, at a minimum through elections of government representatives. Individual voting in elections is not the only possible form participation may take. (Nelson, 1987) Citizen participation may involve speech, supported by free speech and free media guarantees. It may involve running for elected office, or protesting on the streets. It may also involve participation in associations that seek to influence policy outcomes. The notion of political participation always focuses on the individual person, and group participation in policymaking has received scant attention outside of Western democracies. This chapter considers the literature on groups in the policymaking process, discussing what scholars have contributed in three areas: the literatures on groups in developing countries, in the United States, and in the United Kingdom. The discussion will focus on three issues: group characteristics, group behavior & activities, and group influence. The conclusion of the chapter discusses how these issues have informed the approach of this research analysis.

While many support the view that groups are a necessary and beneficial part of the process, others contend that their interest-based participation inhibits democratic outcomes. Baumgartner and Leech (1998, p. 57) lay out the differences distinctly in their discussion of the “rise and fall of the group approach” in political science. The pluralist view of the 1950s, which has heavily influenced current civil society theory, believed that “free and active group life” was “crucial to the functioning of a democracy” (1998, p. 48). Some scholars accepted that healthy politics depended on the active involvement of political interest groups. (1998, p. 51) However, other scholars criticized the pluralist view, noting the lack of competition among organizations and citizen participation, the overwhelming involvement of business interests and the negative

influence of interests in policy making. “Rather than promoting democracy through conflict and competition, groups came to be seen as a drag on the democratic process. From being part of the genius of democracy...groups became part of the problem” (1998, p. 57-58). Lowi (1969) was a strong proponent of this view, and his *End of Liberalism* “convinced many people that the close involvement of interest groups in government would not be advisable even if the system were free of bias” (1998, p. 57). This view generally won out, and groups are still not trusted to participate fairly in policymaking, leading to greater regulation and attempts to level the field. (Berry, 1997, p. 15) Their participation is generally accepted as a necessary evil, as it has been since before the Constitution. James Madison saw the potential for conflict between democracy and personal interest expression early in American history. (*Federalist Papers, No. 10*, 1961)

Many of the individuals today who promote group participation in policymaking as a democratic necessity are proponents of the civil society approach. “From a civil society perspective, the nonprofit sector is regarded as the embodiment of certain values that are crucial to democracy and good government” (S. R. Smith & Grønberg, 2006, p. 229). Two of the critical roles of ‘voluntary organizations’ (on which the perspective focuses) are holding government accountable and increasing its transparency. (2006, p. 231) They do so by participating in policymaking.

Some of the biggest proponents of this view are international funder NGOs and large donor organizations such as the World Bank. Many of their programs in recent years have required governments to incorporate greater group participation. (Haynes, 1997, p. 6) “Civil society” is a regular participant in policy discussions in many countries, especially when the issues relate to poverty, women, children and education. Unfortunately, there is very little literature in political science that systematically considers group participation in developing countries. There is very little data about how and when organizations participate, the tactics and strategies they engage in, the types and characteristics of groups that participate, and the effectiveness of their participation on policy outcomes. (G. Clarke, 1998)

Part of the problem is that few systematic studies have been done in developing countries on policymaking in general. One of the few, *Public Choices and Policy Change*, by Merilee S. Grindle and John W. Thomas (1991), provides excellent data from twelve case studies of policy reform in a variety of developing countries. They worked with a large number of government officials to produce the cases, and developed a framework of policymaking from agenda-setting to implementation. They found that interest groups had a very limited or nonexistent role in policymaking, primarily because such groups themselves were weak or nonexistent. Although “societal pressures” were an important factor for decision-makers in determining policy outcomes, formal groups did not do the pressuring. Instead, such pressure was applied informally. (1991, pp. 63 & 67) Their conclusions about who influences policy and which actors are involved therefore dismiss any role for formal interest groups. This probably was an appropriate conclusion in 1991 when the book was published. Certainly in Tanzania, groups were not capable of expressing their interests to the government at that time. Since then, however, groups all over the globe have increased their political capacities. It is time that groups are incorporated as official actors into the policymaking process.

Several articles in recent years have started to consider the role of formal organizations (mostly NGOs) in policymaking in developing countries. Clarke (1998) observed that in the 1990s, most of the literature on NGOs ignored their political activities, and saw them primarily as agencies of social development. He argues that donor organizations, who funded much of the research, were responsible for this trend. Since then, issues of policy have gained greater importance. While business groups have received some attention, the majority of articles discuss the involvement of organizations that are variously called citizen’s groups, voluntary associations, democratic interest groups, public interest groups, human rights organizations, and the like. The focus is primarily on the development of social policies such as education, poverty relief, HIV/AIDS and women’s rights. Given this focus, it is not surprising that the interest group literature of the West (which traditionally has given most of its attention to business lobbies) has

not influenced this new NGO literature, although significant work has been done in public interest groups. (Berry, 1977, 1999; Walker, 1991)

One of the best articles about organization participation in policymaking in Africa details the activities of a large membership organization in South Africa. Friedman and Mottiar (2005) wrote about the Treatment Action Campaign and its efforts in recent years to get HIV/AIDS treatment to the public. The Campaign is self-described as a movement, although it shares all the characteristics of a formalized NGO trying to influence policy. It had an extremely large membership at its largest (more than 8000 individuals), which the organization believed was enough to call itself a movement. In any case, the Campaign engaged in a number of different actions ranging from intensive personal lobbying of policymakers to public protests and non-violent demonstrations. It had good ties with the ANC, which enhanced its legitimacy with government officials. Their 'insider' status did not always sit well with its members, but the authors argue that its success was dependent on its good relationship with the government. Although it did not achieve all of its policy goals, it was able to reframe the public perception of persons living with HIV/AIDS as individuals deserving sympathy and aid. This "moral" argument, the authors claim, has been critical to persuading officials of the value of the Campaign's policy position. Theoretically, the authors suggest that 'insider' tactics, backed by public pressure, are the most effective way to achieving desired policy outcomes.

Like the article by Friedman and Mottiar, most other discussions of groups engaged in policymaking are case studies of single organizations and/or single policies. Duncan and Jones (1993) report that a few organizations such as pricing boards were involved in the development of certain agricultural pricing reforms in South Africa, but no groups are named nor are their activities mentioned. Group behavior and characteristics are also ignored in Miraftab's study of an anti-eviction effort in South Africa (2006), as they are in a study of a particular education policy in South Africa. (Chisholm, 2005)

Chisholm details the involvement of several different “lobbies” and why she believes each was or was not successful. Although several of the lobbies had government departments, a Ministry and public teachers as their main actors, other issues were raised by local NGOs, churches, universities and unions. The groups’ specific tactics and strategies are not discussed systematically in the article, nor are the characteristics of specific groups. Most individuals and groups with interests to express were given many opportunities to be involved, and the pressure placed on the government delayed the process at one point. Some lobbies were decidedly more successful than others, depending not on public opinion but government choice. Along with group characteristics and activities, these three articles also ignore theories of group participation. This is a common feature of the articles that discuss groups in policymaking processes in non-Western countries. (Broome, 2004; Ihonvbere, 2000; Preston-Whyte, 1996)

Two articles about Tanzanian civil society organizations counter this trend. Gibbon (2001) presents a forty-year history of associational life in Tanzania, arguing that civil society organizations were common and vibrant before and at independence in 1961, but then were subsumed within the single-party system. They then began to reappear in the early 1990s as a result of political and economic change. While he does not mention many groups by name, provide any group characteristics, or discuss their political behavior since the 1990s, he argues that such organizations cannot be assumed to be democratic (“Universalist”) nor beneficial to ideals of political pluralism. He accepts that many organizations that are engaged in politics and the economy (such as cooperatives, unions and local community organizations) can have positive policy effects without being ideal types representative of all Tanzanians. Mercer (2003), on the other hand, criticizes Tanzanian NGOs involved in poverty policy in 2001 for being elite-driven and highly dependent on donors. Differing from Gibbon, she promotes the view that civil society organizations are obligated to be democratic and to establish political pluralism. Her view suggests that organizations that are not ‘organic’ do not represent the Tanzanian public and therefore cannot engage productively in policymaking.

The complaint that advocacy organizations in developing countries are elite-based and not grounded in the local public is common. Ottaway and Chung (1999) claim that large, professional well-funded organizations are less likely to affect policy than spontaneous indigenous groups with local memberships. Further, such organizations cannot represent the general public and therefore should not be included in policymaking. This argument is grounded in a civil society approach that suggests that only the people can speak for themselves. (Anheier & Salamon, 2006, p. 91) They neglect to recognize that such organizations—those with professional and well-educated staffs, lacking members, and dependent on outside donors—are common in policymaking circles elsewhere, especially among advocacy groups that represent the poor. Indeed, in the United States for example, the poor do not speak for themselves, and rely on representation through organizations that they do not directly support. (Schlozman & Tierney, 1986, p. 47)

Who participates, whether individually or in organizations? The middle and upper-classes, the well-educated, and those with time on their hands: a universal reality that really cannot be expected to shift in countries where the majority of people are living simply to survive. (Schlozman & Tierney, 1986, p. 60) Western expectations of citizen and group participation in developing countries to be fully “democratic” are unreasonable, when fully “democratic” states do not experience that themselves. In the United States, for example,

The upper-middle-class nature of the membership of organizations... has led critics to accuse such groups of being composed of elitists who have only their own interests at heart. ...However, such critics are surely correct in locating the backbone of the current public interest movement in the middle and upper-middle classes. In this respect, contemporary public interest groups are very much in the tradition of historical movements for reform in America...that were rooted in the middle and upper-middle classes (Schlozman & Tierney, 1986, p. 32-33).

As Schlozman and Tierney suggest, scholars have always criticized the elite nature of interest groups in the U.S. There is of course Schattschneider’s critique that interest groups have “a strong, upper-class accent” (Schattschneider, 1960, p. 35). The public interest groups that

operate in Tanzania are highly similar to those in Western countries, whether by intent or default. They are elite-based, wealthy, and professional organizations with few members, or their members fit the same profile. However, group characteristics do not necessarily correspond with the nature, quality or quantity of advocacy work that an organization may choose to do. The critique of elitism needs to be qualified; one may critique who participates (common in the U.S.), or one may critique elite outcomes. The conclusion that elite participation leads to elite outcomes is an empirical question. If policy outcomes benefit the underrepresented, does it matter who did the representation?

Many scholars believe it does, because more is at stake than simple policy outcomes: the public interest. For these scholars, “the public interest is not any specific policy or viewpoint (i.e., any specific collective good) but rather a set of procedures for ensuring an open, competitive process in which all significant and relevant interests are represented” (Jenkins, 2006, p. 308). According to Jenkins (2006), “civic engagement is the key to strong and effective political advocacy. Professionalized advocacy is a weak substitute for broader civic engagement.” This accords with the predominant civil society approach that accepts that participation is the highest goal in policymaking, no matter the outcomes. All that matters is that all interests are expressed. Unfortunately, those participating usually do not just want their views aired before policymakers. They want their interests incorporated into policy, and participation by itself does not ensure beneficial policy outcomes. Although it is worthwhile to ask the normative question of who should participate, it tells nothing about who does participate and to what end. If elite groups and professionalized advocates do participate in policymaking, what goals are they trying to achieve? What tactics do they use to achieve those goals? And perhaps the most important question from a policy outcome perspective, are they successful? If they claim to represent others outside the process, do their actions match their words? The next section considers the answers to these questions in the United States.

AMERICAN ADVOCACY ORGANIZATIONS

Schlozman and Tierney (1986, p. 45-46) define advocacy groups as organizations that “seek selective benefits on behalf of groups of persons who are in some way incapacitated or are otherwise unable to represent their own interests.” They are a subset of “citizens groups” that “try to advance government policies and procedures that will benefit the public at large,” which are themselves a subset of the universe of interest groups. While Schlozman and Tierney differentiate advocacy as a specific goal of lobbying, many others do not make this distinction. (Berry, 1977; Berry & Arons, 2003; Milbraith, 1963) They use lobbying and advocacy interchangeably. This is likely an artifact of their analysis; nonprofits in their study did not differentiate from the two terms, equating both to activities meant to influence government decision-making. In this study, I also use lobbying and advocacy interchangeably, both as an activity and as a group descriptor. Though not all the NGOs fit the definition of advocacy groups given above, all would argue that they were campaigning for changes that did not only benefit themselves (if at all). They all believed they were ensuring the rights of the underrepresented. Further, although they would not call themselves interest groups, their activities suggest that they are (see discussion below).

Who represents underrepresented populations in the American interest group arena? There are thousands of interest groups in the United States that operate at either (or both) the national or state level. Of these, only a small percentage formally act on behalf of non-business (nonprofit) issues. Jenkins (2006, p. 309-310) reports that major surveys in the past two decades have found that twenty to thirty percent of all interest groups can be designated as being in the “nonprofit sector.” Of these, at the state level, about fifty percent could be considered “rights-based and civic advocacy” organizations. Of 246,000 nonprofit organizations registered with the IRS in 1999, approximately only three percent were self-described as engaging in civic and rights-based advocacy (1779 organizations) or environmental protection (4727 organizations).

These last numbers may be deceiving, however. Berry and Arons (2003) found that most serviced-based nonprofits engage in behavior to influence policy outcomes (mostly at the state

and local levels), although the organizations do not consider themselves to be engaging in advocacy. They see their outreach to government as an important part of serving their clients. Berry and Arons argue that the limits placed on the advocacy activities of the vast majority of nonprofit organizations inhibit the representation of needy populations because these organizations are closest to those populations.

The two distinct populations of organizations—“interest groups” as traditionally understood and “nonprofits” engaged in advocacy—are generally studied separately. Nonprofits are rarely considered in interest group literature (Berry & Arons, 2003) while studies of nonprofits trying to influence the government are nearly as uncommon. It is difficult for some to understand why this is the case.

Although the neighborhood multiservice center may seem to have little in common with a Washington-based trade association, considering both these organizations interest groups requires no wild flights of fancy. The study of interest groups is the study of how various constituencies are *represented* in the political process. ...In many ways it is a subfield without boundaries, summarily including any organization that has reason to talk to government and calling it an interest group.

...Nonprofits “speak for,” “act for,” and “look after the interests” of those they are concerned about. And if an organization speaks for, acts for, or looks after the interests of constituents when it interacts with government, it is, by any definition of political science, an interest group. (Berry & Arons, 2003, p. 30-31)

Berry and Arons founds that nonprofits engage in a wide range of tactics when trying to influence policymaking at the state and local levels. They testify at hearings, respond to requests for information, work in planning and advisory groups, meeting with officials about their work, encourage members to contact officials, release research to the public, discuss grant options with officials, interact socially with officials, and “lobby” for or against policy provisions or announcements (what “lobbying” entails is unclear). (2003, pp. 68 & 101) However, “the garden variety nonprofit shows a strong tendency to rely on administrative advocacy and the more cooperative tactics associated with that strategy.” (p. 101) Nonprofits tend to spend most of their time building relationships, with admirable results.

Many American nonprofits share characteristics with “elite” organizations in developing countries. Their directors and staff usually have more wealth and education than their clients, and they tend to be dependent on donor funding and/or government grants. Jenkins (2006, p. 325) contends that the financial and volunteer bias toward the middle and upper classes is largely due to the free-rider problem: poor and underrepresented populations are hard to mobilize. Even if they were not, they rarely have the income and discretionary time to support these organizations. The populations in developing countries face similar problems. The full set of interest groups in the United States also shares these qualities, as demonstrated by many scholars including Milbraith (1963), Berry (1977), Schlozman and Tierney (1986), and Baumgartner and Leech (1998).

If nonprofit service-oriented organizations engage in the types of lobbying activities listed earlier, interest groups as a set must engage the government similarly. Baumgartner and Leech (1998) present the results of several large surveys of interest groups. Across these surveys, they report that twenty-four different influence tactics were found to be used by various organizations. (p. 153) Their comprehensive list, on which I based my analysis of Tanzanian group behavior, consists of a long inventory of tactics:

- testimony at legislative or agency hearings
- direct contacts of officials
- informal contacts of officials
- presenting research results
- working with other groups on issues
- strategic planning with government officials
- talking to journalists
- using paid advertisements
- drafting legislation
- drafting regulations
- shaping policy implementation
- serving on advisory commissions
- agenda-setting
- letter-writing campaigns
- working with influential citizens
- alerting legislators to district effects
- filing suits or amicus briefs
- campaign contributions

- campaign work
- candidate endorsements
- protests or demonstrations
- policy or official monitoring
- influencing appointments
- doing favors for officials

Baumgartner and Leech (1998) informally divide these into twelve sets of tactics:

testimony, direct contacts, informal contacts, presenting research results, coalitions, mass media, policy formation, constituent influence, litigation, elections, protests or demonstrations, and other tactics. Of the scholars they review, Walker (1991) divides tactics and their usage into two strategies of influence: “insider” and “outsider.” This division has been a popular concept in the U.K. in recent decades. Other than the insider-outsider distinction (and the related direct lobbying vs. grassroots lobbying dichotomy) and a four-part division developed by Berry (1977), scholars have not developed a schematic for understanding the root differences between the various types of tactics. I discuss Berry’s list of strategies first.

Berry (1977) described four “advocacy strategies” groups might use to decide among various influence tactics. He called these law, embarrassment and confrontation, information, and constituency influence and pressure. (pp. 265-270) Legal action is the primary tactic used in the “law” strategy. “Embarrassment and confrontation” consists of making officials uncomfortable in their policy positions, and exposing bad policy measures. It relies on the media and publicizing research results. He notes that groups that tend to use this strategy are not institutionalized in the process. The “information” strategy, on the other hand, is a diplomatic strategy, and organizations are seen as cooperative and helpful. Groups act as information sources for officials, and try to influence policy through data sharing. The fourth strategy relies on indirect pressure from officials’ constituencies. Rather than informing officials, groups try to persuade them that certain policy positions are in their best political interests. Which strategy organizations choose to use depends on various factors, such as the resources available (including the skills of staff members),

the organizational “strategic predispositions” related to cause and purpose, and type of membership. (Berry, 1977, p. 264)

Scholars have not taken up this typology, having instead relied on two related dichotomies: insider versus outsider and, more commonly, direct versus grassroots. The two sets of terms correspond very closely. Interestingly, Berry (1977) relies on the direct/grassroots lobbying distinction when talking about the tactics groups use. The former involves personal contacts with government officials, attending or presenting at congressional hearings, and legal action. Grassroots lobbying (which he actually terms “lobbying through constituents”) consists of public protests, letter writing campaigns, and using influential members or supporters to increase official support. He also uses a third type of tactic, indirect lobbying, which involves providing campaign money, publishing voting records, releasing research reports, and public relations. (pp. 214-243) In later work, he refers to the latter three as grassroots lobbying. (Berry, 1997) Adding a third type is helpful, however, since campaign contributions are hard to classify as either direct or grassroots lobbying.

The insider/outsider distinction has been used to describe groups or strategies in both Europe and the United States, although more commonly in the former (Gais & Walker Jr., 1991; Grant, 2001). The definitions of “insider” and “outsider” differ between the regions, although the substance of the activities referred to does not. In the U.S., insider strategies include ‘conventional’ lobbying activities like holding private meetings with policy-makers, while outsider activities consist of those oriented toward mobilizing citizens to influence public opinion.(Gais & Walker Jr., 1991) In Europe—particularly in Britain—insider and outsider groups do most of the same activities, but the distinction tends to rely more on status with the government. Insiders “are regarded as legitimate by government and are consulted on a regular basis,” while outsider groups are those that “do not wish to become enmeshed in a consultative relationship with officials” (Grant, 2000, p. 19).

Gais and Walker (1991, p. 120) argue that the organizational choice between engaging in insider or outsider behavior depends on the level of conflict in the political environment, organizational resources, the character of the group's membership, the sources of financial support, and the focus of the group (professional versus citizen, for example). None of these things matter for Grant's insider/outsider group distinction based in research on British organizations. Instead, the critical factor for him is the willingness of a group to abide by the rules set by the government, with two secondary factors: the acceptability of the group's cause to the current government and the willingness of the government to recognize the group. (Grant, 2000) The majority of groups in Britain are at least marginal insider groups according to Grant, while in the U.S. the proportion of groups who engage in each type of strategy is more difficult to identify. Berry (1997, p. 137) concluded that strong groups do both types of activities: "lobbying is a multifaceted process and ideally involves the communication of valuable information...to the policymaker as well as political pressure applied from the grassroots." Similarly, Binderkrantz (2005) argues that Danish groups cannot easily be identified as insider or outsider since most groups engage in both types of strategies.

Schlozman and Tierney (1986) considered whether organizational characteristics affected the types of tactics used to influence policy. They looked at several factors: the size and character of the membership, the organizational structure, the amount and type of available resources, the patterns of internal governance, and the size of their agenda (single-issue versus multi-issue). Of these, they found that resources matter most: wealthier groups could do more. Even so, less wealthy groups could still engage in all types of tactics, perhaps just not to the same degree. They also found that having geographically distributed members tended to affect lobbying choices, permitting greater use of grassroots campaigns. (p. 161)

Looking outside the organization, the nature of the cause seemed to have an impact (technical versus highly salient to the public, for example), as did the success of past tactics used. These tendencies may be fairly weak, however. Seventy percent of the organizations surveyed

used at least two-thirds of the twenty-seven tactics (“techniques”) listed by Schlozman and Tierney. Only six tactics were used by less than fifty percent of the organizations. This suggests that most organizations are doing mostly the same things most of the time, despite the multitude of differences among them.

What of their success in influencing policy outcomes? The results here are much more murky. Schlozman and Tierney (1986) preferred to ask the question of influence in the following manner: “Would the final outcome of the controversy have been less congenial to the organized interest in question had they not been politically active?” (p. 164) In other words, “the appropriate standard for assessing policy impact would...be whether the resolution of a particular political conflict reflects the efforts of organized interests” (p. 392). In this analysis, influence is considered in this sense: without group involvement, would policy outcomes have been different?

Schlozman and Tierney (1986) found that at times organizations have and do influence outcomes, while at other times they do not. This conclusion is supported by a multitude of other studies of group influence: sometimes influence is exerted, sometimes it is not. (Baumgartner & Leech, 1998) Indeed, the literature has not come to any conclusions about when and why some groups are successful in their lobbying endeavors. This is largely because, as scholars have pointed out since group studies began, influence is decidedly difficult to measure (and therefore everyone measures it differently). This issue will be considered in more detail in chapter five.

BRITISH ADVOCACY ORGANIZATIONS

In the United Kingdom, interest groups are typically referred to as “pressure” groups. In most ways, groups use the same tactics to influence policy in the U.K. as they do in the U.S. Naturally because of the parliamentary system, however, groups engage the government differently than in the U.S. Historically, they have had much more interaction with departments in the executive than with Parliament itself. (Coxall, 2001) Elected representatives, especially those that are unranked in the Ministry system (“backbencher MPs”), have less direct control over the writing

of policy than do civil servants employed by the ministries. In various surveys cited by Coxall, civil servants were ranked first, second or third among nine government actors as being the most powerful in the political system. (2001, p. 62) However, while most attention is given to ministries and their staff, Parliament is not ignored. Several studies in recent years (Riddell, 1998; Rush, 1990; Whitaker, 2006) have noted that Members of Parliament are being lobbied more often than in the past. Whitaker, in particular, notes how the weakening position of Prime Minister Blair has given new opportunities to some MPs to stir up controversy in Parliament and to oppose policies that would have sailed through in the past. (2006)

The discussion of group engagement with the government is dominated by the “insider-outsider” distinction. The distinction tends to be more one of status rather than strategy (although they are closely linked). (Coxall, 2001) Insider groups meet regularly and privately with policy-makers to voice their policy interests, while outsider groups rely on trying to influence public opinion. More importantly, insiders are believed to maintain long-term relationships with officials who are sympathetic with their views, while outsider groups have less legitimacy and typically have to use tactics that are oriented to the public to get attention for their issues. Grant proposed that in the U.K. insider strategies of influence were generally more successful than outsider strategies. (2004) For both, groups are assumed to rely on one strategy, not regularly engaging in the other, although in recent years Grant has acknowledged that the distinction is not clear. (2001)

Many have pointed out the problems with the insider-outsider distinction; “insider” groups often engage in both close consultation and efforts to improve public opinion while “outsider” groups may hold protests while meeting with officials. Page (1999) found that, based on the amount and quality of contact groups had with officials, “insider groups constitute a plurality of interest groups, two-fifths, while pure outsiders only a small minority, fewer than one in twelve” (p. 210). As mentioned previously, even Grant, who developed the concepts, acknowledges that the distinction has practical problems. (2004) Nonetheless, he believes it still offers a good characterization of the system group engagement with the government.

The tactics and strategies groups use in Britain are not different from those used in the U.S. Again, much of the British literature focuses on group consultation, but organizations also write letters to MPs and officials, publish research material, hold protests and demonstrations (perhaps more frequently than in the U.S.), work with the Media, meet informally with officials and MPs, engage in legal action, ask their members to write letters to officials, coordinate with other organizations, draft legislation and regulation, and so forth. There is evidence from various studies that groups engage in all types of behavior listed earlier for the U.S., except for making contributions to election campaigns. (Grant, 2000, 2001, 2004; Page, 1999; Radcliffe, 2004; Riddell, 1998; Rush, 1990; M. J. Smith, 1993; P. Smith, 1999) The main difference is that groups tend to use these tactics to influence policymaking in the executive rather than in Parliament. Given the Parliamentary system in Tanzania, the same pattern should be expected there.

Group characteristics have received a lot less attention in British research than in the U.S. I know of no study that attempts to study group behavior in politics and its relationship to group characteristics. As in the U.S., “charities” or service-based organizations are officially restricted from engaging in politics. Advocacy groups are primarily characterized by their behavior, exemplified by the insider-outsider dichotomy. However, some scholars refer to some groups as “sectional” groups and others as “cause” groups. (Coxall, 2001, p. 4-5) The former are defined as representing “the self-interest of a particular economic or social group in society,” and include trade unions, professional associations and business interests. Cause groups are those that “promote a particular cause based on a set of shared attitudes, values or beliefs,” such as peace, environmental and poverty organizations. Both are typically membership organizations. Very generally, sectional groups tend to be insiders while cause groups tend to be outsiders, depending on the width of the population to which it can appeal for support. (Grant, 2001) However, this assumption does not appear to have been tested empirically.

While there is little research on group characteristics and the tactics they use, there is a small literature on effectiveness and the factors that affect it. Grant (2000), in a survey of the

British literature, notes several factors that are believed to affect groups' ability to influence policy outcomes. (pp. 197-208) These are not necessarily discussed in the order of effectiveness. He cites that the size and quality of the membership matters, with groups claiming a high percentage of all eligible members as being more effective. Further, it is important for a group to be able to claim sole representation of a particular issue domain. If several farmer groups exist with different claims, for example, it reduces the ability of any one group to achieve its policy goals. If groups were able to cooperate on such issues, it would then strengthen their claims. He notes research that suggests that groups with staff who are similar in personality, language and political perceptions are more likely to achieve their policy goals. Having a large, professional staff also helps, as does having the financial resources to back them up.

In several of his writings, Grant argues that "insider" tactics are generally more effective than outsider tactics. Groups that are consulted regularly, have close connections with officials, and who are able to contact them when an issue arises will have greater policy impact than groups who cannot do these things. However, additional research suggests that good publicity can "reinforce the lobbying of government" in many instances (Grant, 2000, p. 205). Public opinion, as an environmental factor, can have a strong effect on politicians' willingness to adopt certain policies, although it is difficult to manipulate. Finally, the growing use of direct action campaigns (often using illegal tactics to raise awareness of an issue) suggests that groups believe these strategies are having an effect, also. (Doherty, Plows, & Wall, 2003) Overall, several factors are promoted as affecting group effectiveness, although most appear to be weak relative to the strength held by insider groups because of their connections to the government. This supports the idea that relationships with officials matter for group effectiveness.

ANALYTICAL IMPLICATIONS

The previous discussions of the literatures on interest groups in developing countries, the U.S., and the U.K. suggest that one should look for the following in Tanzania. Groups are engaging in

politics and policymaking in developing countries, but there is little systematic information on their tactics and strategies, characteristics, or effectiveness. Given the similarities in tactics in the U.S. and the U.K., despite the differences in their political systems, one might expect to find similar behavior in Tanzania. Groups should be expected to engage in the full set of possible tactics, unless otherwise restricted by the government (no campaign contributions, for example).

The U.S. and U.K. literatures suggest that establishing working relationships with government officials may be the most effective method of influence, and that groups of any kind can do it. One should expect to find that groups have elite staff and membership. Further, it is likely that groups with greater resources will engage in more influence tactics, although they may not necessarily be more successful. Groups with large memberships may achieve more of their policy goals, especially those that have most of the potential members. Likewise, one might expect that groups that claim to represent a particular set of members, but that do not have a large number of them in their organizations, may be seen as less legitimate by the government and therefore have less influence.

In future chapters, I examine the characteristics of groups to see if there are patterns linking those characteristics to either or both group behavior and policy goal achievement. I also consider whether certain tactics and strategies can be linked to policy outcomes. The relationships between the three variables—group characteristics, group behavior (their tactics and strategies), and group influence—may also be affected by other factors not within the control of organizations. These issues are discussed in chapter five. With these objectives in mind, my primary goal is to determine the characteristics of the interest group system in Tanzania, offering it up for comparison to those in the West. The following two chapters therefore consider the characteristics of organizations involved in the three policy areas under analysis and the policy processes themselves.

Chapter Three

GROUP CHARACTERISTICS

A large number of nongovernmental organizations (NGOs) operate in Tanzania. Most are development or support organizations located in the two large urban centers of Arusha and Dar es Salaam, although a fair number of service providers also exist in rural areas. There is a lot of diversity, and the characteristics of NGOs are not uniform. While most organizations operating in the country are small and run by volunteers, there are a fair number of very large organizations, many of which have branches around the country to offer services to outlying areas. According to Tanzanian law, a “nongovernmental organization” is

“a voluntary grouping of individuals or organization which is autonomous, non-partisan, non profit making which is organized locally at the grassroot, national or international levels with for the purpose of enhancing or Promoting economic, environmental, social or cultural development or Protecting environment, lobbying or advocating on issues of public interest of a group of individuals or organization, and includes a Non-Governmental Organization, established under the auspices of a any religious Organization or faith Propagating organization, trade union, sports club, Political party, or community based Organization; but does not include a trade union, a social club or a sports club, a political Party, a religious Organization or a community based organization” [sic] (URT, 2002)).

All of the groups studied here also fit the NGO definitional model provided by Salamon and Anheier (1997), which states that groups are NGOs if they are self-governing, voluntary, private, non-profit-distributing and organized.

While all of the groups share these characteristics, they vary on a number of others. Based in part on the research reviewed in chapter two, I have chosen to concentrate on eleven characteristics to describe the twenty-one NGOs included in this study. The first attribute considers the *origin* of the organization. This is a distinguishing characteristic because it is important to differentiate between the efforts of international organizations to influence policy and those of indigenous organizations.

As Walker (1991) argues, the sources and amount of *funding* can have significant influence over an organization's service and political activities. He found that donors can have a dramatic impact on the activities of organizations. Whether Tanzanian groups are funded by donors or through their own resource-generating activities may have an effect on their activities. Both the funding sources and amount available I consider relevant factors to analyze. Scholars like Berry (1977) and Schlozman and Tierney (1986) found that groups with more resources were able to engage in more advocacy activities, although groups at all levels were active in similar ways (just not as often). Similarly, they found that most organizations had staff members that could be described as being highly educated and from middle- or upper-class backgrounds. What are the *staff backgrounds* of Tanzanian organizations? Organizations with highly educated personnel may behave differently than those without such personnel.

British and American scholars have not considered the effects of organizational *age* on activities and influence, or more precisely, they have not found that it was a significant factor relative to resources and the size and type of membership. This may differ in Tanzania, where newer organizations with less experience engaging the government may behave in dramatically different ways than older organizations with more established procedures. I measure *age* as the number of years since the organization was founded. While older organizations may or may not behave or achieve differently, scholars have found that larger organizations do. For example, Grant (2000) found that organizations with a large, professional staff appear to be more likely to achieve their policy goals. Further, as stated earlier, scholars have found that those with more resources are likely to engage in more activities than smaller organizations. The *size* of the organization, as measured by the number of employed staff members, may be a significant factor.

Scholars have found some differences in the behavior and influence of "sectional" and "cause" groups in Europe. (Binderkrantz, 2005; Grant, 2000) Sectional organizations are those directly related to industries or occupations. Most have not found, however, dissimilarities in behavior among cause-based groups that are affiliated with substantially different causes (such as

the environment versus women). Because of the various orientations of groups in Tanzania, *cause* may be an influential factor of behavior. While most of the organizations studied here are cause-based, a few may be characterized as “sectional” organizations, specifically those that are self-described professional organizations. The *professional* nature of an organization may also be an important factor in Tanzania, as Grant suggests.

As discussed in chapter two, “insider” groups behave differently than “outsider” groups. Having links to government likely affects an organization’s activities and its level of policy success. Those with more links probably engage in activities that are “insider” in nature. I characterize an organization as having a *link to the government* if it has staff members who have worked in the government or if it has work contracts with the government. Further, some groups are ideologically opposed to cooperating with the government, predetermining the types of engagement of the organization in policymaking. (Doherty, Plows, & Wall, 2003) Such ideological dynamics could be operating in Tanzania, also. Groups are considered to be *activist* organizations if their leaders are highly ideologically against government action.

One of the biggest distinctions in the U.S. among nonprofit organizations is their legal status. It divides organizations devoted to service from those devoted to advocacy, and prevents service-organizations from engaging in high levels of government engagement. Without such a legal distinction in Tanzania, it is important to see if organizations that devote more time to advocacy engage in different activities or have more influence than organizations that devote more time to service. I measure groups’ *orientation to advocacy* by the perceived ratio of advocacy to service provision.

Finally, Schlozman and Tierney (1986) studied groups’ extent of *policy concern*, specifically whether organizations devoted to multiple policy areas behaved differently than did organizations devoted to a single policy area. Although they did not find a significant difference in their behavior, this distinction may operate in Tanzania. Some organizations were involved in

several of the policy areas studied here, and their behavior may be different than that of organizations interested in only one of the issues.

The eleven characteristics to be analyzed are origin, funding sources and amount (a two-part factor), staff background, age, size, cause, professional orientation, link to government, activist orientation, advocacy orientation, and level of policy concern. Precise data on these factors is not available for every organization, and frequently personal judgment was used to determine where the organization fit relative to others. I made as precise as possible an evaluation of each factor based on the knowledge (explicit or not) I had of the organizations. Unfortunately, sometimes this resulted in a less than precise distinction among groups. Despite this, patterns of characteristics are still evident. These patterns are revealed as the chapter progresses.

Along the first three characteristics, organizations are very similar. First, they are all national NGOs with Tanzanian staff and Board members. All were founded by Tanzanians, either by themselves or in association with non-Tanzanians. Only one is affiliated with a region-wide organization, a women's group called Women in Law and Development in Africa. The rest are independent, locally-developed entities. Second, all twenty-one NGOs rely heavily on foreign donors for funding. Most are 90 percent or more dependent on outside grants, although a few of the environmental organizations have work contracts with the government or private businesses, the professional groups have large membership bases who pay small annual fees, and some others contract out for consulting work. Their levels of funding differ, however, and will be discussed below as a function of size. Third, these organizations have highly educated staff members. More than 90 percent have bachelor's degrees, if not higher. Many have master's degrees in law (some from the U.S. and the U.K.). Their levels of education puts most of them in the elite class in a country where less than two percent of the population has a high school degree. Finally, all organizations meet the NGO model of Salamon and Anheier (1997) described above.

Despite these similarities, the NGOs vary along the remaining eight factors as well as the amount of funding. I describe the full set of organizations in the following paragraphs. The only

visible pattern is related to the number of policy concerns. Multiple-policy groups—those involved in two or more policy areas—share an impressive set of characteristics. They are all large organizations with access to funding sources, none have links to government, all are oriented toward advocacy, and all have activist leadership. They vary by age, cause and professional status. These seven NGOs—TGNP, LEAT, TAMWA, TANGO, LHRC, HakiArdhi and HakiElimu—have explicitly activist orientations, based on their characteristics and preferred ideology. The other fourteen NGOs were involved in only a single policy area related to their causes. As a set, single-policy NGOs do not share any meaningful characteristics. They vary by age, cause, size, resource availability, professional status, whether they have links to government, their orientation to advocacy versus service provision, and whether they have activist leadership. These organizations are very diverse. In the sections that follow, I describe the groups in the study in detail, beginning with organizations involved in multiple policy issues.

MULTIPLE-POLICY ORGANIZATIONS

Seven organizations have tried to influence policy outcomes across two or more of the policy areas: HakiElimu (an education organization), the Land Rights, Research and Resources Institute (HakiArdhi), the Lawyers Environmental Action Team (LEAT), the Legal and Human Rights Centre (LHRC), the Tanzania Association of NGOs (TANGO), the Tanzania Gender Networking Programme (TGNP), and the Tanzania Media Women’s Association (TAMWA). Again, these organizations are large, do not have links to the government, are oriented toward advocacy, and have activist leadership. They are not the only organizations to have these characteristics, however, and several single-policy groups are similar in one or more of these ways.

Tanzania Gender Networking Programme (TGNP)

TGNP may be the most well-known NGO in Tanzania. It was formed in 1993 by ten Tanzanians (six women) to promote and apply “gender equality and equity objectives that include advocating for gender transformation and pro poor perspectives at all levels in Tanzania” (Mbilyini, Rusimbi,

Chachage, & Kitunga, 2003, p. vi). It grew out of a gender working group at the Tanzania Association of NGOs (TANGO). Through its actions, it has tried to build “a gender social movement for empowerment and transformation at all levels” (Mbilinyi et al, 2003, p. vi). It has described itself as an activist feminist organization, and has put most of its energy and resources into its “Gender Activism, Advocacy and Lobbying” program. In 2005, this program office had four subprograms: Policy Analysis and Research, Lobbying and Advocacy, Coalition and Linkage Building, and Outreach and Organisational Development. It had two additional programs that support the ‘core strategy’ of activism: the “Gender Training and Capacity Building” program and the “Information Generation, Dissemination and Repackaging” program. Both were oriented toward sharing information with the general public and other organizations in order to raise awareness of gender needs and issues.

TGNP has become very well-known for its efforts in coalition building. It was strategic in the formation of one of the first formal coalitions in 1995, the Feminist Activism Coalition, to respond to the Beijing Platform of Action on women and gender. Originally it consisted of fifteen NGOs; in 2005, it had twenty-five member organizations, all of which had to agree to the promotion of a feminist gendered policy agenda. FemAct, as the coalition is popularly called, was the base coalition for the formation of the two land coalitions in 1999, the Gender Land Task Force and the National Land Forum, and an NGO coalition for engagement on the NGO Act of 2002. TGNP also served as a founding member of the NGO Policy Forum (NPF)—a group formed to provide a common voice for NGOs in response to various government policy initiatives—and is a member of HIV/AIDS, general health, youth and children, and gender budgeting coalitions. To enhance gender awareness in local communities, TGNP also supports thirteen gender networks around the country (TGNP, 2006a). It is an extraordinarily well-connected organization, not hesitating to involve itself in any issue related to gender or poverty.

TGNP is able to engage in all of these activities and many others (such as community gender awareness training) because of a very dedicated membership and staff. In 2005, TGNP

had twenty-three members, sixteen of whom were women. Seven of these served on the Board of Directors and ten were founding members. The members form the Annual General Meeting Group, the forum which decides the course of the organization for the coming year. TGNP, like most of the organizations studied, has an annual general membership meeting that officially governs the activities and pursuits of the organization. The Board of Directors, responsible to the membership, directly oversees the executive director and the organizing “programme committees,” which advise and oversee the executive director and the four program offices.

In fall 2005, TGNP had twenty-one staff members including the executive director, and four interns (TGNP, 2006a). In 2005, TGNP received funding from a number of sources for a total income of approximately \$1,123,800³. Nearly ninety-four percent of it came from coordinated basket funding received from international donors (TGNP, 2006a, 2006b). TGNP engaged in gender consultancy work⁴ and other income-generating projects (including an internet café and bookstore) to earn about six percent of its income. A small amount may have come from member donations, but there is no separate record of this source. Confirmed donors for the 2006 basket funding package included HIVOS, Cordaid, Sida, AIDOS and UNIFEM.⁵

Through 2005, TGNP had grown into a massive organization, active in almost all policy areas that affect local communities and the poor. It was a critical actor in the two land campaigns and the campaign against the NGO Act. It has been a strong networker, only hesitating to work with others that do not share its feminist vision. Its policy interventions have always been done in coordination with other organizations, although often it has provided the resources (in the form of staff time and meeting space) to keep the initiatives going. Through FemAct, it has likely shaped the agendas of numerous organizations that might not have otherwise placed such a great

³ Or 1,236,219,619 Tanzanian Shillings; at a 2005 exchange value of \$1 to 1100 Tshs

⁴ With the Canadian International Development Agency (Cida-TZ) and the Mozambique government (TGNP 2006a).

⁵ HIVOS: Humanistic Institute for Development Cooperation (Netherlands); Cordaid: the Catholic Organisation for Relief and Development AID (Netherlands); Sida: Swedish International Development Cooperation Agency; AIDOS: Italian Association for Women in Development; UNIFEM: United Nations Development Fund for Women.

emphasis on gender issues. Similarly, it has acted as a leader in most (if not all) of the coalitions it has joined, shaping the agendas to address gender and poverty issues.

Tanzania Association of NGOs (TANGO)

Starting with a membership of twenty-two founding organizations in 1988, by 2005 TANGO had grown to be the largest network of NGOs in the country with 620 members. Its mission has been to facilitate the growth of the NGO sector by developing organizational capacity, sharing strategic information, building partnerships, and lobbying and advocating with and on behalf of member organizations (TANGO, 2005a). In 2004, its membership and staff agreed to focus its work on “advocacy, coordination, networking and coalition building among members and the larger civil society” (TANGO, 2005b, p. 17, p. 17).

The majority of its projects in 2005 involved policy advocacy, devoting less attention to organizational growth and support than in the past. Some of the policy areas in which it was active included NGO regulation, debt relief, poverty relief, millennium goals, and anti-globalization. Its activist stance is evident in its presentation of the need for debt relief and trade balance: “TANGO will continue its fight against the excruciating impositions of the neo-liberalists on Tanzania such as the unjust global trade relations and the disregard of the fact that without complete debt cancellation Tanzania will not make any meaningful development strides” (TANGO, 2005b, p. p. 18, p. 18).

Although TANGO has gained a good reputation among NGOs, it struggled during its early years to make a mark on civil society. It was generally regarded as weak and incompetent, and other organizations were not willing to acknowledge that it spoke for them as a group (Tapaninen, 2000, p. p. 29, p. 29). New leadership was appointed in 1999, just as the NGO Policy was in its final drafting stages; the new executive director (Mary Mwingira, who was still the director in 2005) quickly sought to increase TANGO’s influence in the process. Since that time, the organization has been significantly involved in many policy areas, believing that it does

represent all NGOs in the country, whether or not they are members. In 2005, TANGO attempted to compel their member organizations to finally state their commitment to TANGO's mission and vision or otherwise lose their membership status. It decided to do this even if it meant losing members, preferring commitment over numbers (TANGO, 2005b, p. 16). The number of members lost in 2005 is not known.

Unfortunately, TANGO's financial situation in recent years is not known either, although it has been very highly dependent on foreign donors. In 2005, it had ten paid full-time staff members, and hosted at least two interns during the year. Its membership has governed the organization through the Annual General Meeting, providing direction to the Board of Directors and staff. Member organizations were required in 2005 to remit a joining fee of about \$10 (10,000 Tshs) and annual dues of about \$30. International NGOs and donor agencies may affiliate with TANGO, but can not be full members. It has networked with many organizations, working in tandem with prominent groups on policy issues and up-country with local NGO networks. Because it is a network and purports to speak for all NGOs, it has had a prominent voice in the Media and has become very well-known.

Legal and Human Rights Centre (LHRC)

LHRC originated as a project of the Tanzania Legal Education Trust, formally registering with the government as an independent organization in 1995. It was established to address the lack of awareness among Tanzanian citizens of their civil rights and to provide free legal advice and representation (LHRC, 2000). It has described itself as an activist organization, striving "to empower the public as well as promote, reinforce and safeguard human rights and good governance in Tanzania" (LHRC, 2000, p. 1). LHRC has tried to do this by engaging in a number of different programs in research, publication and documentation; outreach and advocacy; and legal aid and human rights monitoring. The later program department has dealt the most closely with local communities and individuals, and provided free legal advice and representation to 9332

clients in 2003 and 7885 clients in 2004 (LHRC, 2004, 2005). The other programs were oriented to raising human rights awareness in society and government.

LHRC had sixty-three staff members and volunteers in 2004 across the three program departments and in management (thirty-two full-time staff in 2003), and ten board members (two of which are non-voting staff representatives). Its membership numbered 120 individuals and two organizations. The highest organ of LHRC has always been the membership body (called the Annual General Assembly), which has governed and overseen the mandate and scope of the organization's activities. They appoint the Board of Directors, which is responsible for setting the organization's policies and direct oversight of the staff. Volunteers have been very important to LHRC, many of whom provide the pro bono legal aid to its clients. Board and executive staff members are very committed to the organization, many of whom have been involved in their same positions for five years or more (several since its founding).

Most of the organization's funding in 2004 was processed through a basket fund. Contributors included the Netherlands Organisation for International Development Cooperation, the Embassy of Sweden, the Royal Norwegian Embassy, the Embassy of Finland, the Ford Foundation and TROCAIRE (LHRC, 2005). Members provided a minimal amount through annual fees, and other foreign organizations provided funds through special project support. The total income of LHRC in 2004 was \$1,059,190.⁶ This was roughly \$100,000 less than the previous year's receipts. (LHRC, 2005)

Since its founding, LHRC has become a strong advocate for the legal rights of the poor, and has been regularly engaged in policy issues related to human rights. Its early work concentrated in raising awareness in society through public workshops and training about such problems as female genital mutilation and land rights (LHRC, 2000). In 1999, it attended forty-six workshops as an organizational representative of human rights concerns. In recent years, it has been proactive in its advocacy work, engaging in sensitization workshops and training for

⁶ Or 1,104,910,000 Tshs. at a 2004 exchange rate of \$1 = 1043 Tshs.

government and communities, networking with other organizations, proposing legal reforms and policy recommendations, and coordinating policy campaigns on the environment, juvenile justice, NGO regulation and female genital mutilation (LHRC, 2004).

Two of its most important activities have been its human rights monitoring campaign and the related published reports. Over the years, it has tried to keep an account of human rights abuses around the country in areas such as speech and journalism, female genital mutilation, HIV/AIDS, women's and children's rights and disabilities. They have engaged in "fact-finding missions" meant to raise awareness of the state of the country in these areas. The resulting reports are passed to Members of Parliament, the press and government officials. They have used these as advocacy tools in various areas. One of the most important reports is the annual Human Rights report that lists known abuses and government responses. LHRC has been a potent voice on human rights issues in Tanzania and has been consulted frequently on human rights concerns by the government. It is regularly invited as a stakeholder on social policy issues.

Lawyers Environmental Action Team (LEAT)

LEAT has stirred a lot of controversy in Tanzania. Historically, it has had no qualms in raising awareness about issues the government would prefer to keep quiet and in challenging the government on these issues in court and in the press. It was formed in 1994 and was registered in 1995 by fifteen founding members who "felt that lawyers and members of the public need to pull their legal, scientific and social skills together to protect environment and natural resources" (LEAT, 2002, p. i). Two of its major service activities have been providing free legal services to communities and individuals in need of representation on environmental issues, and offering legal expertise to NGOs and occasionally the government. Additionally, LEAT has written policy opinion papers and drafted its own version of bills when it believed the government's approach was unsatisfactory. (LEAT, 2003a; Lissu, 2002) One of these documents was written about the NGO policy process. (Lissu, 2002)

Its reputation as a strong and knowledgeable organization led two of its board and staff members to be hired as consultants for the development of an environmental management bill in 1999. In the meantime, however, its standing with the government was damaged when it challenged the government's actions in two different development projects. At one point—while investigating alleged murders and human rights abuses in a mining eviction—the president of LEAT was arrested to prevent LEAT from continuing its work. (Thenard, 2001) He was since released, and the charges were dropped; in 2005 LEAT was still trying to investigate the issue. Since that time, LEAT has struggled to participate in policy analyses and development; its reputation as a trouble-maker has made the government unwilling to work publicly with it. Indeed, the Board's participation in the development of the EMA has been downplayed, and the individuals' other affiliations made more prominent.

At the end of 2003, LEAT had forty-eight members making up the membership oversight body (the Annual General Meeting), and thirteen full-time staff members (in programs, management and support). Five of these were lawyers. The organization also hosted six legal interns from Tanzania and abroad. In 2003, LEAT brought in funds worth \$501,400,⁷ about \$100,000 more than in 2002. (LEAT, 2004) Funds came from a number of sources, including the African Resource Trust, the Environmental Law Institute, the Ford Foundation, the Fredskorpset Foundation, NOVIB, UNEP, USAID through Pact Tanzania, and the World Resources Institute. Members remitted total dues of 480,000 Tshs (about \$450), and interest income accounted for another 515,000 Tshs (less than \$500). The rest was in the form of grants from the donors listed.

HakiElimu

HakiElimu is the newest of the NGOs studied here. It was formed in 2001 by thirteen individuals interested in reforming the education system in Tanzania. Five of the founding members helped found or have directed other national NGOs (including one from LHRC and two from TGNP),

⁷ Or 522,964,025 Tshs; exchange valued at 2004 rate of \$1 = 1043 Tshs.

three were university professors, two were in international offices and the rest were in private business. HakiElimu was created as “an experiment to see whether schools can be governed in an inclusive, open and democratic fashion; and whether the poor can access information and influence policy and practice” (HakiElimu, 2005a). With this goal in mind, they have instituted four program units: media, information access, community engagement and policy and advocacy (HakiElimu, 2006).

HakiElimu has stated that one of its most important goals is to democratize the education system so that all citizens can benefit equally and achieve scholastic success. In part, this has meant demanding accountability and transparency from all levels of government (HakiElimu, 2006). It has done this very publicly, through television shows and press releases, through studying and publishing reports at the local, regional and national levels on the state of education, and by engaging citizens in discussions of their own experiences in the education system. The public nature of its work stems from and fuels its activist perspective on social improvement and change. Even though an education organization, it has not shied away from participating in other policy issues (such as NGO regulation and HIV/AIDS). It was instrumental in the formation and development of the NGO Policy Forum (NPF), a new coalition organization whose goal is “to strengthen NGO involvement in critical policy processes in Tanzania” (NPF, 2005). This NGO is described separately later in the chapter.

HakiElimu has also had its share of controversy. In 2005, it published a review of Tanzania’s Primary Education Development Plan, finding that although the Plan had improved the system in some aspects, many problems still remained (HakiElimu, 2005b). In a public speech and a letter to the organization soon after, the Minister of Education and Culture declared that HakiElimu was unduly criticizing the educational system and the government. The Ministry and the President commanded them to stop publishing education reports and studying or visiting schools of any kind (HakiElimu, 2006). There was a strong public backlash against the government for the demands it made on HakiElimu, although officials did not stop criticizing the

organization. If the conflict was meant to discredit HakiElimu, it does not appear to have succeeded. Instead, the public appears to be willing to offer significant support for its activities and its policy positions.

In 2005, HakiElimu supported twenty-seven staff members in programs and support, and two interns. Its only members were the thirteen founding members, some of whom were on the current Board of Directors. Its 2005 income was valued at \$2,250,000.⁸ Sources of revenue included \$1,649,000 in immediate grants and \$3650 in consulting income (HakiElimu, 2006). Its three biggest expenditure areas were for the Information Access Unit, program and support staff, and the Media Unit (approximately \$300,000 each). The Policy and Advocacy Unit and the Community Engagement Unit each spent about \$100,000 each. Its total expenditure was \$1,326,800, leaving a very large cash reserve at the end of the year (HakiElimu, 2006).

Land Rights, Research and Resources Institute (HakiArdhi⁹)

HakiArdhi was formed explicitly to organize individuals to fight the National Land Policy being developed in 1994. Its principal founder and spokesperson for many years was Law Professor Issa Shivji. He was also the chair of President's Commission on Land, formed in 1991 to study the status of land in Tanzania. When the Cabinet did not adopt all of the Commission's recommendations in 1994, when the Cabinet Paper was finally issued, Shivji and his supporters decided to organize against the government's plans. Its main concerns were the treatment of indigenous land tenure and the lack of attention to the land access needs and rights of small land producers and pastoralists. HakiArdhi, though a land organization, has been involved in other policy areas, such as NGO regulation. It was one of the core organizations in the campaign against the NGO Bill of 2002. Its willingness to speak out on many different issues highlights its activist perspective.

⁸ Or 2,475,081,000 Tshs. at a 2005 exchange rate of \$1 = 1100 Tshs.

⁹ In Swahili, this translates to "right to land," with *haki* meaning "right." Similarly, HakiElimu translates to "right to education."

The membership was small in 2005, like several of the other organizations, although it was seeking to expand its membership. It had thirteen members, five of whom were women. Three of these were “founding directors,” including Professor Shivji and the Chair of the Board, Dr. William Kapinga (who was also the Executive Director in the late 1990s). In 2005, HakiArdhi had four full-time staff members involved in programs. Its main objectives included researching and raising awareness about land tenure conflicts, providing council to parties in the conflicts, and working with local and regional actors to resolve conflicts. It partners with several local organizations that represent pastoralists, such as the PINGO’s Forum, a coalition of pastoralist indigenous groups. For several years, it has also been a member of FemAct, the feminist coalition organized by TGNP. Unfortunately, there is no detailed information available about its funding sources. It is known that it relies heavily on foreign donors.

Tanzania Media Women’s Association (TAMWA)

“TAMWA’s mission is to improve women’s and children’s social, political and economic status through media advocacy”(TAMWA, 2004a). It was formed in 1987 by twelve women working in the Media who believed that media outlets portrayed women inappropriately and with prejudice (TAMWA, 2004b). They sought to change this, as well as work for positive change in the general society. In 2004, TAMWA had more than 100 members, all women who were professionally trained in journalism and had been working in the media for at least three years. As a membership organization of professionals, it relies heavily on its Annual General Meeting to make decisions regarding the Governing Board, membership and vision of the organization (TAMWA, 2006). The 2006 TAMWA Chairperson, Ichikaeli Maro, had been in office since before 2002. She In 2002, its income was about \$620,000.¹⁰ More than 90 percent came from foreign donors, including HIVOS, NOVIB, Fredskorpset, Pact Tanzania, AIDOS, SAT, and CIDA.¹¹ The

¹⁰ Or 555,709,293 Tshs, at a 2002 rate of 897 Tshs to \$1.

¹¹ NOVIB: Netherlands Organisation for International Development Cooperation; Fredskorpset: a Norwegian foundation; SAT: Southern African AIDS Training Programme; CIDA: Canadian International Development Agency.

remaining income was generated through special projects, including consulting, and membership fees (TAMWA, 2003).

In 2005, TAMWA had three non-administrative departments: Training and Capacity Building, Information Dissemination and Lobbying and Advocacy. While advocacy has been its main focus, it also publishes reports on the status of women and children (particularly related to issues such as FGM (Female Genital Mutilation) and child labor), and runs a Crisis Centre through which it provides free legal aid to women and their families. This is the only service provided directly to the public. Their work has focused almost entirely on women's and children's issues, although they were involved in the campaign against the NGO Act in 2002. They were heavily involved in the Gender Land Task Force and the land and women campaign between 1997 and 1999. Since 1987, it has developed what it calls the "Bang Style" of media advocacy, through which they disseminate news to multiple media venues at the same time (TAMWA, 2004a). They have claimed that it is their most powerful tool for spreading information on critical issues widely and quickly. Most of the issues that have concerned TAMWA are highly charged in parts of Tanzanian society, especially the numerous aspects of gender-based violence, including FGM and domestic assault.

The seven organizations reviewed above are all involved in multiple policy issues. They are very active in policy issues and do not hesitate to voice their policy concerns in various forums. Their leaders believe that the government needs to be held accountable for its actions, and they are willing to express their displeasure with its actions or inactions. They are well-funded groups with a large number of staff members; many of the organizations have staff dedicated to advocacy issues. None is service-oriented and none has links to the government. On the other hand, one is a very new organization while the others are older, each has a different causal focus (with the exception of TGNP and TAMWA), and one is a professional organization. Despite these differences, they share a substantial number of characteristics. In contrast, single-policy organizations do not share any.

SINGLE-POLICY ORGANIZATIONS

Numerous Tanzanian organizations have been engaged in policy issues in their causal areas; many of these are outside the issues studied here. For example, NGOs working in the areas of disabilities, HIV/AIDS, private nursing, and the media have all participated in their own policy campaigns. Their activities, unfortunately, are for another study. In the pages that follow, I discuss the organizations involved in the land campaigns, and the campaigns against the NGO Act and the Environmental Management Act. All of these organizations were involved in only the single campaign, although the tables provide a summary of all of the organizations, including those engaged in multiple policy areas.

NGOs in the Land and Women Campaign

In this study, I reviewed the activities of eight organizations associated with women and land issues. Six were directly involved in the Land and Women Campaign, and two others were supportive, but did not participate. Both TGNP and TAMWA, discussed above, were instrumental in the campaign run by the Gender Land Task Force (GLTF). The other members of the Task Force were the Tanzania Women’s Lawyer Association (TAWLA), the Women’s Advancement Trust (WAT), the Women’s Legal Aid Centre (WLAC) and the Tanzania Home Economics Association (TAHEA). The two NGOs not directly participating in the campaign were the Women in Law and Development in Africa (WILDAF), and the Environmental Human Rights Care and Gender Organisation (ENVIROCARE).

Organization	Year Founded	Services	Staff Size	Org Type	Members
ENVIROCARE	1993	Women, Children & Gender	5+	Member ¹²	>30

¹² “Affiliate” refers to an organization that has both individuals and other organizations as members. A “member” organization has only individuals as members. A “prof” organizations is a professional group, and restricts membership to individuals with professional affiliations and qualifications.

TAHEA	1980	Women, Children & Gender	2	Prof	>500
TAMWA	1987	Women, Children & Gender	10+	Prof	>100
TAWLA	1990	Women, Children & Gender	10+	Prof	>30
TGNP	1993	Women, Children & Gender	20+	Affiliate	<30
WAT	1989	Women, Children & Gender	10+	Trust	N/A
WILDAF	1990	Women, Children & Gender	2	Affiliate	>30
WLAC	1989	Women, Children & Gender	20+	Affiliate	<30

ENVIROCARE was not a member of the Gender Land Task Force (GLTF), but has shown interest in women’s land issues over time. Its work to promote and protect gender equality, human rights, the environment and children’s rights suggests that it could have been a strong land advocacy organization, but instead it has chosen to focus its efforts on service provision and information dissemination. Its core projects include legal literacy, environmental conservation and HIV/AIDS awareness. A membership organization, it was formed in 1993 to encourage and demonstrate sustainable development across Tanzania. In 2005, it had approximately six staff members. (ENVIROCARE, 2004) The executive director, Mrs. Loyce Lema, was recognized in 2004 by a South African group called “Ma’Afrika” for her work to promote sustainable development. In 2005, ENVIROCARE had no known links to government. It engaged in a large number of activities, and was sponsored by several international donor organizations.

TAHEA was formed in 1980 as a professional organization for individuals working in home economics and its related sciences. In 2004 it had more than 500 members across the country; many of whom were associated with local chapters and activities run by volunteers. (TAHEA, 2004) Its national office was staffed by only two individuals, one of whom was the President of the Executive Committee. Its primary goal has been to develop and promote the

profession, although in recent years it has branched out to address issues related to women and the family (including land, HIV/AIDS and food security). (TAHEA, 2004) Until 2005, TAHEA was housed at the Ministry of Education and Culture, and has been considered friendly to the government. Its funding has been low in recent years; although it has received some monies from members and support from the government, it was critically dependent on donor funds for its national operations.

In 1990, TAWLA was created as a “forum for women lawyers for mutual support and to harness their professional capability” to provide legal services to the larger community (TAWLA, 2004, p. 1). Its main service activity has been the provision of free legal advice and representation to women. It has also been commissioned by government ministries to analyze the law related to certain issues (such as HIV/AIDS), organized television and radio programs to increase legal literacy, and participated in multiple networks on women’s issues (TAWLA was one of the principal organizations in GLTF). (TAWLA, 2004) In 2004 it had only four staff members, although it required all of its members to participate in service provision at some level; all were regular, active members of the organization’s committees (which included legal defense, fund-raising, legal literacy and legal research). While most of its funds have come from foreign donors, it also earned some income through a “charity walk,” consulting fees and membership fees. Some of TAWLA’s members are employed by the government, although it has been regarded widely as an independent and critical organization.

Formed in 1989, WAT has focused its work in the areas of housing and human settlement. Through the years, it has worked with several housing cooperatives, established a savings cooperative and prepared housing designs and supported construction work. It has also engaged the government to change discriminatory laws related to women’s advancement in Tanzania, particularly land issues. As a trust, it has never had members, but instead has worked with other NGOs in various partnerships and coalitions. In 2003 it had nine program staff members. (WAT, 2003) Traditionally it has had strong links to the government, and has had

government officials on its staff and Board of Directors. One of the founders, Mrs. Tabitha Siwale, was a Member of Parliament for many years, and served part of that time as the Minister of Lands. She has been the Executive Director since 2000. Since 2001, WAT has partnered with the government to educate women about their land rights. It has also partnered with international donors for many of its housing projects. Because it does not have members, it has relied heavily on donor support.

WILDAF Tanzania is a branch of a Pan-African organization dedicated to the promotion of women's rights. The Tanzania office was established in 1990, and by 2005 it had ten organizational members and over eighty individual members. (WILDAF, 2005) Most of its work has been done in partnership with other NGOs, and most of its Board directors are individuals who have worked in other organizations. Although it has not just been a networking resource, its small size has prevented it from engaging in large scale projects. It had only two staff members in 2005 and similarly weak revenue. It has attempted to monitor legal issues, organize workshops and provide training to local groups, but again WILDAF has had partners for most of these activities. It does not have an explicit partnership with the government, but one of the members of its board of directors has been a Minister for several years. It was loosely associated with the GLTF, but did not engage in any formal activities related to the campaign.

WLAC was founded in 1989 as the SUWATA Legal Aid Scheme, a project of the Women's Branch of the national CCM party. In 1994, it registered as an independent organization, although still dedicated to providing legal aid to women and children. In 2005, WLAC had sixteen branch offices around the country, all staffed by volunteer paralegals. Legal aid and legal awareness have been by far its biggest projects since its inception. Its other activities have included disseminating information through radio and publications, monitoring the implementation of international conventions related to women, researching the incidence of violence against women, and participating in advocacy campaigns for women's legal rights. (WLAC, 2004) In 2005, WLAC employed seven staff members and eighteen full-time

volunteers. Eight other individuals were associated with the organization as members and part-time volunteers, some of whom were on the Board of Directors. The chairperson of WLAC in 2004 was the Executive Director of LHRC, Mrs. Helen Kijo-Bisimba. This overlap has been very common among the prominent NGOs in the country. Although formerly associated with CCM, it now has no government or party linkages except at the branch level. Its substantial growth in recent years from a national office to a sixteen-branch organization indicates that its funding has grown dramatically, also.

NGOs in the Land and Peasants Campaign

Three organizations were prominently involved in the campaign to promote peasant land rights in the 1999 land legislation: HakiArdhi, TGNP, and PINGOs, the Pastoralist Indigenous NGOs Forum. Two other organizations, TAWLA and TAMWA, were also involved, especially in the beginning. However, they were more closely associated with the Land and Women Campaign, and supported its policy preferences over this campaign's. Several other small pastoralist organizations were also supportive of the campaign, but they contributed very little to the activities and planning.

Organization	Year Founded	Services	Staff Size	Org Type	Members
HakiArdhi	1994	Land Rights Protection	5+	Member	<30
PINGOs	1994	Support to Pastoralists	5+	Network	>30
TAMWA	1987	Women, Children & Gender	10+	Prof	>100
TAWLA	1990	Women, Children & Gender	10+	Prof	>30
TGNP	1993	Women, Children & Gender	20+	Affiliate	<30

PINGOs was a founding member of the peasants rights campaign against the Land Bills and worked extensively with HakiArdhi to promote land issues among its member organizations and their communities. In 2005, PINGOs had thirty-six member organizations, all of whom worked among pastoralists (particularly the Maasai ethnic group). It was formed in 1994, and for a few years it was well-respected in Northern Tanzania as a strong Maasai advocacy and service membership organization. As it grew with a massive inflow of foreign funds, it developed many leadership and organizational problems. (Igoe, 2003) It lost much of the respect it had won when it had started, and by 2001 it reorganized with many of the same members but with fewer activities and less funding. In 2005, it employed between five and ten permanent staff members (the number fluctuated), including a programme coordinator, gender officer and information/research officer. (PINGO's Forum, 2005) Historically, its leadership has been perceived as being very activist, primarily because the issues it promoted have challenged government policy positions. It has sought to advocate on behalf of pastoralist rights and needs in local, national and international policy forums. Providing support through networking and capacity-building to its member organizations constituted its main service activities. Its only links to government are in the local Maasai communities.

NGOs in the Campaign against the NGO Act

Nine organizations were directly involved in the Campaign against the NGO Act: TGNP, TANGO, LHRC, LEAT, HakiArdhi, HakiElimu, TAMWA and the NGO Policy Forum (NPF). A set of five organizations was given the majority of responsibility for executing the campaign: TGNP, TANGO, LHRC, HakiArdhi and HakiElimu. These were commonly referred to as the NGO Core Group. Two others were involved in earlier stages in the development of the NGO Policy and NGO Bill, the Tanzania Council for Social Development (TACOSODE), and BAKWATA, the National Muslim Council of Tanzania. TACOSODE was marginally involved

in the legislative campaign, while BAKWATA essentially dropped out of the process as it progressed.

Table 3.3: NGOs and the Campaign against the NGO Act

Organization	Year Founded	Services	Staff Size	Org Type	Members
BAKWATA	1960s	Religious Support	20+	Religious	>500
HakiArdhi	1994	Land Rights Protection	5+	Member	<30
HakiElimu	2001	Education	20+	Member	<30
LEAT	1995	Environmental Protection	10+	Member	>30
LHRC	1995	Human Rights Protection	20+	Affiliate	>100
NPF	2002	Policy Discussion	5+	Network	<30
TACOSODE	1965	Support to Member NGOs	5+	Network	>100
TAMWA	1987	Women, Children & Gender	10+	Prof	>100
TANGO	1988	Support to Member NGOs	10+	Network	>500
TGNP	1993	Women, Children & Gender	20+	Affiliate	<30

In 2005 ,BAKWATA, or the National Muslim Council of Tanzania, was one of the oldest organizations in the country. It was formed in 1968 after the dissolution of the East African Muslim Welfare Society. It was a nation-wide organization intended to serve the local Muslim population, starting at the level of the village mosque. Its priorities have included promoting faith issues and running secondary schools and seminaries. It has tried to represent the Muslim population in various policy issues, and has been regularly consulted for its policy position. However, according to the Secretary General of BAKWATA, Sheikh Abbas Kihemba, “they are regularly invited to meetings on policy issues, but only as participants and not active members. They are there just to listen, as stakeholders, and are not given the change to tell the relevant people their ideas.” (Sheikh Kihemba, 2005) Traditionally, BAKWATA has had a very strong

and positive relationship with the government, since it acts as representative for the entire Mainland Muslim population (another group operates on Zanzibar). Funding comes through its schools and mosques. It also recently started a partnership with an international organization to prevent HIV/AIDS in the country. (Mpendu, 2005)

The NGO Policy Forum (NPF) is a formal coalition of NGOs in Tanzania that formed in 2002 to respond to the lack of coordinated policy activity and voice among NGOs. (NPF, 2003) It came together immediately before the NGO Bill was sent to Parliament, and helped coordinate the activities of NGOs during their campaign. In 2005, NPF was focusing on three policy areas: the poverty reduction strategy, the public expenditure review, and the local government reforms. It has sought to be an organization that facilitates the participation of its members in policy processes, rather than acting or speaking for them. The member organizations have been responsible for policy action, monitoring and implementation, while NPF has made discussion and coordination possible. (NPF, 2003) It has sought out opportunities to speak to government officials on critical issues, but does not have any formal links to the government. Several of the groups that have been involved in multiple policy areas were instrumental in the formation of NPF, and Mr. Rakesh Rajani, the Executive Director of HakiElimu, was in 2005 still the chair of the Board of Directors. These links have made NPF a very active organization. It had about 80 members in 2005, 48 of which were “compliant” with the Forum’s accountability code. Members must pay an annual membership fee, although most of its funding comes from abroad. It has been a successful fundraiser, growing substantially in just a few years.

TACOSODE was also involved in the early stages of the development of the National NGO Policy as a member of the National Steering Committee, acting as a representative of other NGOs around the country. It was formed in 1965 as the National Council on Social Welfare Services, a coordinating body for the organizations that existed at the time. Because of a strong relationship with the government, it was not disbanded through the 1970s. During that time, it acted as a representative to numerous international bodies, and has been given a UN consultative

status and accreditation in UN conferences. (TACOSODE, 2004) In 1987 it changed its name while formally disassociating itself with the government. Since then, its activities have centered on capacity building for and information exchange among its members. Through 2005, it was still considered friendly with the government, but has been willing to voice its opposition to policies it disagreed with (particularly the NGO Act). In 2005, it had more than 200 member organizations and fewer than ten staff members. For the most part, it has focused its attention on providing services to its members and supporting their own service provision, rather than on policy advocacy. Although a larger organization, it has had funding difficulties. Like other membership organizations, it has received annual fees while mostly relying on international funds to support its programs.

NGOs in the Campaign against the EMA

Essentially, only one organization (LEAT) campaigned against the Environmental Management Act (EMA). Five other NGOs, however, were involved at various other times during the development of the Act. These NGOs were the Environmental Association of Tanzania (ENATA), the Agenda for Environment and Responsible Development (AGENDA), the Centre for Energy, Environment, Science and Technology (CEEST), and the Journalists Environmental Association of Tanzania (JET). One organization, “ECO,” was mentioned as a partner of LEAT during one phase of the campaign, but no one could tell me anything about the organization in 2005. It may or may not have been a Tanzanian NGO.

Organization	Year Founded	Services	Staff Size	Org Type	Members
AGENDA	1997	Environmental Protection	5+	Affiliate	<30
CEEST	1992	Consulting & Research	10+	Foundation	N/A
ENATA	1993	Consulting	2	Affiliate	<30

JET	1991	Environmental Protection	5+	Member	>30
LEAT	1995	Environmental Protection	10+	Member	>30

AGENDA was established in 1994 as a project of the Danish Development Agency (DANIDA), but was registered as an independent organization in 1997. As a DANIDA project, its goal was to enable the business community to become more environmentally responsible, transparent and accountable (AGENDA, 2005). As an independent NGO, its mission has been to promote environmental responsibility in development. It has provided a wide variety of services including consulting, professional development and support, environmental impact assessments, environmental training, publishing, and information-sharing. Many of its activities were income-generating, mainly through service or technical contracts with international organizations or the government. Although largely self-supporting, its financial situation is highly dependent on maintaining its working contracts. In 2005, AGENDA had both individual and organizations as members; many members have been involved in activities across several specialist working groups. The organization's activities were coordinated by a staff of nine in 2005, more than half of whom have advanced science degrees. While it has not had formal ties to the government, it has worked with various departments on environmental projects, particularly at the regional level. AGENDA has largely focused its attention on technical issues related to environmental development, and not policy or politics.

CEEST was formed in 1992 as a foundation to promote research on and development in energy, the environment, science and technology. It has considered itself a source of expertise in these areas for policy development and implementation, and has frequently provided technical analysis to the government on various issues. (CEEST, 2005) In 2005, the Centre had a research staff of seven, three of whom had their Doctorates, while periodically engaging up to thirty other research associates from national universities and various institutions. Most of their work has

been done as consultants for government, business or donors, often in collaboration with other research institutions. They have had a strong relationship with the government, and have frequently worked with various Ministries to host policy meetings and workshops. CEEST was first involved with the National Environmental Policy in this manner. It has not advocated for or against policies publicly, preferring to remain a technical advisor.

ENATA has maintained a similar profile to that of CEEST, except that it was formed as a membership organization. It has focused on providing technical expertise to the government and businesses on environmental issues, although two of its objectives have been to raise awareness of environmental issues and to disseminate educational information. (ENATA, 2005) Since it was formed 1996, it has primarily worked as a consultant, preparing environmental impact assessments for businesses as required by the National Environmental Management Council (NEMC). (Njau, 2005) Like CEEST, it was first involved with the environmental policy as a host of a policy workshop. It had a small number of members and staff in 2005, and all were engaged in the environmental studies of the organization. Along with AGENDA, ENATA is the only organization to have received a substantial amount of its income from sources other than donor grants. It has done significant contractual work with government agencies. It relies on regular contracts to support itself.

The Journalists Environmental Association of Tanzania (JET) was formed in 1991 as a professional association for the promotion of environmental protection. Sometime before 2005, JET decided to remove the professional qualification, and in 2005 it had both journalists and non-journalists as members. Despite this, it still focused on information sharing and raising public awareness to improve environmental protection. In recent years it has had trouble raising funds, so has considerably cut back on its activities and staff. In 2005, it had only five full-time staff, including office clerks. When it was a stronger organization, it conducted several media campaigns, radio programs, research analyses of pollutants, and community assessments of

environmental needs. (JET, 2004) JET does not have any links to government and has been highly critical of some of its past actions.

SUMMARY

Each characteristic's pattern across the groups is summarized in the following statements and tables. All are estimates made for the years they were involved in the specified policy campaigns, and not for 2005.

1. **National status:** all twenty-one organizations are Tanzanian in origin and leadership.
2. **Funding Resources:** most organizations were heavily dependent on foreign funding, although several were trying to raise their own funds through special projects. Table 3.5 compares the wealthy organizations to the weaker ones. The strong versus weak distinction is a general evaluation of groups' long-term financial prospects, and is not an exact measure of resource availability. This information was not readily accessible for most of the organizations.

Resources Available	Organizations
Strong (15)	BAKWATA, CEEST, ENVIROCARE, HakiArdhi, HakiElimu, LEAT, LHRC, NPF, PINGOs, TANGO, TAMWA, TAWLA, TGNP, WAT, WLAC
Weak (6)	WILDAF, TAHEA, TACOSODE, JET, ENATA, AGENDA

3. **Staff:** as stated earlier, all organizations can be characterized as having highly educated staff members.
4. **Age:** Table 3.6 summarizes the years in which organizations were founded.

Years	Organizations
Before 1985 (3)	BAKWATA, TAHEA, TACOSODE
1986-1990 (6)	TAMWA, TANGO, TAWLA, WAT, WILDAF, WLAC
1991-1995 (9)	CEEST, ENATA, ENVIROCARE, HakiArdhi, JET, LEAT, LHRC, PINGOs, TGNP
1996-2000 (1)	AGENDA
2001-2005 (2)	HakiElimu, NPF

5. **Cause:** although the organizations are listed above by policy area, it may also be helpful to divide them by focal causal area, as done in Table 3.7.

Cause	Organizations
Education (1)	HakiElimu
Environment (5)	AGENDA, CEEST, ENATA, JET, LEAT
Human Rights (1)	LHRC
Islam (1)	BAKWATA
NGO Support/Networking (3)	NPF, TACOSODE, TANGO
Pastoral/Land (2)	HakiArdhi, PINGOs
Women (8)	ENVIROCARE, TAHEA, TAMWA, TAWLA, TGNP, WAT, WILDAF, WLAC

6. **Size:** the number of each organization's employed personnel is listed in Table 3.8.

Size of Staff	Organizations
Fewer than 5 (3)	ENATA, TAHEA, WILDAF
Five to Nine (7)	AGENDA, ENVIROCARE, HakiArdhi, JET, NPF, PINGOs, TACOSODE
Ten to Nineteen (6)	CEEST, LEAT, TAMWA, TANGO, TAWLA, WAT
Twenty or More (5)	BAKWATA, HakiElimu, LHRC, TGNP, WLAC

7. **Profession:** groups are divided in Table 3.9 into whether they are groups of professionals, perform specific professional services, or do neither. The latter could be described as pure cause groups.

Professional Status	Organizations
Professional Support (3)	TAHEA, TAMWA, TAWLA
Professional Services (5)	AGENDA, BAKWATA (schools), CEEST, ENATA, LEAT
Neither (13)	ENVIROCARE, HakiArdhi, HakiElimu, JET, LHRC, NPF, PINGOs, TACOSODE, TANGO, TGNP, WAT, WILDAF, WLAC

8. **Link to government:** organizations with personal or professional links to the government are compared to those without in Table 3.10.

Table 3.10: Summary of Government Linkages	
Status of Link	Organizations
Personal (5)	BAKWATA, TACOSODE, TAHEA, WAT, WILDAF
Professional (3/4)	AGENDA, CEEST, ENATA, (WAT)
Neither (13)	ENVIROCARE, HakiArdhi, HakiElimu, JET, LEAT, LHRC, NPF, PINGOs, TAMWA, TANGO, TAWLA, TGNP, WLAC

9. **Orientation to advocacy:** organizations are divided into three categories in Table 3.11 based on the estimated percentage of time they spent on advocacy rather than service-provision.

This is a rough estimate, based on my understanding of the amount of time spent on service activities. This was difficult to do because the relative time spent on each was different during the years it was involved in these policies than it was in 2005.

Table 3.11: Summary of Advocacy Levels	
Percentage of Advocacy	Organizations
75% or more (7)	HakiArdhi, HakiElimu, LEAT, LHRC, NPF, TANGO, TGNP
Between 25% and 75% (7)	JET, PINGOs, TAMWA, TAWLA, WAT, WILDAF, WLAC
Less than 25% (7)	AGENDA, BAKWATA, CEEST, ENATA, ENVIROCARE, TACOSODE, TAHEA

10. **Activist leadership:** Table 3.12 divides the set of organizations into two parts, whether they had activist leadership or not.

Table 3.12: Activist Leadership Summary	
Leadership is Activist	Organizations
Yes (10)	ENVIROCARE, HakiArdhi, HakiElimu, LEAT, LHRC, NPF, PINGOs, TAMWA, TANGO, TGNP
No (11)	AGENDA, BAKWATA, CEEST, ENATA, JET, TACOSODE, TAHEA, TAWLA, WAT, WILDAF, WLAC

11. **Policy concerns:** the division among organizations between single-policy groups and multiple-policy groups has already been made and discussed.

At a glance, the wide variety of organizations is striking. Except for being indigenous groups, having highly educated personnel and receiving most of their income from foreign donors, they do not share any characteristics. The only apparent pattern exists among groups that

engage in multiple policy issues. As described earlier, these organizations could be described as activist and highly effective, if measured by their ability to attract funding and maintain activities. The value of the distinction between the multiple-policy and single-policy groups will become evident in chapter five when the relationship between group characteristics and behavior is discussed. Essentially, the activist nature of multiple-policy groups appears linked to the engagement in certain types of tactics and strategies. The chapter that follows details group activities across the four policy campaigns: the women's land rights campaign, the peasants' land rights campaigns, the campaign against the NGO Act, and the campaign against the EMA.

Chapter Four

HISTORIES OF POLITICAL PARTICIPATION

The groups discussed in the previous chapter are actors in the policymaking process. How and when did they get involved in the processes studied here? What did they do to influence policy outcomes? Were they successful in their attempts? These are critical questions, and can only be addressed by a thorough review of the histories of organizational involvement in each policy area. Each detailed policy history that follows focuses on the roles of NGOs. They do not necessarily present all of the decisions made by the government in the process. An attempt was made, however, to consider the responses of government officials and other policymakers to group participation. These responses varied significantly by policy area and the level of involvement. The cases presented in this chapter will be used to address

In Tanzania, “policy” has a specific meaning, referring to a set of recommendations formally adopted by the Cabinet to guide policymakers as they construct legislation. Generally, it is conceived of being a statement of intent, not a mandate for what should be included in the following legislation. The legislation is ideally intended to implement one or more parts of the policy, although in practice legal provisions tend to be different in form and substance. The differences between the interpretations of a policy and its legislation have motivated some groups to engage in policymaking, particularly in the campaign against the NGO Act.

THE LAND ACTS

The first of the three policies reviewed here is the pair of land acts adopted by Parliament in early 1999. The two acts—the Land Act and the Village Land Act—set out the rules for land ownership and use in the country. The land legislation was divided into two parts to account for the differences in urban and rural land uses, particularly communal village land. In 1990 the government initiated work on a national policy for land use in the Ministry of Land, Human and

Urban Development (MLHUD). Professor Afraim M. Hayuma, the chair of the Inter-Ministerial Technical Committee organized to advise the drafting committee, reported that he and others in the Town Planning and Urban Development Division of MLHUD made the proposal for a new land policy. They decided that it was time to update the “antiquated laws.”

It received top priority in late 1990 after the Investment Promotion Act was passed and officials realized that investment depended on a good land policy and strategy. (Hayuma, 2005) An Inter-Ministerial Steering Committee (IMSC) was formed soon after, along with the associated technical committee. Only government officials from various interested ministries were on the committees. The committee organized two small workshops on land policy in June and August 1991, funded by the World Bank. Bringing together various government officials, local scholars and international NGOs, they began to address the country’s land policy needs. (MLHUD, 1991)

While the IMSC continued its drafting work through 1995, citizens first got involved in the land policy debate through a presidential commission that toured the country. It was technically and practically separate from the work of the IMSC, although it influenced the latter’s policy outputs. Because the presidential commission was originally planned as an information-gathering exercise, what it learned would inform the provisions of the land policy. In 1991, President Ali Hassan Mwinyi commissioned a set of government officials and university professors to study how citizens viewed land and their land needs. He appointed Professor Issa Shivji as the chair of the commission, which quickly was referred to as the Shivji Commission. Members of the commission held public meetings in all regions of the country and appointed ‘experts’ to study critical topics related to land. The commission presented its report to the President and the Cabinet in late 1992 making several controversial recommendations beyond its original mandate. These recommendations centered around dissolving the “radical title” of presidential ownership over land and returning control over land to local villages. (URT, 1994)

Some commission members felt that the government had not responded positively to its recommendations. In 1994 Shivji and his supporters formed the Land Rights Research and Resources Institute (HakiArdhi) to respond to the government. It was a group of voluntary activists at the start, with no paid staff. The organization's stated goal was to engage the government in further discourse about the national land policy and to enhance public participation in its development. Practically, however, it tried to raise public awareness about the government's treatment of land, desiring to start a social movement. HakiArdhi wanted greater attention paid to the land rights of small land producers ("peasants" and pastoralists) and less attention to the needs of foreign investors. (NALAF, 1998) They quickly started consulting with other organizations, holding infrequent workshops and meetings with the press, other activists and organizations, and government officials.

Government officials maintained, even in 2005, that most of the commission's recommendations were adopted at least in part by the government. (Hayuma, 2005; Kulaba, 2005) A draft version of the "Government Position on the Report of the Presidential Commission of Inquiry into Land Matters" suggests this was not the case; many of the recommended structural changes were not accepted by the government. Besides maintaining presidential control over land, the government argued against the dissolution of the Ministry of Lands (to be replaced by a Board of Land Commissioners) and the endorsement of the Village Assembly (to which all village adults belong) instead of the Village Council (elected leaders) as the authority over local land issues. (MLHUD, 1993)

The government did agree that gender issues such as tenure and inheritance needed to be addressed, greater transparency and accountability in land deals was necessary, and land should be integrated into the constitution, among other things. The draft government position paper identified nine sets of recommendations made by the commission, the majority of which were acknowledged by the government to be important issues. Only five of these were partly or wholly

adopted. (Maunya, 1995a) This directly influenced the policy being drafted by the IMSC, many of whose members were also on the Cabinet or closely associated with it.

The government held its first and only public stakeholder meeting to discuss the national land policy in January 1995. (Maunya, 1995b) The official government position paper, published in December 1994, was presented at this meeting. The National Workshop on a National Land Policy was held in Arusha in the north of the country, and was funded by the Overseas Development Agency (or ODA, the former British Department for International Development). Official details of the meeting are few, although officials who attended the meeting recall that many individuals were invited: Members of Parliament, national and local government officials, members of the private sector, and at least one NGO representative. (Hayuma, 2005; Kulaba, 2005) It has been difficult to determine which NGOs were actually present, since it was not possible to obtain a copy of the workshop report (it may no longer exist). However, Professor Hayuma reported that Baraza ya Wanawake wa Tanzania (or BAWATA, the Tanzania National Women's Council), a group officially deregistered in 1996, was present, as was the Tanzania Farmers' Association. Both Hayuma and Professor Kulaba mentioned that a local Maasai organization that had not been invited to participate showed up the first day of the workshop and was allowed into the meeting. Professor Shivji was present, although it is not clear whether he was there to represent HakiArdhi. Mrs. Tabitha Siwale, an MP at the time and the founder of WAT, also attended the workshop. She was later instrumental in changing the National Land Policy to include a brief statement on the right of women to own land. (Siwale, 2005; TAWLA, 1997)

Many participants at the National Workshop were concerned that the government was not adopting all of the recommendations issued by the Shivji Commission. Professor Shivji himself challenged the government at the workshop, although without any effect. He ended up leaving the meeting early in protest. (Kulaba 2005) Recommendations of both the government and the Shivji Commission were discussed by the participants, and several were voted to be included in the

national policy document. The workshop recommendations were passed on to the IMSC, which then redrafted the policy and submitted it to the Cabinet for approval. The Policy was completed internally without much public discussion, despite some efforts of NGOs to raise the public's awareness of its potential problems. There is no evidence that NGOs met privately with government officials to lobby for change during the development of the Policy; their only self-initiated actions appear to be as networkers, bringing groups together to voice their opposition to the Policy after it was passed. Officials noted that to this point, groups were extremely weak and not seen as partners or even sources of information in the policy process. (Hayuma, 2005) Their participation was completely discounted in 1994 and 1995.

After the Cabinet approved the National Land Policy in June 1995, it was sent to Parliament for discussion. Taking it to Parliament was not legally required; it was presented there because with land "everyone is a stakeholder. It is a sensitive matter and all should know about it" (Hayuma 2005). Members of Parliament were believed to be the definitive representatives of the public interest. Mrs. Siwale recalled that she stood up in Parliament and declared that the Policy should be amended to include women's rights to land. The government published the Policy in August 1995, and the Ministry of Lands began work on a national land bill.

The drafting committee was led by Dr. Patrick McAuslan, a professor from the United Kingdom, and financed by ODA. He was involved in the formation of the University of Dar es Salaam, and knew Tanzania quite well. He was selected because "they needed to find experts to advise them on the law. It could be done locally, but they wanted someone exposed to international land legal best practices... especially with the call for greater foreign investment." (Hayuma, 2005) The rest of the members of the drafting committee were all Tanzanian: Mr. D. Meela, a member of the Law Reform Commission; Mr. Simbakalia, a draftsman in the Attorney General's Chambers; Professor M. Fimbo in the Faculty of Law; and Mr. F. Mutakyamilwa in the Ministry of Lands. They met regularly; "it was like a full-time meeting" (Mutakyamilwa, 2005). McAuslan wrote portions of the draft then passed it to the others for discussion and amendment.

Mutakyamilwa noted that some NGOs were concerned that Dr. McAuslan was British, and that foreign forces were unduly influencing the language of the bills. (For examples of this perspective, see Manji, 1998; Tenga, 1999.) Several individuals voiced these concerns in 2005 in their interviews, including Mrs. Gemma Akilimali at TGNP and Mr. Yefred Myenzi at HakiArdhi. Mutakyamilwa countered this concern, arguing that McAuslan was contracted like any other consultant, and was subject to the approval of the drafting committee and the Ministry: “He could do nothing without their approval. If there was an outside influence it was of an inevitable form, in the sense of globalization and the need to change policies to go along with that.” The final bills did heavily favor business investment, to the chagrin of most NGOs fighting to change them. The first draft of the land bill was ready for public review in August 1996.

Local NGOs already were consulting with each other by this time, although formal coalitions had not yet developed. HakiArdhi reportedly organized two small workshops in March and April, one of which was in Arusha and geared toward pastoralist interests. (HakiArdhi, 1997) Women’s groups were not organizing meetings in 1996 outside of FEMACT. On April 3, 1996 a one-day seminar on the land bill was held at the British Council. It was organized by the Minister of MLHUD, Mr. Gideon Cheyo, who was present. Several NGO representatives and land scholars participated also. At least one member of BAWATA was present, as was Professor Shivji for HakiArdhi. (Maro, 1996b; Staff Reporter, 1996) The government then organized its first national workshop on the draft bill in November 1996, and invited several of the NGOs operating at the time. (Maro, 1996a) The workshop was funded by ODA and the World Bank. The drafting committee’s proposals were presented and discussed. Participants were led to believe that the bill would be sent to Parliament in early 1997.

This belief led several organizations to quickly form two different national coalitions of NGOs to protest against various provisions of the land legislation. The first was a task force of groups promoting women’s land rights (the Gender Land Task Force, or GLTF), the other was a coalition of groups organized against the “radical title” and for small producers’ land rights (the

National Land Forum, or NALAF). Both protested loudly that the provisions were not adequate to protect Tanzanian citizens, particularly women, small land producers and pastoralists. (Kamata, 1999) GLTF's members were less ideologically radical than NALAF's members, although there was variation within the groups, and three NGOs were in both. From this point, the following paragraphs are divided into two discussions, one for each of the two coalitions. These coalitions, although they worked together at times, essentially ran two different campaigns with two different land policy outcomes.

The Women's Land Campaign

The primary actors in the women's land campaign were members of a coalition of women's NGOs. The Gender Land Task Force (GLTF) formed during the last hours of a workshop hosted by TAWLA for women's NGOs to discuss the draft land bill. (Mallya, 2005; Rwebangira, 2005) Originally, BAWATA was supposed to organize this particular workshop, but because of its registration troubles with the government, TAWLA took over. TAWLA remained coordinator of GLTF through the campaign. The original members of the task force included TAWLA, TGNP, TAMWA, WLAC, WAT and TAHEA. WILDAF was supportive of the task force, but was never a member. The National Organization for Child Welfare and Human Relief (NOCHU) was also involved to some extent. The task force officially acted as representatives of a larger body of women's groups from around the country, but the list of these organizations is not available. Many of them were likely the members of FEMACT at that time; the workshop and the task force originated out of the FEMACT coalition of feminism-supporting NGOs. (Mbilinyi, Rusimbi, Chachage, & Kitunga, 2003)

The workshop at which GLTF was formed was held March 3-5, 1997 in Dar es Salaam. Representatives of many NGOs were present, particularly women's groups. Professor Shivji and TAWLA representatives made presentations, and many discussions were held about the weaknesses of the proposed bill. (Maro, 1997) The second day of the workshop, participants

discussed lobbying strategies and tactics to get officials to listen to them. Government officials were likely present during parts of this workshop, but their names and positions are not certain. Mr. Mutakyamilwa was likely present, as was Mrs. Stella Longway, Commissioner of Lands, and a representative of the Ministry of Community Development, Women Affairs and Children. (TAWLA, 1997) NGO representatives who were present contend that the protests they made at the workshop against the lack of attention to women's land rights caused the bill's passage to be postponed. Recall that they believed that the bill was going to Parliament in early spring, and had received confirmation of this in February. (Rwenbangira, 2005) Over the course of two years, the bill was postponed at least two other times.

The women's groups were concerned with many gender issues related to land, although the primary ones were the effects of local customary law on women's land ownership and the representation of women on land committees. (TAWLA, 1998) Customary law is any set of regulations determined by local 'tribal' communities. Almost universally across all customary law systems, women have few if any rights of access to land. It applies to any person born into one of these communities, and is not subject to the broader "civic" law in Tanzania. Individuals are generally governed by one or the other on the Mainland (or Islamic law, if a Muslim). As a result, even if the Tanzanian civic law is egalitarian in its treatment of women and men regarding land ownership, if the customary law applies in a situation, then women may have no land rights. Removing the customary law control over land ownership was therefore one of the women's groups biggest goals, and one of the few they did not achieve. (Kapinga, 1995)

GLTF and supporters organized several workshops around the country through the fall and winter of 1997 and spring 1998 to promote their policy preferences. They were involved in other ways throughout 1997, however; some of the GLTF members participated in NALAF activities, including the May meeting at which the Land Forum was formed. However, the first workshop held by GLTF exclusively was September 13 and 19, 1997 in Dar es Salaam.

(TAWLA, 1997) The first day of the workshop, TAWLA, WAT, NOCHU, WLAC (SUWATA at

the time) and TAHEA were represented. Officials were present from MLHUD, the Ministry of Community Development, Women Affairs and Children, and the Ministry of Agriculture and Livestock. Mr. Mutakyamilwa presented a paper discussing the gender needs of the historic land laws, and later responded to questions about the recommendations made at the March workshop. On the second day, only NGOs were present, the same set as earlier, along with TAMWA. TGNP was not present either day. The NGOs discussed strategies to address gendered land issues, focusing on ownership in polygamous relationships and the problems with customary ownership. Over the next few months, several more workshops were held elsewhere, as described in Table 4.1.

Dates	Workshop Details
November 14, 1997	NOCHU held a sensitization/mobilization workshop on the land bill in Bukoba, a town on Lake Victoria near Uganda. It was funded by the Royal Netherlands Embassy of Tanzania and UNDP through GLTF. The workshop was conducted in Swahili. Representatives of five local organizations attended, along with sixteen local government officials, the chairwoman of GLTF (Magdalena Rwebangira), and several local journalists. The purpose of the workshop was “to brief women from different backgrounds in the current status of the process to reform the land law and thus enable them to make an input with special interest to women’s rights in land” (NOCHU, 1997). The participants broke up into working groups and developed several resolutions that were later shared with government officials in Dar es Salaam.

November 24-25, 1997	<p>The Workshop on Awareness Creation on Land Policy and the new Land Act was organized by WAT and also funded by the Netherlands Embassy and UNDP. For NGOs, CBOs and local authority leaders, it was held in Kurasini, an area just southwest of Dar es Salaam. Eleven local organizations were present, along with one local government official, and several journalists from various newspapers and television. WAT, TAHEA, TAWLA, TAMWA, and TGNP were present. Mrs. Longway was the guest of honor, opening the program. Mr. Mutakyamilwa also attended, as did Mrs. Siwale, representing both WAT and her position as a Member of Parliament. (WAT, 1997)</p>
November 1997 through January 1998	<p>TAHEA held 10 village-level sensitization/mobilization workshops on land issues in Kibaha District, to the west of Dar es Salaam. These meetings were funded by DANIDA, the Danish International Development Agency. The number of participants in each village ranged between twenty and forty-one, and they were members of the general public not necessarily involved in NGOs or local government. Some officials did attend, and several helped organize the workshops, as did local TAHEA members. TAHEA received additional help from TAWLA and TAMWA. The Ministry of Lands, the Ministry of Health, and the Ministry of Community Development also attended various workshops. These workshops also produced a number of recommendations that were passed on to policymakers. (TAHEA, 1998)</p>
December 8, 1997 to January 23, 1998	<p>TAMWA conducted a media campaign to raise awareness among journalists and the public on land issues and the draft land bill. The first workshop was December 17-18 in Dar es Salaam, and was attended by both radio and television journalists. Members of TAWLA were present, as was Mr. Mutakyamilwa, who spoke to the participants about the bill. (Kayombo, 1997)</p> <p>TAMWA also prepared three radio and one television programs, airing on various dates in January. The program material was partly from the TAHEA workshops in Kibaha. (TAMWA, 1998)</p>

<p>January 5, 1998</p>	<p>WLAC held workshops for its paralegal units in Morogoro (west of Dar es Salaam) and Moshi (in the north of the country) to discuss the draft land bill. They were both funded through GLTF. At both, the majority of participants were volunteers with the WLAC unit branches in the respective regions. A few journalists attended the meeting in Morogoro, although the meetings were seen primarily as training and educational events for volunteers. (WLAC, 1998a, 1998b)</p>
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In February, TGNP led a team to Dodoma during the Parliamentary session. They held three lunch working sessions with a total of ten MPs while also contacting ten others. This occurred even though the bill was not going to Parliament that session. (Akilimali, 1998) A month later, on March 18, GLTF hosted a one-day seminar at TGNP to discuss the progress of the land bill. They anticipated that it would go to Parliament the next month. (Maro, 1998) This did not happen, and the bill was postponed again.

In April, GLTF published a Swahili-language document called “Analysis of Gender Matters in the Draft Land Bill” (GLTF, 1998a), along with a shorter brochure about gender issues in the bills. (GLTF, 1998b) These documents were likely passed out at workshops. The publication of these documents temporarily marked the end of the Task Force’s public work; there is no evidence that GLTF by itself held any public meetings between April and December 1998. This may be because by this time GLTF and NALAF were coordinating a lot of their work to campaign for both women and small land producers. (Maro, 1998) Part of this coordination involved planning a “land week” in Dodoma when the bill actually went to Parliament. Only a few months later, GLTF and NALAF essentially split over their different policy goals. Once the bills were read in Parliament for the first time in November 1998, GLTF organized several more meetings and workshops before the second and third readings in early February 1999.

In December 1998, GLTF held a workshop for women MPs in Dar es Salaam; twenty one attended. (TAWLA, 1998) The workshop was funded by the Canadian International Development

Agency. The purpose was to make women MPs aware of the benefits to women included in the bills and the remaining problems, notably those related to customary law. GLTF members organized two workshops in January. The first was mid-month in Dar es Salaam and was also geared toward Members of Parliament, although not specifically women. (Kambenga, 1999b) The second was held in the north of the country in Moshi, and was aimed at sensitizing and mobilizing district level officials. Sixty-three local officials attended the three day workshop. (WLAC, 1999)

Besides holding workshops, GLTF used several other tactics to get their preferences heard at the end of the campaign. First, they continued to use TAMWA journalists and friends to publish newspaper articles. Four articles on problems with the land bills were printed within three weeks in the English-language papers. (Kambenga, 1999a, 1999b; Mbaga, 1999; Staff Reporter, 1999) Further, on Sunday, January 31, 1999, GLTF and local journalists produced an insert for the national newspaper *Sunday News*. (Staff Reporters, 1999) The insert included twelve pages of articles and cartoons about the weaknesses of the land bills that would be going to Parliament in February. Both gender and small land producer issues were presented, although NALAF was not involved in its production. Second, members of GLTF participated in public hearings before Parliament on January 26 and 27. Both TAWLA and TGNP presented papers for the women's groups. (Mwitumba, 1999; Rwakibarila, 1999) Mutakyamilwa noted in his interview that these were the first ever public hearings held by Parliament. He stated that some changes were made after the hearings, including some of the language on customary law.

When the bills went for their second and third readings in Parliament, on February 9, Mrs. Siwale reported that some of the women's groups were in Dodoma (where Parliament sits) and had organized a peaceful walk and demonstration. She stated that some MPs were upset about this, wondering why they were marching, but others supported them saying that they just wanted to show their rights. (Siwale, 2005) She said that at the time she continued speaking with her fellow MPs to promote the gender causes. Other groups were also in town. Mrs. Karefu-

Semeji (2005) reported that WLAC organized lunches and meetings at break times, inviting MPs to hear their views. They also passed out lists of talking points and arguments that MPs could refer to in discussion. When the bills were approved on February 11, women MPs and the members of GLTF were generally very happy, and many celebrated in front of the National Assembly building. (Mwambande, 1999)

While many events of the GLTF land campaign are easily documented by outside sources, their most important work cannot be because it happened behind the scenes. Mrs. Magdalena Rwebangira, the chair of TAWLA in the late 1990s, was also the chair of GLTF for a time. In her interview, she reported that the relationship developed with their only government contact, Mr. Fidelis Mutakyamilwa, was very important. (Rwebangira, 2005) She said that “at first he was completely patriarchal” in his thinking, believing that gender was not an issue. But by the end, after attending so many meetings (“he was a constant figure in GLTF meetings”), he was greatly influenced and accepted their arguments. “He would call the Task Force people and ask about the implications of language and the provisions they were working on.” Mutakyamilwa responded similarly, saying that GLTF was “very friendly,” and even today are seen as partners. “They educated the government on important points of gender.” (Mutakyamilwa, 2005) If they had not taken the time to build this long-term “friendly” relationship (some NGO staff members still have his number programmed in their phones), it is likely their concerns would not have received the same attention. The relationship was deliberate; from the beginning of their campaign, GLTF sought out a member of the drafting committee to lobby. (Rwebangira, 2005)

The Peasants’ Rights Campaign

The National Land Forum (NALAF) led a very different campaign in many respects. They did not seek out government contacts and did little private lobbying. Instead, their goals were to raise up the people in protest to the government’s commodification of land which they believed diminishes local land control. Their central complaint with the draft legislation concerned the

“radical title” which states the President has ownership of all Tanzanian land. (NALAF, 1997, 1998) NALAF was a broad group of NGOs and individuals that was formed at the May 1997 Consultative Conference of concerned NGOs and Interested persons on Land Tenure Reform in Dar es Salaam. This conference was organized by HakiArdhi and funded by Oxfam Tanzania. (HakiArdhi, 1998b) NALAF proceeded to designate a National Land Committee (NLC) to coordinate its strategies to influence the land bill. In January 1998, the members of the NLC were TGNP, TAMWA, TAWLA, PINGOs, HakiArdhi, various members of the Media and one unaffiliated individual.

NALAF’s first endeavor was the publication of a land declaration “Azimio la Uhai,” or the Declaration of Life/Uhai. It is a sort of play on words. UHAI, which means life in Kiswahili, was also the Kiswahili acronym for the National Land Forum. (NALAF, 1997) It included statements on the use and control of village land, pastoral land, and women’s ownership of land. The Declaration was printed with a page for signatures. On the back of the booklet it states

The aim of UHAI is to help educate the public and mobilise it towards contributing in the debate and if possible to supporting the views contained in this booklet for the lasting benefit of our nation. AZIMIO LA UHAI is now open for signature to support it. You, the reader, your friends, your community or group, are all invited to put your signatures signifying your support for this Declaration. (NALAF, 1997)

Their goal was to gather a large number of signatures to present to the government in support of NALAF’s policy goals. The Declaration was finalized in June 1997 at a NLC meeting at TGNP offices. At this same meeting, they developed a “Lobbying and Advocacy Strategic Plan” for the coming months, working under the assumption that the bill would be sent to Parliament by the end of the year. They planned the following activities:

1. Publishing and disseminating the land declaration, signature books and posters;
2. Training individuals to train others on land issues;
3. Engaging in an “information campaign” while gathering signatures;
4. Holding seminars with “technocrats” and MPs; and
5. Holding a “Land Week.” (HakiArdhi, 1998)

The NLC met two other times in 1997, in August and November. At the first meeting, they discussed the progress on the dissemination of the land declaration and made additional plans for the Land Week. Members reported that the Declaration had been printed in early August and was already being handed out to the public. Organizations were encouraged to take a number of booklets to give to their colleagues and clients. Interestingly, media outlets did not publicize the Declaration or the signature campaign. They also planned several activities for the Land Week, including an exhibition where they would sell literature, themed workshops and group discussions, and a “Land Train” through which the signatures would be delivered to Dodoma. GLTF was planning on joining NALAF in the Land Week activities. The second meeting in November was essentially used to update members on the progress of activities. By January 15, 1998, they had passed out 2201 signature booklets and had received back 120. Each had no more than twenty-two signatures. (HakiArdhi, 1998b)

The NLC held meetings again in January, March, April and May 1998, and hosted a “Training of Trainers Workshop” in January. At the March meeting, members considered providing money to facilitate collection of the signature booklets. At the April meeting, they learned that the original land bill had been split into the Land Bill and the Village Land Bill. They also held a seminar for journalists in April. The May meeting involved making further plans to lobby government officials and MPs. This was the first recorded discussion of needing to speak directly with policymakers other than MPs. (HakiArdhi, 1998a) It may have been influenced by the recent alliance between GLTF and NALAF to work for common policy goals.

In June 1998, GLTF and NALAF together published the second edition of a small newsletter called “The Land Bill and Us.” (TGNP, 1998) Issues specific to women and small land producers were included, as were discussions of general rights to land for citizens versus investors. There is no record of when the first was published. On June 28, NALAF organized a workshop to discuss the progress of the bills. Many gender issues were presented and discussed

here, along with the central NALAF concerns. (NALAF, 1998) TAWLA and TGNP were among the women's groups presenting papers. Participants mostly included other NGOs, and not the general public. Some lobbying strategies and future plans were discussed, largely focusing on information dissemination to communities. Like GLTF, it appears that NALAF experienced a dramatic decrease in activity the second half of 1998. There is a brief note in one of the NALAF documents that two or more workshops for MPs were held in Dodoma, but no details are provided about when they were held or who attended. (NALAF, 1999) There is not any outside record of these meetings except for a comment in an interview. (Kibamba, 2005)

Similarly, there is no outside record that Land Week occurred, although two accounts report that dramatic skits were held first in Dodoma in November 1998 when the bills were first read in Parliament, and then again in late January right before the bills were discussed. Only a sentence in a NALAF paper presented in April 1999 records that Land Week actually happened. (NALAF, 1999) Only one newspaper included a photo of a demonstration for land rights in early February in Dodoma, but a supporting article was not published. (Kiyungi, 1999) Separately, Professor Shivji presented a paper against the bills at the public hearing of the parliamentary Committee for Finance and Economic Affairs. (Shivji, 1999b) He also published an editorial in a national paper describing the weaknesses of the land bills. (Shivji, 1999a) Given NALAF's goals, the lack of publicity of NALAF's activities (which do not appear to have been extensive) highlights the weakness of the coalition. Despite its strong desire to raise public opinion against the land bills, it was unable to significantly challenge the government's position. Its minimal efforts were highly ineffective.

Summary

Three major differences existed between the goals of NALAF and GLTF, according to Mr. Deus Kibamba. (2005) He worked with HakiArdhi during the late 1990s and recently moved to the advocacy division at TGNP. First, NALAF believed that they should fight for general citizens'

rights to ownership before fighting specifically for women's rights. They thought that the former encompassed the latter, and was therefore more important. Women's groups did not accept this, arguing that if women's issues were left until later, they would simply be forgotten. The second difference, according to Kibamba, was that many of the women's groups did not believe in supporting pastoral land rights. He said that "the traditional and customary here in Tanzania is very patriarchal. So if the talk was for pastoral, then it was against women."

The third difference was their view of who should own land. NALAF maintained a social and communal position, putting labor before capital, and stressing jointly-owned resources. Many GLTF members stressed a more individualist perspective that would allow women to own land exclusively and outside the community domain (where traditionally they have had no rights). For a time, the two sides were able to promote both the women's and the peasant's land needs. When it came to pressuring Parliament, however, the alliance broke down. In Dodoma, NALAF wanted to demonstrate against the bills "because it did not change the radical title of presidential trusteeship over land" (Rwebangira, 2005). GLTF as a whole refused. Rwebangira argued that she did not think a demonstration would work, because the bill was going through and the government would never agree to changing the radical title. Further, she worried that there were some good provisions in the bill, and that a demonstration might risk them. There were still MPs who did not believe that women should have equal access to land ownership, and they may have been willing to challenge those provisions. Their refusal was very divisive, and there is still bitterness over it.

NALAF supporters believed that the split gave the government an opportunity to adopt a divide and rule tactic. It allowed them to focus on some issues (gender), isolating them from those that were more difficult to address (local land rights). Mr. Yefred Myenzi (2005), currently on staff at HakiArdhi, stated that many believed that the government was finally paying "attention to NALAF's claims because of the pressure they had been applying" until GLTF removed its support. When the bills were passed in February, NALAF was not satisfied with the law. They

were looking for fundamental change to land ownership and management, and it did not address these key problems. They chose to protest the Acts rather than cheer them. (Myenzi, 2005) Since that time, NALAF has essentially dissolved, although members occasionally have revived the coalition on other land issues.

The differences between the two land coalitions are stark. The women's campaign relied on personal association and influence, while the peasants' campaign relied on outside pressure to achieve their desired policy goals. While it is tempting to suggest that their approaches determined their success or failure, the different outcomes likely were also based in the government's reception to their arguments. While neither argument was received well at the beginning, the government remained adamantly against the peasants' rights issues throughout the process. Whether this was a result of officials' distrust of Professor Shivji, their unwillingness to entertain removing presidential ownership of land, or their dislike of the campaign's generally hostile tone, I cannot say with certainty. Likely all of these factors played a role, although the government's predetermined policy position was arguably the strongest reason. Despite their efforts, the NGOs in the peasants' campaign were never able to garner enough public support to really challenge the government's position. Even so, their willingness to challenge, and the lack of official repercussions following their efforts, marked a new level of government-NGO relations.

THE NGO ACT

Local NGOs were heavily involved in the development of the National NGO Policy from the beginning. In 1996, two studies were commissioned by the International Labor Organization (ILO) and UNDP to analyze NGO operations and the regulatory framework in Tanzania. The results were presented at the "Consultative Workshop on NGO Policy Guidelines," held November 27-28 in Dar es Salaam. (ILO, 1996) This national workshop was the first to bring together government officials, NGO representatives and donors to discuss NGO regulation and

registration policy. By 1996, more than 800 NGOs were registered with the government, a fourfold increase since 1994. At the time, groups could register under any of three different statutes, the Companies Ordinance of 1935, the Trustees Incorporation Ordinance of 1956, or the Societies Ordinance of 1954. Further, sports groups had to register under the National Sports Council of Tanzania Act of 1967. (ILO, 1996, p. 11; NSC, 2000a) Many in government and NGOs believed the process needed to be streamlined. The November workshop was the first attempt to develop such a policy.

The most significant outcome of the workshop was the creation of the National Steering Committee for NGO Policy Formulation (NSC). It started with twenty-three members, all but six represented non-governmental organizations. It consisted of two members each from TACOSODE, TANGO, the Association of Non-Governmental Organizations of Zanzibar (ANGOZA) and the Federation of Disabled Persons, three representatives of “strong community-based organizations who are not members of the umbrella organizations,” two representatives of international NGOs operating in Tanzania, one member each from the Tanzania Episcopal Council, the Christian Council of Tanzania, BAKWATA, and a Zanzibar religious representative, four government officials, and the Registrars of Societies from Tanzania Mainland and Zanzibar. (ILO, 1996, p. 3) An ANGOZA representative, Mr. Khalfan H. Khalfan, was appointed as chairperson. The NSC did not actually write the policy draft; it was a “spearheading committee,” meant to coordinate the process and ensure it was consultative (Katemba, 2005). The drafting was done by two consultants, Mr. Altemius Millinga and Mr. Loserian Sangale, the latter then worked for DFID.

By June 1999 the NSC had produced five drafts of the policy. The first was created immediately after the first national workshop and quickly distributed to 635 stakeholders and NGOs in late 1997. The NSC received over 400 comments in response. (NSC, 1999d) These were used to develop the third policy draft, which was presented at the Second Consultative Workshop on NGO Policy in late February 1998. (NSC, 1999d) The workshop was attended by 221

individuals, representing local and international NGOs, donors, the government, foreign diplomatic missions and the Media. The twenty-eight government officials were from both national and regional offices. 130 of the attendees were associated with national NGOs, some of which included TAMWA, TAWLA, WILDAF, TGNP, TAHEA, SUWATA/WLAC, JET and ENVIROCARE (along with the steering committee members). Most of the other NGOs that participated were small, local organizations. (NSC, 1998b)

At the February 1998 workshop, participants decided that zonal workshops needed to be held to expand the discussion, and that the NSC was too large. It was pared down to sixteen members soon after, with four government officials. (NSC, 2000a) The seven zonal workshops were conducted in April and May of 1999, with 317 NGO representatives were recorded as participants. (NSC, 2000a) Government officials also attended, and together they reviewed the fourth draft. A few meaningful recommendations were made, although the primary purpose of the workshops appears to be the dissemination of and “sensitization” to the draft ‘up-country.’ (NSC, 1998a, 2000a)

The fifth draft was completed in June, and the third national workshop to discuss the latest draft was originally planned for the same month. (NSC, 1999b) However, it was postponed until November by increased independent NGO activity. (NSC, 1999d) Until April 1999, NGOs participated as either stakeholders at workshops and consultation meetings or as members of the NSC. NGOs had not held any of their own consultative meetings nor met individually with government officials. In February, the new leadership at TANGO dissatisfied with the organization’s participation in the policy-making process began planning how they might intervene to provide more input. (TANGO, 1999g) They requested and held a meeting in April with Mr. Estomih Mushi, the director of the NGO Coordination Office in the Vice President’s Office (the VPO), to discuss the organization’s dissatisfaction. Soon after, TANGO sent a formal letter to the VPO, requesting a meeting with the Vice-President himself. The request was denied. (TANGO, 1999f) Mr. Mushi replied by letter on May 10 that TANGO had to go through the

standard procedure and send a written account of its complaints and recommendations to the NSC. (Mushi, 1999) In this letter, he also questioned its concerns of non-participation and openness. Originally, TANGO tried to enlist both TGNP and TACOSODE to support their efforts to contest the process, but the coordinated effort was very brief. TANGO acted alone as the contestation progressed. In the meantime, the NSC held another meeting to discuss the current Policy draft. (NSC, 2000a)

TANGO's leadership was very upset with the response to their complaints, and replied with a second letter to Mushi on June 3, outlining two steps they would take to increase its input in the process. (TANGO, 1999b) TANGO held a series of zonal workshops with its own organizational members in mid-June, followed by a national workshop. (TANGO, 1999d, 1999j) Participants included about 120 TANGO-member NGOs and government officials in three regions, fewer than the number of zones surveyed by the NSC. The TANGO-sponsored national workshop was held July 8-9. About 100 national and regional organizations attended, as did government representatives and Media persons. (TANGO, 1999e, 1999h) The government responded positively to their efforts to gather more input from up-county, and TANGO produced a set of recommendations pulled from the various workshops that they shared with the NSC in August. (TANGO, 1999i) At the TANGO workshop, many NGO representatives expressed their views on the lack of real participation in the process and their perceptions that it was controlled by the government. (Wa Simbeye, 1999) This was only the beginning of increased tension between TANGO and the VPO.

Before the recommendations were shared with the NSC, TANGO and the VPO exchanged several strident letters. The first was TANGO's July 16 response to Mr. Mushi's written request for the workshop observations, dated July 14. This letter is not available, but Mr. Khalfan responded to it independently (he was copied on the letter, as were several foreign missions) on July 20. He wrote this letter "in order to clear the distortion you are creating on the whole process of the Policy formulation" (Khalfan, 1999). This is a fascinating letter, and

suggests that TANGO was well-represented on the NSC from the beginning. He contends that TANGO's complaint that its views were not incorporated was not legitimate since it did not represent all NGOs in the country. He also suggests that TANGO's recent actions are a result of the new leadership's ignorance of previous events and its original involvement. He notes that TANGO had five members (of sixteen) on the NSC at the time, more than any other organization, nullifying any argument that they were not participating as fully as possible. He concludes by stating that the NSC cannot meet with TANGO independently, but that they are welcome to submit their views and comments as others have done. He then calls for greater collaboration to produce the best policy possible, and asks TANGO to support the process through the end.

TANGO was incensed by this letter, and believed it "[bordered on] abuse" (TANGO, 1999c). In a written response to Mr. Khalfan, Ms. Marie Shaba, the Chairperson of TANGO, stated that "while we acknowledge receipt of your letter, *we cast doubts on its authenticity and appropriateness* for the reasons listed hereunder: 1. It is not headed or stamped, 2. It has no reference number, and 3. You were not the addressee of the said letter which you purport to respond to" (TANGO, 1999a). Although humorous, it underscores TANGO's willingness to challenge those in charge of the process.

Soon after, Ms. Shaba arranged a brief meeting with Mr. Suleiman, Secretary to the Vice President, to again discuss its concerns. She followed this meeting with a letter on August 16, in which she stated that "the intervention of the Vice President's Office is required to save the day" from the unresponsive leadership of the NSC (TANGO, 1999c). Interestingly, Ms. Shaba argued that though TANGO was well-represented on the NSC, these individuals were "neither re-nominated nor endorsed" by the new TANGO leadership elected in February 1999. Further, she contends that "these individuals do not give feedback to TANGO leadership; it is therefore erroneous to argue that TANGO is well presented in the NSC." She again requested intervention to allow TANGO to personally present its views before the NSC (a request again denied by Mr. Khalfan).

By the September 7, 1999 meeting of the NSC, however, two TANGO representatives were added to its membership (NSC, 1999c) and Mr. Mushi was replaced by Mr. Marcel Katemba as the Director of the NGO Office in the VPO. The fifth draft of the NGO Bill was revisited and further changes were made at the meeting (many of them clerical changes). The new TANGO representatives believed that the changes made adequately reflected the views of TANGO, and denied that there was any further need for a personal presentation by TANGO to the NSC. Mr. Khalfan “thanked TANGO representatives for their positive contribution, openness, transparency and that the tension that had developed between TANGO and Steering Committee was resolved” (NSC, 1999c).

Who resolved the tension (and how) is not clear, but very likely officials in the VPO had to step in. The problems had received public attention in newspapers, possibly influencing the government’s position. More importantly, several interviewees (some of whom preferred to keep their information confidential) argued that international donor pressure also played a role. During the months of letter-writing, TANGO sent all correspondence to their bilateral donor supporters, and eventually asked them to halt their funding of government projects until the government acceded to their demands. (Tepani, 2005) TANGO’s ability to substantially get its way was remarkable at the time, despite any real evidence that NGOs were being shut out of the process. It openly challenged the government and did not suffer any repercussions.

After this, the process continued fairly smoothly. The VPO submitted the revised fifth draft to the public for comments in late September. (Vice President's Office, 1999) The revised draft was substantially different from the one issued in June. (NSC, 1999a) The NSC finalized the fifth draft and submitted it for public adoption at the third and final national workshop held November 30 and December 1, 1999. (COOPIBO Tanzania, 2000; NSC, 2000b) Although there was a lot of discussion, only three minor additional changes were made. The policy was unanimously approved by those present, and the government submitted it to the Cabinet for formal approval. Unfortunately, the policy was shelved between 1999 and 2001 while the 2000

elections took place and a new government was established. (Katemba, 2005) The Cabinet finally approved and adopted the National NGO Policy on October 2, 2001. (Temba, 2001; Vice President's Office, 2001)

Initially, NGOs criticized the National NGO Policy for its lack of attention to basic rights and over-regulation. (Wa Simbeye, 1999) TANGO met with several other NGOs after it was adopted to discuss how they would pressure the government for a friendlier bill. (TANGO, 2001) They hired a consultant (Evod Mmanda, a private attorney in Dar es Salaam who was then the Vice-Chair of TANGO) to draft their own version of an NGO bill, reviewed it in December, and planned strategies to share it with government officials. They originally intended to host a meeting in January, but there is no evidence it was ever held. Instead, TANGO and its supporters submitted a press release detailing their response to the new national policy. (TANGO, 2002)

Little else appears to have happened before May, when the VPO organized a small workshop to review a first draft of the NGO Bill. (Vice President's Office, 2002) Twenty individuals attended the "White Sands Meeting," held at a local hotel, including seven government officials and thirteen NGO representatives. (Katemba, 2002) Both the NGO draft bill and the government's draft were discussed. Most of the meeting was spent reviewing the official version section by section, and many changes were suggested. The attendees then planned a second meeting for August. The government shared its draft with NGOs with the understanding that it would not be made public nor shared with other groups. (Mmanda, 2005)

In the meantime, Pact Tanzania (an international NGO) and the VPO organized a study tour to South Africa to learn about its NGO legislation. (Tanzania, 2002) Seven individuals participated, specifically Marcel Katemba, two Parliamentary Draftsmen in the Attorney General's Office, two NGO lawyers (one of whom was Evod Mmanda), a Member of Parliament, and a consultant from the International Center for NonProfit Law. Later in July, TANGO organized the Second National NGO Forum. Mr. Katemba presented a paper at the Forum, detailing the history of the development of the bill as well as the next few steps in the process. He

suggested that a national workshop would be convened in August, while a drafting team consisting of two government and two NGO lawyers would revise the bill. (Katemba, 2002)

The August workshop was cancelled two days before it was to begin by the Attorney General purportedly on the grounds that groups had acted illegitimately by sharing the draft bill that was presented at the White Sands meeting. (Craun-Selka, 2005; Mmanda, 2005) Most NGOs assumed that the meeting would simply be rescheduled. Instead, the Bill was published in the Tanzania Gazette in October, ready to be presented to Parliament in November. A newspaper article in *The Guardian* alerted NGOs to the news. (Mwingira, 2002) According to Mr. Dan Craun-Selka at Pact Tanzania, even Mr. Katemba was surprised it was readied so quickly.

NGOs reacted vigorously, and immediately began networking and lobbying the government to postpone the consideration of the bill. TANGO was the most proactive, asking several other NGOs to join them in confronting Mr. Katemba on Tuesday, October 15. TANGO also planned to meet with the Minister of Justice, the Vice-President and Members of Parliament to demand proper representation of NGO views and that the bill be delayed for greater consultation. (Mwingira, 2002) On October 15, Mr. Rakesh Rajani, the Executive Director of HakiElimu, send out a letter and a copy of the NGO Bill to other NGO directors and associates of the NGO Policy Forum for their comments and recommendations. (Rajani, 2002b) He also invited all of them to an advocacy strategy meeting on the 18th at TGNP headquarters. TANGO, HakiElimu, TGNP, LHRC and TACOSODE were among those represented.

The meeting with Mr. Katemba took place on the 15th as planned. He discussed with various NGO representatives how they might proceed, focusing on meetings with the Minister and the Parliamentary Committee on Justice. Mr. Katemba said that about nine NGO representatives then met with the Minister of Justice to voice their concerns with the draft Bill. He noted that the comments were received as being very critical of the Bill without being constructive—they did not provide any alternatives. NGOs were then asked to go back and consult with each other to develop alternatives to the provisions with reasons why the changes

would be better for NGOs. (Katemba, 2005) The meeting with the Minister occurred on October 22. Mr. Rajani reported in an email to colleagues that the Minister “has not agreed to our request to ‘withdraw’ the Bill in part because he believes there is plenty of room/opportunity left to improve it in the days ahead and has extended an invitation for us to do so” (Rajani, 2002a). They decided to “pursue this option” rather than demanding the Bill’s delay, especially in their upcoming meeting with the Parliamentary committee. This email was the first communiqué to use the term “core group.”

The Speaker of the Parliament issued an open invitation to NGOs through the newspaper to attend the public hearing to be held by the Parliamentary Committee on Justice on October 23 and 24. This was significant since, according to one participant, there was not yet a tradition of inviting “outsiders” to the hearings. (Tweve, 2005) The Core Group, which consisted of TANGO, LHRC, HakiArdhi, HakiElimu and TGNP, planned to have only a few representatives make formal presentations, although all interested individuals were welcome to attend. The weekend before, a small group of lawyers and activists created a detailed analysis of the Bill along with a list of recommendations to share at the public hearing. (NGO Core Group, 2002c; Rajani, 2002a) This “Bill Review” was fourteen pages long, presenting problems section-by-section. (NGO Core Group, 2002a)

The public hearing went very well, according to Rajani. NGOs were given ample opportunities to share their concerns and recommendations over the two days. Fifteen Members of Parliament attended, along with the Minister of Justice and the Director of the NGO Unit in the VPO. Rajani, writing for the NGO Core Group, noted that “the Government itself has already informed the Committee that it wishes to remove several provisions, including the most offensive ones of a) NGO registration having an expiry date and b) existing registered NGOs having to re-register under the new law (instead of being granted compliance). ...So we already have some important reasons to celebrate!” (NGO Core Group, 2002b) However, he also remarked that many important items were still being neglected.

Rajani also commented that “on the whole, tactically, it appears that the Government (and also MPs) respond best when we firmly argue and articulate our points, but come across in a measured, reasonable and ‘polite’ tone. A more confrontational approach, however justified, appears only to distract from the major issues and give an easy excuse for them to dismiss us. It would seem, therefore, that we should continue to operate in as ‘constructive’ a manner as possible...” (NGO Core Group, 2002b) NGOs recognized that a more diplomatic lobbying approach was seemingly more successful than challenging behavior in this case. Mr. Katemba observed that after both of these consultations, all parties agreed to the Bill language, assuming the changes were to be made.

In the days to follow, however, NGOs did not see a new copy of the Bill, and they decided that they needed to lobby Parliament, seeking a new place to voice their complaints when they heard that many changes actually would not be made. Katemba believed that “CSOs went ‘above the office’ directly to MPs” to try to change the Bill further. (Katemba, 2005) He was clearly not pleased that they did this. From this point on, the government interpreted NGOs’ actions as challenging the ‘normal’ policy process.

Before going to Dodoma, NGOs met to plan their activities, holding two strategy sessions on the 28th and 29th of October. (NGO Act Core Group, 2002a, 2002e) Although many NGOs participated in these meetings, there was a clear delineation between the “NGO Act Core Group” members and the rest. Most of the responsibility was given to TGNP, HakiElimu, TANGO, LHRC and HakiArdhi, although representatives of LEAT, TACOSODE, TAMWA and NPF were also involved in some measure. (Tweve, 2005) Groups planned many different activities, including a signature petition to postpone the bill, theatre presentations, individual and group meetings with MPs, meetings with journalists, and the production of brochures and posters. (NGO Act Core Group, 2002a, 2002e) They sent forty-one activists to Dodoma for the Parliament campaign, with representatives from the sixteen regions and the rest from Dar es Salaam. Three individuals went to Dodoma on the 31st as an “advance party,” while the rest arrived between the

31st and the 4th of November, the first day of the Parliamentary session. The Core Group asked donor agencies and foreign missions for 18.5 million Tanzania Shillings to fund the campaign, which in 2002 roughly equaled 20,500 U.S. Dollars. (NGO Act Core Group, 2002b) The amount of funding actually received is not known, but all of their original plans were carried out.

The signature campaign resulted in 2000 signatures protesting the Bill, far short of the mandatory 10,000 signatures required for presentation before Parliament. (NGO Act Core Group, 2002f) The plays, done by a Dar es Salaam youth organization, occurred in two places, the Parliamentary building and at the city market. NGOs also held at least two press conferences, one on the 29th in Dar es Salaam and a second in Dodoma on November 6, and regularly met with journalists. Numerous articles were published about the status of the bill as it passed through Parliament and NGOs' disapproval of it. (Kasumuni, 2002; Liganga, 2002a, 2002b; Magwila, 2002; Mashulano, 2002; Mwambande, 2002a, 2002b; Staff Reporter, 2002a, 2002b, 2002c, 2002d) They also purchased advertising space in several newspapers to display their position statement. (NGO Act Core Group, 2002d)

NGOs also created several campaign documents that they passed out to MPs by November 3. These included a brief, two-page analysis of the bill and its weaknesses, and a position statement and similar poster, both on full-color glossy paper (in both English and Swahili). (NGO Act Core Group, 2002c, 2002g) NGO representatives then tried to meet with several prominent Members of Parliament, including the Speaker, the Attorney General, the CCM Vice-Chairperson and the Chair of one opposition party, CHADEMA, although only the Attorney General was willing to meet with them. (Mmanda, 2005) The CCM party caucus also refused to meet with NGOs. They were more successful with women and youth (under the age of 35) MPs, holding separate seminars with each group. (Mmanda, 2005)

To further influence the legislation, NGOs also contacted donor organizations, foreign missions and the foreign press for their support. NGOs deliberately intended to use international “pressure to bear on [their] government to either slow down the bill process in Parliament or

[retract] it altogether” (NGO Act Core Group, 2002d). The only visible pressure came from the U.S. USAID issued a press release in support of Tanzanian NGOs, saying that the U.S. would “work to amend the NGO Bill” to ensure it was in line with the National NGO Policy. (Embassy of the USA, 2002; Staff Reporter, 2002e) However, several interviewees suggested that there was no maneuvering or pressure behind the scenes on the part of USAID to get the Bill postponed. Mr. Craun-Selka (2005) remarked that donors and international groups wanted to stay out of the process to prevent the government from arguing that local NGOs were doing the bidding of foreign groups. Even so, one report suggests that legislators still believed that foreign interests played a bigger role than appropriate in supporting the campaign. (TANGO, 2004)

Interestingly, many NGOs believed that the U.S. was pushing for the passage of the NGO Bill as published because it was presented to Parliament at the same time as the Anti-Terrorism Act. Many thought that the two were linked, and that the purpose of the NGO Bill was to crack down on potential terrorist organizations. (Anonymous, 2005; NGO Act Core Group, 2002a; Tweve, 2005) Both Craun-Selka and Ms. Maggie Hiza, on staff at USAID, denied this rumor. (Hiza, 2005) Given that USAID made such a public statement against the Bill, it is likely that it was not linked to the Anti-Terrorism Bill as suggested.

Oddly, an earthquake in Dodoma postponed Parliament for at least two days, giving NGOs more time to campaign. (Craun-Selka, 2005; Islam, 2002) Groups were quite critical of the government through this process, but tried to do it diplomatically, never blaming individuals. (Anonymous, 2005; Mmanda, 2005) Even so, the government was not happy with their move to Dodoma. Officials felt that NGOs were given their chances in the proper sequence, including a meeting with the NGO office, the Minister, and the Parliamentary committee in a public hearing. (Katemba, 2005) They were greatly upset that NGOs tried to influence MPs directly. Some MPs were responsive to NGO concerns, but most of them were members of weak opposition parties. (Magwila, 2002) Members of CCM remained loyal to their government by voting for the Bill, although at one point many CCM MPs were said to be very receptive to NGOs’

recommendations. (Liganga, 2002b; Mmanda, 2005) Some changes were made during the process, but these were mostly cosmetic, “mere tweaks,” argued Mr. Godfrey Tweve, a participant in the 2002 campaign. (Tweve, 2005) He estimated they were ten percent successful in achieving the most important points of their campaign.

Summary

The campaign against the NGO Act involved the full assortment of possible advocacy activities. Groups were involved from the very beginning of the policy process, officially engaged as steering committee members. As the policy developed, some groups (TANGO in particular) were not satisfied with the policy’s progress or their personal involvement, so they advocated for greater participation. They were highly successful, a surprising outcome given their strident and persistent tactics. Other groups just participated as stakeholders over the years, attending national conferences or submitting comments when requested. Later, when the legislation itself was being drafted, groups were again invited in at a workshop and through the tour of South Africa. Soon after, however, the participatory nature of the process severely deteriorated, and groups reacted. Mr. Katemba, the NGO Office Director in the VPO, argued that the VPO desired and planned for NGO participation, but the funds made available during the Policy phase were not present during this second phase. (Katemba, 2005) As a result, officials created a draft based on the Policy. Given the White Sands meeting and the visit to South Africa, both of which involved NGOs, there is reason to believe that the government had good intentions, but lacked funding. When groups reacted negatively, the government responded in kind and stood its ground.

When the NGO Bill was published (the prelude to going to Parliament), groups lobbied the government, asking that the Bill be postponed. They went through the correct channels, approaching the NGO Office Director first, then the Minister, then the Parliamentary committee at the public hearing. All of these actions were seen as completely appropriate actions for the groups to take. However, when groups did not achieve the outcomes they sought at these

meetings, they decided to challenge the government by going to another venue. One interviewee who asked to remain confidential noted that activists cannot start with the highest decision-makers, they must exhaust all other “locations” first. Going to the committee before Parliament was critical, as was talking first with the Minister. If they had not seen them first, then not even the MPs in Dodoma would have spoken with them. Although MPs were willing to hear the NGO argument, the government policymakers were not happy with their tactics. Even so, groups did not suffer any personal repercussions for their actions. Instead, they did not realize their desired policy outcomes.

THE ENVIRONMENTAL MANAGEMENT ACT (EMA)

The time needed to move from initial introduction of a national policy to final adoption of the legislation was longer for the EMA than for the Land Acts and the NGO Act. This was likely the result of the involvement of multiple government actors who had vital interests in the final legislation and the intensive participation of donors. (Magabe, 2001) Many events coordinated by donors took place long before a National Environmental Policy was ever discussed. Ms. Alicia Magabe (2001) chronicled events between 1985 and 1994 in her thesis on the politics of environmental management. I rely on her report for most of that information.

In 1985, the International Union for Conservation of Nature and Natural Resources (IUCN) approached the Institute of Resource Assessment and the then Ministry of Lands, Natural Resources and Tourism to discuss developing an official National Conservation Strategy for Sustainable Development. The ministry said it did not have the capacity to undertake the project, but the Institute agreed, and a steering committee was formed with financial support from the Norwegian Agency for International Development (NORAD). The committee included representatives from the University of Dar es Salaam, the Institute of Research, the Ministry of Agriculture, and the National Environmental Management Council (NEMC). The latter having

been recently incorporated by the government. In February 1986 the committee hosted a workshop to discuss “the state of the environment” (Magabe, 2001, p. 22-23).

A year later, the Institute for Resource Assessment was no longer coordinating the national conservation strategy discussions, because the IUCN felt NEMC was better suited to the role with its national mandate to coordinate environmental issues. By 1989, the National Conservation Strategy was ready to be implemented with aid from Sida, although it was not officially started until November 1990 at another national workshop organized by the Institute, IUCN, NEMC and Sida. Most of those invited were government officials and international donor organizations such as the Scandinavian aid agencies, the World Bank and various UN offices. No local organizations were recognized as attending. Despite the wide range of donor organizations present, little future funding was secured for the Strategy’s implementation, and IUCN had trouble maintaining its involvement over the next year. The Strategy’s implementation stalled, and by April 1993 the World Bank began pressuring the Tanzanian government to finish the Strategy, or to develop and implement a National Environmental Action Plan (NEAP) instead. (Magabe, 2001, p. 27)

The NEAP development process was not new. It was started by 1991 with the World Bank in consultation was the new Division of Environment (DOE). The DOE was created in 1990 by the President as part of the reorganized Ministry of Natural Resources, Tourism and the Environment. It appears that by October 1991 the World Bank was beginning to pressure Tanzania to develop a NEAP in order to maintain its project funding from it and other donors. (Magabe, 2001, p. 31) It is not clear that the World Bank viewed the National Conservation Strategy as a legitimate development considering its focus on the NEAP at the same time. Nonetheless, in May 1993 the World Bank organized a meeting of the Informal Donor Group on Environment (IDG) to discuss the finalization of the conservation strategy. Nothing resulted from that meeting. Nearly a full year later in March 1994 the DOE formed the “National Secretariat for a National Conservation Strategy on Sustainable Development.” Its purpose was only to provide

assistance to a World Bank consultant who would review the current Strategy documents and incorporate them into a National Environmental Action Plan. The Secretariat soon became the “NEAP National Team” under the supervision of a World Bank consultant.

The Tanzania National Environmental Action Plan was finalized by early June 1994 amid some controversy. Because it was written in consultation with the World Bank under the auspices of the DOE, NEMC and many donors felt that it was not an open process. At another IDG meeting in June, donors protested the swift creation of the Plan that distanced itself from the previous work on the National Conservation Strategy completed by NEMC. However, the NEAP included plans to finalize the Strategy¹³ as well as the National Environmental Policy. (Ubwani, 1994) Earlier that year, the DOE had started work on the policy, commissioning a private consulting firm to draft the document. (Magabe, 2001, p. 42) The first draft Policy was ready by March 1994. (Staff Reporter, 1994; Ubwani, 1996)

In early November 1994, ENATA partnered with the DOE to conduct the National Forum on Environmental Policy. (Damas, 1994) Most of those who participated were government officials and donor representatives, although a handful of NGO representatives were present (only one or two other groups were operating at the time). One of these organizations was CEEST. Both ENATA and CEEST had good relationships with the government. They were commissioned as consultants on various environmental, energy and technological issues, and NEMC hired ENATA several times by to conduct environmental impact assessments. They were natural partners to include in the development of a national environmental policy, and they organized two additional national workshops on environmental policy over the next year.

One of these, hosted by CEEST, the DOE and the Ministry of Natural Resources, Tourism and the Environment, was just a few weeks later at the end of November. (Staff Reporter, 1994) Many papers were presented during the four days of the Workshop on a National

¹³ NEMC submitted a final proposed National Conservation Strategy to the Minister of Natural Resources, Tourism and the Environment in May, 1995. The Ministry never passed it along to the Cabinet, and it was never adopted.

Environmental Policy, ranging in topic from gender and the environment to specific sectoral issues such as mining and water. Of the 170 participants, fewer than fifteen represented NGOs (including several from CEEST). (Mwandosya, Luhanga, & Mugurusi, 1994) The second was in September 1995, and was hosted by both ENATA and CEEST. A task force was formed at this workshop, but its agenda is not clear. (Mmari, 1995; Ubwani, 1996) Throughout 1995, “various consultations were held” before the policy draft was passed to several Ministries for comments. (Ubwani, 1996) A final workshop was held in July 1996, sponsored by the Wildlife Conservation Society of Tanzania, the Institute of Resource Assessment and AGENDA. It discussed “Putting the Environment on the National Agenda,” and how to move forward with the national policy and the NEAP document. Most of the nearly 200 attendees were government officials and donor representatives, although a number of NGOs were also present, including TGNP, LEAT, ENATA, AGENDA, TACOSODE, TANGO, JET and CEEST. (WCST, 1996)

After the first multi-party elections were held in 1995, the new President, Mr. Benjamin Mkapa, reshuffled the ministries and divisions once again. The DOE and NEMC were placed under the control of the Vice-President’s Office at this time. The transfer of jurisdiction and change in personnel caused delays in the development of the policy. The Cabinet adopted the National Environmental Policy in December 1997, without much more public input other than the 1996 workshop. The Policy included recommendations for multiple policy sectors, including agriculture, livestock, water, health, transport, energy, mining, human settlement, tourism, wildlife, forestry and fisheries. (Vice President's Office, 1997) All of these areas had interests in the development of the legislation intended to implement the Policy.

The Policy’s creation and adoption followed a path similar to those of the other areas’ policies (initiated by the Ministry, receiving public input at national workshops), but the development of the Act went in an entirely different direction, one heavily influenced by donors. By July 1998, donors were concerned with the institutional implications of the National Environmental Policy, and chose to establish a separate body to review its implementation.

(Kabudi, 2005) They decided to hire a set of consultants to review the institutional framework of environmental management as described in the Policy. The major sponsor of this endeavor was the World Bank. It quickly brought in other sponsors, such as USAID, Sida, WWF, DANIDA and UNIDO (UN Industrial Development Organization). The project was called ILFEMP, short for the Institutional and Legal Framework for Environmental Management Project, and was officially coordinated by the DOE in the Vice President's Office. The project had two phases: the first to review the institutional framework, and the second to draft a bill to establish environmental management in the country.

The first phase involved four consultants, one of whom was not Tanzanian. An American consultant, Jeffrey Lewis, was officially the Technical Advisor. Dr. P.J. Kabudi was brought in as the legal expert and project coordinator; he was a member of the Faculty of Law at the University of Dar es Salaam as well as the chair of the Board of Directors of LEAT. The other two members were Dr. Suma Kaare as the institutions specialist and Mr. Deo-Gratias Gamassa as the natural resources specialist. These four were not the only ones to advise the Project. ILFEMP organized a steering committee made up of the Permanent Secretaries of various Ministries as well as a technical committee with representatives from the Institute for Resource Assessment, LEAT, NEMC and other government agencies. (ILFEMP, 2000) They also commissioned six "background papers" from several individuals; some worked for NGOs (such as LEAT), one was retired from the Division of Wildlife, and another was "an expert from Nigeria" (Kabudi, 2005).

LEAT was commissioned to write a "Report on Institutional Mandates and Legal Framework for Environmental Management in Tanzania" (LEAT, 1999). The LEAT study team reviewed all legislation that influenced environmental outcomes in the country. They did so "very independently," without pressure from others (Lisu, 2005). One LEAT staff member, lawyer Tundu Lisu, claimed that the report was suppressed when they submitted it because the government "did not like what it said." In fact, he claimed that "some of us are still paying for it" (Lisu, 2005). LEAT responded by circulating it to as many people as possible, including donor

representatives, other civil society members and Members of Parliament. They also organized seminars and workshops and press conferences to publicize the report results, to try “to break the quarantine.” LEAT tried to maintain pressure on ILFEMP through 2002, but The report’s ‘suppression’ was not confirmed or denied by Dr. Kabudi or others involved, although a USAID staff member involved with ILFEMP argued that LEAT exaggerated the response to the report, suggesting instead the controversy was over other issues. (Kajuna, 2005) At that time, LEAT was involved in other controversial legal issues in the country to the extent that one of its staff members was arrested. (Thenard, 2001)

As well as commissioning individual reports, ILFEMP held several workshops and meetings to gather the views of stakeholders. The full number of these, their locations and exact dates, and who attended is not known clearly. The ILFEMP Phase I Executive Summary document states that two national consultative meetings, four zonal consultative meetings and “many formal and informal consultations and discussions” were held (ILFEMP, 2000, p. 3). A complete list of the meetings was unattainable (although it likely exists). Various other documents verify that two workshops were held during 1998 and 1999. The first National Consultative Workshop was held in November 1998 in Dar es Salaam. Participants included mostly government officials, although NGOs were present, along with donors. (President's Office Planning Commission, 2002, p. 43) The second National Consultative Meeting of ILFEMP occurred August 9-10, 1999 in Dar es Salaam. No other details about the meeting are available. (Mugurusi, 1999)

These meetings were part of ILFEMP Phase I. Their purpose was to bring together ‘experts’ from the various quarters (water, forestry, livestock, national parks, wildlife) concerned with environmental issues, including the multitude of government officials from various ministries involved with natural resources and their associated institutions and councils. Unfortunately, the multitude of officials led to an acrimonious decision-making process. Many of those interviewed agreed that the differing vested interests of officials, their ministries and their departments caused

a lot of heated discussion and delayed the process. (Juma, 2005; Kabudi, 2005; Lisu, 2005; Magabe, 2005)

The disagreements were not between government and NGOs, but within the government. The DOE and NEMC quarreled strongly over which organization would coordinate and control environmental management in the country. Because the DOE coordinated ILFEMP, it essentially had the last say on what was done and how it was done. By the end of Phase I, NEMC was effectively shut out of the process. (Magabe, 2001, 2005) ILFEMP published its Phase I report in April 2000, determining that the institutional structure that worried donor groups at the start of ILFEMP had only minor gaps and problems, and that overall the structure was sound and would be able to be implemented. (ILFEMP, 2000)

Phase II of the process was technically not part of ILFEMP, although it was frequently referred to as its second half. Because of the 2000 elections and the change in government personnel, the Cabinet did not issue its final Cabinet Paper on the ILFEMP report of April 2000 until December 2002. The drafting team therefore did not get started until March 2003, when it approached donors for more funding. Led by Dr. Kabudi, the drafting team also consisted of Professor Ibrahim H. Juma, Dean of the Faculty of Law at the University of Dar es Salaam, Mr. Vincent Shauri, the acting Executive Director of LEAT, and Mr. Kiuki, the chief Parliamentary Draftsman in the Attorney General's Office. Dr. Kabudi himself chose the other three members. Ms. Magabe (2005) claimed that Shauri was involved in his private capacity, not as a representative of LEAT. Because he was the director, however, he was still responsible for the organization. She believes that LEAT lost its "watchdog position" at this point because those responsible for the organization were not representing it.

The consultants completed the first EMA draft by the end of the year, having consulted with stakeholders several times during the summer and fall months. One report suggests that there were at least sixteen different workshops (LEAT, 2003b, p. 10), while a government newsletter suggests that several "planning, sectoral and decentralization workshops" were held prior to

August 2003 (Vice President's Office, 2003a). Mrs. Margaret Meela, Legal Counsel at the DOE, reported that eight workshops were held in 2003 and 2004, some of them smaller meetings in Bagamoyo (north of Dar es Salaam on the coast). According to her, even these involved the public. (Meela, 2005) The list of known meetings follows in Table 4.2.

Table 4.2: Summary of Various Workshops on Environmental Management	
Dates	Workshop Details
April and May 2003	Two planning and consensus building workshops were held to discuss the bill. Who sponsored these meetings is unclear, although likely it was LEAT. (Africa Resources Trust, 2003)
July 27, 2003	ILFEMP hosted a one-day seminar for Members of Parliament in Dodoma. (Vice President's Office, 2003a)
August 14, 2003	A private meeting to discuss environmental policies was held at LEAT headquarters with Dr. Kabudi in attendance. (Africa Resources Trust, 2003) This may have been a lobbying meeting if it was organized by LEAT.
August 25, 2003	The first National Workshop on Environmental Laws was held, sponsored by the government. (Africa Resources Trust, 2003) It was a “technical consultation workshop” (Vice President's Office, 2003b).
September 3-4, 2003	LEAT sponsored the “National Civil Society Organizations’ Consultative Workshop on the Proposed Environmental Management Act” in Arusha. Members of Parliament, government officials, Media representatives and NGOs were all present to discuss the draft bill written by LEAT. The intent was to develop a set of recommendations to pass to ILFEMP. (LEAT, 2004, p. 16)
November 28-29, 2003	A “Workshop to Discuss Proposal Bill for an Environmental Management Act, 2004” was held in Dar es Salaam, organized by LEAT. Participants discussed the draft bill written by ILFEMP that was released November 21. (Vice President's Office, 2004a) Members of the Media and government and university faculty were present, as were representatives of thirteen NGOs, including LEAT, HakiArdhi and ENVIROCARE. (LEAT, 2003b)

December 15-17, 2003	The government hosted the second national consultative workshop. More than 140 individuals participated, representing a wide range of interests and locales. (Vice President's Office, 2004a)
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The information and recommendations gathered at these last two workshops were purportedly used to revise the original draft bill, which then went to the Cabinet for approval. The original and second drafts were not available for comparison, nor were most of the workshop reports. Dr. Kabudi regularly stated that he would provide these, but he was not very cooperative. Unfortunately, whether stakeholders had any real input is difficult to determine without these comparisons. Many of those I interviewed argued that the DOE had a firm handle on the draft, possibly making stakeholder participation meaningless (although officials argued differently). Alicia Magabe at NEMC said that the DOE director, Mr. Eric Mugurusi, seemed to be the most influential individual, as he had control over the consultants' work schedule and pay. Mrs. Meela, who worked for the DOE, and Dr. Kabudi instead asserted that the process was very consultative and participatory, with comments from Ministry officials and NGOs being incorporated into the drafts.

The concerns voiced by NGOs at the 2003 workshops largely focused on the possibility that the Minister (through the DOE) would have too much power. (Kabudi, 2005) Many NGOs attended the various meetings, according to the available workshop reports and personal accounts. The director of JET reported that they attended five consultative meetings between 2002 and 2003. He thought their participation in the workshops was good, and that many voices were heard. (Chikomo, 2005) He said that they only participated through the workshops; JET did not hold any informal meetings with government officials and did not lobby any officials. On the other hand, Dr. Njau, director of ENATA, said that they were not consulted during the legislative drafting phase. He thought it was "very strange" to be overlooked. (Njau, 2005)

LEAT organized several of its own workshops for other NGOs and MPs to discuss a piece of legislation it was drafting itself. Its purpose was to challenge the government's version, which LEAT believed did not adequately address the concerns it had raised earlier about the state of management in Tanzania. (LEAT, 2003a) They presented their draft at the workshop in September 2003, hoping to influence the official version. Lisu (2005) said that "it was a campaign document to show the public that the government's document was not the answer to environmental problems." Magabe (2005) noted that at some point (she was unsure of the date) LEAT held a meeting in Dodoma with Members of Parliament, the Director General of NEMC and the Minister, who opened the meeting, to discuss the version drafted by the NGO. There is anecdotal evidence that LEAT went so far as to try to get their version adopted in the Parliament with the help of opposition party members. Unfortunately, such a move was never recorded in newspapers or in organization reports, nor was it confirmed by Dr. Kabudi. However, Mr. Lisu, Ms. Magabe, and Ms. Meela substantiated the claim. Either way, it is clear that their efforts were unsuccessful; the official draft bill was the only one ever discussed in Parliament. After that attempt, Mr. Lisu claimed it did not again participate in the policy process.

By bringing Dr. Kabudi into the middle of the process and making him the drafting team chairperson, some contend the government effectively co-opted LEAT and made an independent environmental lobby impossible, particularly because another LEAT member was also part of the team. The voice of LEAT as an organization was cut off, at least according to one of its long-time staff members. While their efforts to influence the bill were strong at first, "they were sidelined by their own people, outflanked by the opposition;" saying that LEAT was involved "is a lie peddled by those who say it was participatory" (Lisu, 2005). They could not say anything against the drafting team because two of its own were on it. No other NGOs made any challenge to the draft once the attempt to pass an alternative bill fell apart. The official Environmental Management Bill was approved by the Cabinet no later than April 2004. (Vice President's Office,

2004b) The first reading of the bill was in July 2004, and Parliament passed the Environmental Management Act after a brief public hearing in November 2004.

Summary

This case reveals the dual perception of official NGO participation in policy-making. Many official participants in the process, such as Mrs. Meela, Dr. Kabudi, and Professor Juma, argued that participation was strong, having consulted many different individuals. The little evidence that is available suggests that this was the case; a large number of NGOs and government officials participated at least in the workshops. Further, two prominent members of the most well-known environmental NGO in the country were deeply involved in the drafting process. Arguably, NGO participation and influence was exceedingly strong. However, some individuals less directly involved in the process, particularly Ms. Magabe and Mr. Lisu, claim that the NGO sector, including LEAT, did not really participate, but instead were co-opted by the government. They cite the high consultant pay of Dr. Kabudi and Mr. Shauri as evidence that they were not acting on behalf of LEAT, but rather as individuals beholden to the DOE. They believe that NGOs were essentially cutoff from true influence, despite their high presence at official meetings. They offer no real evidence, however, that NGOs did not influence policy outcomes; at the same time, the other side offers no evidence that they did. The reluctance of officials to share critical policy documents that would allow inputs and outputs to be compared slightly weakens the argument that NGO participation mattered. This case highlights the difference between group participation and influence; the former does not imply the latter.

DISCUSSION

The four cases of NGO policymaking participation are similar in some respects. First, in each case, several different organizations were involved at one stage or another in the process. Groups were invited to participate in both NGO and environmental policy issues at the beginning stages, while they were involved in land issues only after the national policy had been adopted. The

difference may be due to the presidential commission on land; because it went directly to the people to receive input on land issues, the need for direct NGO involvement was reduced.

Second, in each case, at least one group initiated contact with the government to influence policy outcomes, although they used different tactics and strategies.

Despite these two similarities, the cases reveal the most about group involvement through their variation. Table 4.3 highlights their differences along several factors: NGO participation at different stages, donor involvement, the predominant NGO influence tactics, and the government’s intractability on the issue. On the first factor, the government developed the National Land Policy with minimal public involvement, despite the presidential commission. It relied on its long-standing methods for establishing government policies. This changed dramatically during the development of the National NGO Policy. Groups were highly involved from the beginning, having been invited to participate in a steering committee as well as numerous public meetings.

For these two issues, however, the roles of NGOs during the development of the legislation were opposite to those during the policy stage. The land legislation was written with a lot of NGO input, while they were virtually shut out of the NGO Bill process as it progressed. The environmental policy and legislation progressed quite differently with respect to NGO participation. NGOs were critical partners in the policy discussion in the beginning, and NGO representatives were central figures until the Bill was finalized. From the outside, participation seemed high, although insiders argued that the DOE dominated the entire process.

	Women’s Land	Peasants’ Land	NGO Regulation	Environment
Policy vs Legislation	Policy stage not public; groups initiated contact with legislation	Policy stage not public; groups initiated contact with legislation	Policy stage highly public; legislation very secretive at end	Public involved at both stages

Donor Involvement	Financed NGOs	Financed NGOs; indirect international pressure to increase land investment	Financed NGOs; pressure on Govt was pro-NGO	Financed Govt activities; direction of pressure was indistinct
NGO Strategy Used	Lobbying and information-sharing	Focus was on mobilizing public opinion	High level of direct involvement until legislation was written, when groups turned to Parliament	Direct involvement at beginning, then moved to influence Parliament
Government Intractability	Unwilling at beginning to consider women's land rights, but changed	Never willing to consider central concerns of NGOs over land ownership	Agreed that changes needed to be made but never made them	DOE never willing to give up centralized control over management of environment

Donors were involved in each policy area, albeit in significantly different ways. Differentiating among the various types of donors is important in this discussion. Large international donor banks like the World Bank and the IMF are of a different caliber than smaller international support organizations. The former are able to wield much more influence over government outcomes because of their role in financing its activities. (Hayuma, 2005) Bilateral donors such as USAID are somewhat similar to the large banks because frequently they support some government projects, and are able to threaten to cut off funding if they do not agree with something. Smaller support organizations typically deal directly with local groups in Tanzania, and while they occasionally express approval or disapproval of government policies, they do not necessarily have any influence over what the government does. This latter set includes the many international diplomatic entities (such as embassies) that also finance group activities.

Smaller international support/donor organizations financed local NGOs' advocacy activities in each case. By doing so, they indirectly demonstrated their support for these NGOs' desired policy outcomes. Only in the NGO regulation case did one support organization become more involved by participating in some of the drafting activities (including the White Sands retreat and the visit to South Africa). In this case, also, some of the bilateral donors got involved

when local groups contested the government's claim that the process was highly participatory. Groups petitioned their donors to not support government projects unless the process became more open. Groups argued that the threatening tactic worked. (Tepani, 2005)

Donors were not directly supportive of women's land rights, although there was a growing international consensus that women's issues deserved more attention (particularly following the Beijing conference). The large banks were pressuring the government to increase opportunities for foreign investment, however, which local NGOs were strongly against. They believed it would decrease local access to land, depriving communities of their livelihoods. This outside pressure was likely much stronger than any challenge NGOs may have made against the policy. Donors were also highly involved in environmental issues from the start, pushing the government to develop several types of policy plans. Later the World Bank and other donors sponsored the policy review and drafting effort, although they did not issue any concrete policy demands. Indeed, it appears that donors were not unified in their position on environmental management, as some supported centralization while others recommended decentralization. There is no clear evidence that donors had substantial policy influence in this last case, although they were significantly engaged.

Again referring back to Table 4.3, the campaigns varied by the tactics and strategies used by NGOs. The women's land rights campaign focused on establishing a concrete relationship with Mr. Mutakyamilwa, with the hope that he would have direct influence over the policy. Their strategy was largely successful. The other three campaigns focused their efforts during the legislative phases on challenging government officials. They turned to the public and to Parliament to pressure officials to change legislative provisions. Although the peasants' rights groups followed this 'outsider' strategy from the beginning, those in the NGO regulation and environmental management campaigns only started challenging the government when other tactics did not work.

The tactics groups used may be related to the intractability of the government's position in each policy area. Officials did not perceive a need to advance women's land rights in the beginning, and likely would not have considered it without outside pressure. However, it was not an issue that threatened government power and therefore was open to discussion. There was never a need to apply pressure to change an intractable position. On the other hand, the position of peasants' rights groups on who should own the land of Tanzania did threaten government power, presidential power in particular. This issue was never open to debate. Similar issues related to investment rights were similarly non-debatable. The peasants' rights campaign probably did not ever stand a chance of achieving its policy goals, no matter how much it challenged the government.

The case of the NGO Act is difficult to evaluate relative to the government's position. In the end, it proved highly inflexible when asked to change the Bill before it was read by Parliament. However, it indicated several times that issues were open to discussion, and it was willing to hold early meetings with NGOs to debate the draft bill's contents. It seemed amenable to making changes when NGO representatives acted diplomatically, but closed its doors when they starting challenging officials' authority. Finally, there is little doubt that opponents to the EMA as it developed faced a significant challenge. Many involved cited the unwillingness of the DOE to agree to anything it did not like. Even other governmental entities like NEMC were unable to meaningfully join the policy discussion.

Overall, the four policy cases reveal the significant challenges NGOs faced in achieving their policy goals, while demonstrating their willingness to accept those challenges. Groups did not hesitate to voice their policy concerns and engaged in a wide variety of tactics and strategies to create change. Chapter five presents the underlying patterns of group participation in policymaking in Tanzania, as revealed in the four campaigns discussed here. Despite the dissimilarities, the campaigns exhibit striking commonalities in group behavior.

Chapter Five

ORGANIZATIONS' PATTERNS OF ENGAGEMENT

The previous chapter presented the detailed histories of group participation in Tanzanian policymaking in three areas. Groups demonstrated an ability to engage government officials through various means, ranging from acting as participants in workshops to holding meetings and demonstrations during sessions of Parliament. Officials responded in two ways, either incorporating groups' demands into legislation or dismissing them. Analyzing groups' tactics and strategies, this chapter proposes a new typology of group participation that rests on the patterns of behavior visible across the three policy areas. Further, this chapter considers the possible factors that affected groups' ability to influence policy outcomes, and suggests that group behavior best explains why some were successful and others were not. I begin by describing the types of participation demonstrated by groups, supported by summaries of the data presented in chapter four. The engagement of groups in Tanzanian policymaking is then compared to that in the U.S. and the U.K. This is followed by a discussion of the patterns of participation across policy areas. The final section of the chapter begins the analysis of influence in Tanzanian policymaking.

TYPES OF GROUP PARTICIPATION

In the policy areas reviewed here, NGOs expressed their interests to the government in any of five ways; I refer to these as stakeholder, consultant, lobbyist, networker and challenger participation. These are not new terms, nor new forms of behavior; each form of participation has been observed in other places. However, no other scholars have broken down participation into five categories. Most research has focused on one form or another, neglecting an understanding of the whole. The intent here is to provide a systematic approach to the presentation and discussion of group participation in policymaking, rather than relying on long lists of tactics or outdated

dichotomies of strategies. I would argue that this model accurately represents participation in any context and location.

“Stakeholders” participate in the policy-making process through official involvement in public discussions of policy issues. This category includes participation that was invited by the government. Groups organizing their own discussions is considered a different type of engagement. In Tanzania, the favorite event for the public discussion of policy is the workshop. The typical workshop consists of opening speeches by government officials, paper presentations, question and answer sessions, and working-group meetings among participants. Participants are asked to share their views, to give comments, and especially in the work groups, to present their ideas on a section of the draft before them. Each work group presents its comments and recommendations to the larger body, often opening them to debate and deliberation. Participants generally have the greatest opportunity to speak up about policy content and implications in the working groups, although occasionally they may speak before the entire gathering.

Government officials frequently have invited vast numbers of groups and individuals to their workshops, although this trend did not develop until the later 1990s (originating with donor demands for greater citizen participation in policy discussions). In each of the four policy campaigns the government hosted national workshops, and NGOs were invited as stakeholders to all of them. For the government, stakeholder participation is the most acceptable way for NGOs and private citizens to be involved in policy-making, since they maintained control over who contributed. It was the most common method of participation for the majority of groups, and for a few organizations, it was the only way they participated. Groups often hosted their own workshops to increase debate about policy issues. If the workshops were intended for NGOs, they were networker activities; if intended for government officials, they were lobbying activities; and if they were intended for MPs or the Media, they were challenger activities.

“Consultants” also participate at the invitation of policy-making officials. Consultants are engaged at a deeper level than stakeholders, if only because more time and resources are

required of them to fully participate. In this form of participation, policy-makers solicit advice and expert information from NGOs (and individuals not involved in NGOs). Some are asked to write and present papers at workshops and other meetings, others are requested or hired to do research and analysis on behalf of a drafting committee. The government frequently relies on groups to provide information that otherwise would be very costly for it to collect. Many women's groups, for example, have regularly provided gender analyses of proposed policies and legislation on behalf of various ministries. Similarly, the ILFEMP team commissioned LEAT in 1999 to analyze the legal structure of environmental management. Groups may also act as "consultants" when representatives are asked to serve on policy committees or drafting teams, such as in the NGO Act and EMA cases. If a group submits a report or research analysis on its own initiative however, it is not participating as a consultant. It is engaged as a "lobbyist" instead.

Groups were consulted in each policy area, although consultation was initiated at different phases and by different sources. Groups that are consulted tend to be older and more established, with the capacity to devote staff to research and analysis. Oftentimes the research requested by the government involved travel around the country, requiring a reasonable financial and staff commitment. While participation as a stakeholder indicates that the organization is legitimate, participation as a consultant demonstrates that the organization has the respect of government officials. Unfortunately, when organizational representatives serve on policy committees, it can be difficult to know whether they are actually serving the organization or their own interests. This situation is conducive for cooptation if individuals are not held adequately accountable to their organizations' needs.

The third level of engagement or participation observed in Tanzania is "lobbyist." To the consternation of Tanzanian officials, groups have not been content to participate as consultants and stakeholders. NGOs have argued that government officials do not listen to them all of the time at workshops, nor consider their arguments about what is in the public's interest when they write commissioned reports. To get officials' attention, some groups have resorted to what might

be considered traditional lobbying tactics such as writing letters, meeting personally with officials and sharing information gathered from the public. From the groups' perspective, lobbying requires a substantial dedication of staff time, although it does not necessitate a large budget. Most organizations and government officials work in Dar es Salaam, and the only lobbying expenses incurred relate to travel to another office or phone calls. If organizations have strong staff capacity, lobbying is a good way to extend limited advocacy resources.

Groups lobbied at every stage of policy development, pressing for greater influence over policy content and occasionally just for more opportunities to participate in the process. Not all groups lobbied, however, some choosing to rely on other types of tactics to achieve their policy goals. While "lobbyist" engagement is not passive, it is diplomatic, with groups relying on the good will of officials to listen to their concerns and consider them. Government responded in kind, usually accommodating groups' requests for greater involvement, although they did not necessarily respond to requests for changes in policy content. However, when a group or a coalition had a good relationship with a particular official, this became the dominant form of interaction between NGOs and the government. This is not to say that organizations were always successful in their lobbying, although across the four cases, long-term lobbying was more successful than other strategies.

The fourth type of political engagement exhibited by Tanzania NGOs was building coalitions with other NGOs, or networking. In the land and NGO policymaking processes, NGOs started working together early when they realized that the government was not incorporating the changes they wanted. "Networker" participation is a political act because it signals to the government that groups are willing to put more effort into getting their preferences into the policies. One interviewee stated that networking gave individual groups greater legitimacy with officials and enabled them to speak with one voice on each issue. Forming coalitions was resource-intensive, requiring a large time commitment from organizations as well as substantial financial support.

Two functions of coalitions were observed among the four cases. The first was to allow an opportunity for organizations to meet and discuss policy issues and to develop unified positions on those policies. The second function of the coalition was to provide a unified source of resources and experience for policy engagement. Across the cases, groups did not lobby or challenge the government without the support of a coalition (although the quality of the coalition varied). Likely this is because they lacked the resources and expertise to go it alone (Berry, 1997, pp. 187-188), although the enhanced legitimacy also played a part according to interviewees. For both land and NGO policy, networking also led groups to increase their engagement and consultation with the public as they tried to demonstrate the soundness of their claims.

“Challenger” engagement is the least diplomatic form of participation, since it relies on contesting the authority of the primary policymakers. When NGOs believed the government was refusing to consider their concerns, they tried to pressure others who were secondary in the policymaking process. Organizations hoped that these secondary actors, such as “Backbencher” Members of Parliament, the Media or citizens themselves, would be able to amplify the pressure on the primary policymakers. Challenger behavior consisted of hosting workshops for MPs, holding demonstrations, passing out literature on the risks of the legislation, running signature campaigns and proposing alternative legislation.

Groups hoped to convince the secondary actors that their positions were so right that the risk of going up against the government would pale next to the necessity of the change. Groups in all three policy areas behaved as challengers, doing a good job of getting their position into the open and talking to others about it. They even had some success in persuading MPs that their positions were worthy ones. Unfortunately, they did not ever convince any MPs that challenging the government was worthwhile. Recall that MPs are highly dependent on their positions in the dominant political party (CCM), and may be removed without cause; few are willing to risk upsetting the party leaders. Usually groups were successful in convincing members of the Media

that legislation needed changing, but their voice was not strong enough to raise public opinion in protest. Groups were never successful by using a strategy of challenge.

Summary

Two points need to be emphasized about the differences among the five types of participation. First, the distinction between lobbyist and challenger behavior is not always entirely clear. For example, the women's land campaign members met several times with Members of Parliament to discuss their position on the land bills. The same was true for the groups in the campaign against the NGO Act. The purposes of the two campaigns for doing so were very different, however. The women's land groups were interested in sharing details about the bills to MPs, with the hope that they would vote favorably on what was already provided in the legislation. The NGO core group members and supporters were instead interested in getting MPs to change the NGO Bill as drafted by the government. The intent of the organizations' actions is as important as the nature of the action.

Additionally, it is important to differentiate between "participation" and "influence strategies." I argue that there are two broad categories of participation: government-invited and group-initiated. Stakeholder and consultant participation fall into the first category, while lobbyist, networker and challenger fall into the second. When groups initiate participation, they engage in strategies of influence, strategically using various tactics to affect policy outcomes. In this typology, "lobbyist," "networker" and "challenger" participation are influence strategies, although "networker" only occurs strategically alongside either lobbyist or challenger participation. If participation is not initiated by a group, it is not a strategic activity. This does not reduce its participatory value to organizations, but it does mean that it is not a calculated act in the pursuit of influence. Arguably however, deliberately *not* participating as a stakeholder or consultant *is* a strategic activity in some situations if it could be seen as a protest of government policies or policymaking processes.

In the interest-group literature, strategies of influence typically have been divided into “insider” and “outsider,” the differentiation being the direct target of influence (policymakers or the public). (Grant, 2001, 2004) One may liken the “lobbyist” category of participation to an insider strategy and the “challenger” category to an “outsider” strategy. Why not just use the insider/outsider dichotomy here? I argue that it is incomplete. It ignores other ways in which groups participate in the policymaking process, namely through the invitation of the government and networking with other organizations. Interest group scholars have developed an excellent literature on group-initiated behavior (Baumgartner & Leech, 1998) while ignoring the larger question of participation in itself. Group participation, on the other hand, has received attention from scholars interested in the growth of democracy in developing countries, although they have looked almost exclusively at invited participation, not initiated participation. Although this is changing somewhat (G. Clarke, 1998), no specific delineation of all types of groups’ participation in policymaking exists.

PATTERNS OF PARTICIPATION ACROSS CAMPAIGNS

The five types of engagement did not occur uniformly across the four policy campaigns. Table 5.1 summarizes the types of participation observed in each campaign. Appendix Tables A.1 to A.4 list all of the participatory events by campaign and type of participation as a quick reference. All of the groups in each campaign acted as stakeholders and consultants except for the women’s groups, which were never officially invited to produce papers or research for public officials. The women’s groups in the land campaign instead did intensive long-term lobbying, networked with other organizations and chose not act as challengers. They did not turn to protests, the Media or the public to change the government’s policy position. While they did talk to Parliament, the women’s groups say they did so only to ensure that the provisions already in the legislation were not removed. Since those provisions were already present, their behavior toward MPs constitutes lobbyist engagement, not challenger. The peasants’ land rights campaign was very different. The

groups involved chose not to act as lobbyists and build relationships with government officials, instead turning directly to the people (through direct action, MPs and the Media) to challenge the government.

Table 5.1: Summary of Group Engagement by Type of Participation and Campaign

Type of Participation	Women's Land	Peasants' Land	NGO Act	EMA
Stakeholder	Yes	Yes	Yes	Yes
Consultant	No	Yes	Yes	Yes
Lobbyist	Yes	No	Yes	No
Networker	Yes	Yes	Yes	Yes
Challenger	No	Yes	Yes	Yes

The campaign against the NGO Act again was unlike the others. Possibly because the time period was so short, groups in the hastily created NGO coalition were not able to engage in long-term lobbying. They did approach the Minister and their government contacts to have the bill postponed, but the government refused. They continued to work through the regular channels at first, attending and presenting at the parliamentary committee hearing for the bill. All of this took place within only two weeks' time, however. When they did not see the results they wanted from that activity, the coalition decided to challenge the government by going to the Media, the public and Members of Parliament. They mounted a significant challenge that the government did not appreciate, and did not respond to.

The final campaign against the Environmental Management Act (EMA) was essentially an aborted campaign. Environmental groups began the process fairly well involved as stakeholders and consultants, but as policymaking continued, their role diminished. LEAT tried to challenge the government's process by drafting its own bill and turning to opposition MPs. Its' effort failed, and the organization was cut out of the process. They did no lobbying, networking or challenging activities after that. Because the government had hired two of LEAT's prominent

members to the EMA drafting committee, the government did not have to worry about public perceptions of participation.

Groups progressed from one type of engagement to another chronologically in their campaigns, with few exceptions. One of these was TANGO's involvement in the development of the National NGO Policy. When it was dissatisfied with its level of participation as a stakeholder and consultant, it lobbied the Vice President's Office for a larger role in the process. Once it achieved its goal, it reverted back to being a stakeholder and consultant. Only several years later did it become engaged as a networker and challenger. HakiArdhi and its fellow peasants' rights campaigners chose not to lobby, "skipping" to networker and challenger engagement. LEAT also skipped lobbying, choosing to challenge the government instead. In all circumstances, challenger behavior was last. Once groups became challengers, they had exhausted all other means of engagement. It was always a last resort.

Networking occurred at different moments in the process. It initiated group participation in the land policy process. After the women's groups had formed their coalition, they were invited as stakeholders to national meetings. They began lobbying at the same time. The peasants' rights groups were stakeholders first, particularly Professor Shivji and some pastoralist representatives, later forming a coalition. The NGOs working against the NGO Act were stakeholders and consultants long before they started networking with each other. LEAT also was a stakeholder and consultant before it began its other work. Its attempt to form a network was noticeably unsuccessful, and it did not lobby.

The tendency to move from one type of engagement to the next almost in a line appears to be related to the amount of staff and financial commitment required by each type. At the first level, groups simply participate in meetings organized by the government. Representatives usually receive stipends to attend the meeting, and they respond as called. Few resources of the organization are required for stakeholder participation. At the second level, groups must devote some resources to research and/or reporting, particularly if it involves gathering information from

around the country. When their help as consultants is requested, they may or may not be paid for a service that calls for substantial staff time. Even if the organization is paid, staff members are diverted from their standard duties.

The third level of engagement is the first type that is done on groups' own initiative. At this level, organizations are dedicated enough to their policy position that they will spend valuable staff time trying to contact government officials and bring them to the NGOs' side. Advocacy can be a long-term task, and groups cannot do it halfheartedly. On the other hand, the financial costs are minimal. The fourth level of engagement requires that groups work together, sharing resources to achieve a common policy goal. I argue that coalitions are a 'higher' level of engagement than the others (although it occasionally preceded them) because it entails more commitment than the previous three. It requires more resources of time and funding to participate as a networker than as a lobbyist, and it steps up group dedication to a cause. It signals to the government that multiple parties share similar interests.

The 'highest' level of engagement is the challenger type. It requires more resources than any other form of participation because by definition groups are turning to other venues to increase pressure on government officials. Whether going to the people or straight to Parliament, the location of advocacy literally changes to other regions and towns. This places a huge demand on staff time and funding; travel in Tanzania typically takes days. Further, organizations put more of themselves on the line by challenging the government. There is a risk of retaliation and alienation by the government. This may be why it is best used as a last resort; LEAT found that it was completely shut out of the process once its challenge failed. This progression in intensity may be natural for groups, always stepping up their participation when lower levels of engagement do not produce the outcomes they desire. Given the limited resources of Tanzanian NGOs, it makes financial sense to participate first in ways that demand the least.

COMPARISONS TO THE U.S. AND THE U.K.

When trying to influence policy outcomes, NGOs in Tanzania use many of the same strategies and activities that Northern interest groups use, with a few exceptions. They share information, contact policy-makers, try to engage the public, and resort to demonstrations.

American Comparison

Table 5.2 compares the tactics of American groups (Baumgartner & Leech, 1998, Table 8.1, p. 152) to those of Tanzanian groups, as observed in these policy areas and in others not specifically studied here. Two categories of activities not listed in the Baumgartner and Leech table are included, participation in ministry workshops, and information sharing with district citizens, NGOs and local officials. The table categorizes the activities according to the five types of engagement discussed earlier.

Activity	Occurs in U.S.	Occurs in TZ	Type of Participation
Participation in Ministry workshops		Y	Stakeholder
Testimony at legislative hearings	Y	Y	Consultant
Testimony at agency hearings/workshops	Y	Y	Consultant if requested; Lobbyist if initiated
Direct or informal contact with legislators	Y	Y	Challenger
Direct or informal contact with officials	Y	Y	Lobbyist
Presenting research results	Y	Y	Consultant if requested; Lobbyist if initiated
Working with other groups	Y	Y	Networker
Planning strategy with government officials	Y		Consultant
Talking to journalists	Y	Y	Challenger
Making paid advertisements	Y	Y	Challenger

Drafting legislation by request	Y	Y	Consultant
Drafting legislation by NGO initiative	Y	Y	Challenger
Drafting regulations by request	Y		Consultant
Shaping policy implementation	Y	Y	Consultant
Serving on advisory commissions	Y	Y	Consultant
Agenda-setting	Y		Lobbyist
Letter-writing or telegram campaigns	Y	Y	Challenger
Working with influential citizens	Y		Networker
Alerting legislators to district effects	Y	Y	Consultant if requested; Lobbyist if initiated
Sharing policy information with district citizens, NGOs, and/or local officials	Y	Y	Networker
Filing suits or amicus briefs	Y	Y	Challenger
Campaign contributions/work	Y		Lobbyist
Protests or demonstrations	Y	Y	Challenger
Policy monitoring	Y	Y	Lobbyist
Influencing appointments	Y		Lobbyist
Doing favors for officials	Y		Lobbyist

Table 5.2 demonstrates that many of the tactics used by interest groups in the U.S. are also used in Tanzania, although there are significant differences. Tanzanian groups do not get involved in campaigns or government appointments in any policy area, nor did they supply financial support or favors to officials or legislators. These differences are primarily attributable to the nature of the policy-making system; they are legally forbidden to do these things.

Additionally, groups focus on departments and ministries rather than Parliament. This places the emphasis of activity on bureaucrats and appointed officials rather than elected MPs. When they turn to MPs, it is as a last resort. The difference in focus is the primary difference between the U.S. and Tanzania, although it is the primary similarity with the British system of policymaking.

Although many groups in the U.S. focus on trying to set the policy agenda, in each of the policy cases studied here, groups did not help set the agenda because the government or donors began each discussion. Groups did not participate in implementation in these areas because the policies were only in the drafting stage. However, in other policy areas groups have partnered with the government to implement policy provisions. Several groups have turned to the courts in other policy areas also, although their success has been mixed. Only one activity that takes place in Tanzania but not in the U.S., namely participation in ministry workshops. The government frequently invites groups and some individuals to meetings where policy drafts can be discussed publicly and interactively. These are not the same as legislative or agency hearings in the U.S., and therefore have been included in a separate tactical category.

British Comparison

As discussed in chapter two, although the similarities between the advocacy activities of British and American interest groups are numerous, there are two significant distinctions. Policymaking mainly occurs in the executive branch ministries rather than on the floor of the legislature. Groups therefore focus their attention on officials rather than representatives. Further, groups are limited in their ability to participate in campaigns. These differences, not surprisingly, match the main differences between the U.S. and Tanzanian systems, also. During the colonial era, the British had a profound influence over the country's governance structures that continues today.

At the strategic level, Tanzanian groups could be characterized by the insider-outsider dichotomy favored in Britain. Through their networks, some groups followed 'insider' strategies of close consultation and lobbying while others acted as 'outsiders,' trying to mobilize public

opinion against legislation. The strategy that sets Tanzanian groups apart from those described in the British literature on strategic behavior is the consistent use of coalitions to pursue policy goals. Certainly these are not unheard of among British groups nor even uncommon, but their use is not described as strategic.

RELATIONSHIP BETWEEN ENGAGEMENT AND GROUP CHARACTERISTICS

It is possible to relate the tactics and strategies used by groups to their characteristics. In chapter three, eleven traits were used to describe the organizations in this study: national status, funding resources, staff characteristics, age, cause, size (number of staff), professional status, links to government, orientation to advocacy, activist leadership and number of policy concerns. Except for national status and staff characteristics (which are ignored from this point on), groups varied widely on these traits, as displayed in Tables 3.5 to 3.12. Only one pattern emerged, differentiating groups involved in multiple policy areas and those involved in a single policy area.

The multiple-policy organizations—TGNP, LEAT, TAMWA, TANGO, LHRC, HakiArdhi and HakiElimu—share certain characteristics. They are all large organizations with activist leadership, good access to funding, an orientation toward advocacy, and without any links to the government. Despite these similarities, they vary by age, cause and professional status. The single-policy groups, however, vary along every characteristic, and none has all four of the traits that characterize the multiple-policy groups. For example, although NPF (the NGO Policy Forum) is oriented toward advocacy (it provides no specific services), does not have a link to the government, and has activist leadership, it is a small organization. Several of the larger organizations are not oriented to advocacy, and some of those have strong links to the government (BAKWATA and CEEST, for example). The wide variation among organizations suggests that a link between group characteristics and their types of engagement may not be present. I argue the opposite, however. Looking only at the major choices of strategy—long-term

lobbying, challenging the government, or opting out of the policy process—it is possible to discern a pattern.

Of the twenty-one NGOs studied in the three policy areas, only eight organizations engaged in “challenger” behavior (all of which occurred in coalition with other organizations). Of these eight, seven were multiple-policy groups: HakiArdhi, HakiElimu, LEAT, TANGO, TGNP, LHRC and TAMWA. The remaining “single-policy” group was the PINGO’s Forum, which was characterized prior to 1999 as having strong resources, activist leadership and an orientation toward advocacy (and a strong link to HakiArdhi). (Igoe, 2003) This set of organizations’ engagement as challengers occurred in the peasants’ land rights campaign, the campaign against the NGO Act, and the campaign against the EMA. I believe it is highly significant that the organizations engaged as challengers were with only one exception multiple-policy groups. PINGOs is the only large activist organization that did not get involved in multiple policy areas, due to either its location outside of Dar es Salaam or its primary focus on members’ land issues.

The remaining thirteen organizations do not share any characteristics as a set; they vary by resources available, age, cause, size, professional status, links to government, orientation to advocacy and activist leadership (see chapter three). What does not vary is the number of policy concerns. Importantly, some organizations share at least one or more traits with the multiple-policy organizations, just not the whole set. This indicates that no single factor can be linked to challenger behavior. To illustrate, BAKWATA, CEEST and WLAC were also resource strong and large, but none was also oriented toward advocacy or had activist leadership. One organization, NPF, had the advocacy and activist traits, but was an extremely new organization with no staff in 2002.

The set of organizations that share no characteristics with the multiple-policy groups is small, including only AGENDA, ENATA, TACOSODE, TAHEA and WILDAF. All could be characterized as resource weak, small service-providers without activist leadership and with links to the government. Of these, only TAHEA and TACOSODE were engaged in a policy campaign,

albeit as supporting members. AGENDA, ENATA and WILDAF, along with the larger BAKWATA and CEEST and more activist ENVIROCARE and JET, only participated in the policy areas as stakeholders or consultants.

The data suggest that weaker organizations, especially those without an activist orientation, are less likely to engage in policymaking, either as lobbyists or challengers. What of organizations that are large and resource strong, but that do not have a deep orientation to advocacy or activist leadership? It depends. CEEST and BAKWATA, which were associated with the government in some manner, did not get involved on their own initiative. ENVIROCARE, which also had substantial resources but was independent of the government, chose to focus its attention on service provision. TAWLA, WAT and WLAC, on the other hand, were instrumental in the women's land rights campaign.

The women's campaign illustrates the wide variety of organizations that were willing to initiate participation through lobbying and networking. TAWLA, WAT, TAMWA, TGNP, WLAC and TAHEA varied by resources available, size, professional status, links to government, orientation to advocacy, activist leadership and the number of policy concerns. The only characteristics they shared were age (all were at least ten years old in 1999 except for TGNP, established in 1993) and cause. Two of the women's groups were also involved as challengers in other areas, indicating that groups were willing to use other strategies when necessary. Indeed, the NGO Act campaign suggests that groups were willing to try lobbying first, and if they had been given more time, would have focused on that strategy rather than the challenger strategy.

The fact that multiple-policy groups were more likely than other groups to act as challengers suggests that having both an activist orientation and good access to resources emboldens organizations to step outside what is acceptable as group behavior in order to achieve their policy goals. Groups with ties to government are less likely to initiate advocacy activity, although WAT, TAHEA, and to some extent TACOSODE, are exceptions. The others—

AGENDA, BAKWATA, CEEST, ENATA and WILDAF—were engaged only at the government’s invitation.

To summarize, large and well-financed groups with an orientation to advocacy, activist leadership and no links to government were the only organizations to engage in challenger behavior. Four other organizations that did not share all of these characteristics were involved just as lobbyists. These four—TAHEA, WAT, WLAC and TAWLA—do not share a specific set of traits except for their causal focus. Along with TGNP and TAMWA, this diverse set of groups was able to share advocacy responsibilities based on the members’ strengths. Their campaign demonstrates the incredible value of working in coalition with other organizations. However, when compared to other organizations, it is difficult to determine how and why some of the women’s organizations initiated any advocacy activity at all. TAHEA and WAT in particular had strong ties to the government, suggesting that would not participate as lobbyists. Because groups’ decision-making was not an element of this study, I can only propose that the desire to advance the cause of women’s rights, along with the presence of organizational partners, encouraged the smaller, less active groups to get involved.

EXPLAINING SUCCESS

The six women’s groups were the only organizations to achieve a significant portion of their policy goals in their campaign. All others fell dramatically short. As discussed above, the women’s groups did not share any traits as a set except for their causal focus, suggesting that group characteristics do not explain why they were successful. One might seek to argue that these groups were successful because they were women’s groups, led and staffed primarily by women. However, other organizations which were not successful, such as LHRC and TANGO, also had women leaders. Perhaps instead women leaders were more likely to get involved in policy advocacy, but the female leaders of ENVIROCARE and WILDAF do not fit this pattern, either.

If not group or staff characteristics, what can explain why the women's groups were successful when others were not? Chapter four discussed four major differences among the policy cases—the phases of NGO participation, the role of donors, the strategy used by NGOs, and the degree of government intractability. Because the groups were primarily concerned with legislative success, the policy phase is not considered here. Baumgartner and Leech (1998, p. 134) remind scholars that “it should not be whether interest groups are ever influential, but when, why, and to what extent they are powerful on what types of issues.” They point to the confusion and contradictions in the literature on influence, noting that most studies come to different conclusions about the importance of similar variables. A large number of these are single issue cases that are not easily comparable. Studying several policy cases in Tanzania offers a good opportunity to study these questions because so many possible variables are constant across the cases. The party in power has not changed in forty-five years muting the effects of elections, the role of public opinion is muted (discounting the values of issue salience and visibility), groups have not until recently faced opposition from other groups, and policymaking occurs in the executive, muting differences among legislators.

Each of these variables is believed to be related to influence in various studies of interest groups, along with group characteristics, the amount of outside influence, the degree of conflict in the policy arena, as well as groups' tactics. (Baumgartner & Leech, 1998, p. 134) Having already discounted the importance of group characteristics, I consider the role of donors as an approximation of the amount of outside influence, the government's intractability on an issue as a measure of policy conflict (because groups do not face opposition other than that from the government), and groups' influence strategies (lobbyist versus challenger). The nature of influence is such that it is usually impossible to determine unambiguously that a group or individual was responsible for a particular outcome. The discussion here is a preliminary one, raising possible answers to the question of the women's groups' success.

As detailed in previous chapters, a group's success in achieving policy outcomes is measured here by the perceived percentage of desired outcomes were included in the legislation. Unfortunately, this is imprecisely measured in this study and relies primarily on groups' perceptions of achievement, supported by a comparison of position papers and final legislation when available. Based on these elements, the women's groups were the only ones to achieve any level of 'success.' The three other campaigns realized twenty-five percent or less of their desired outcomes, while the women's groups probably achieved at least eighty percent. Recall that they were very satisfied when the land bills were passed, celebrating on the steps of Parliament. What set them apart?

Donor influence

In developing countries in recent decades, policy outcomes are believed to be linked to donor demands. One of the NGO concerns with the rapid passage of the NGO Act was that it was connected to the Anti-Terrorism Act that had received a lot of international pressure. USAID representatives denied that claim, and argued that instead they wanted the NGO Act amended to be friendlier to organizations. In this case, although groups and international pressure were on the same side, the desired outcomes were not realized. Each of the other cases had a different experience. Women's groups had implicit international support for their position, being based in international standards of rights for women. However, although they received funding from donor organizations and foreign missions, there is no evidence that they applied pressure directly on the government, or ever explicitly stated support for their goals. Donor pressure, if it existed at all in the women's land case, was not linked to groups' success.

The environmental campaign had a different story of donor participation. From the beginning of the policy's development, strong international groups were involved, notably the World Bank. They wanted an environmental policy passed. They supported the DOE in its ILFEMP project, and later funded the drafting phase. Even so, participants did not indicate that

donors had any influence over the outcomes. Indeed, as the drafting progressed, Dr. Kabudi reported that he increasingly reduced donor input, relying instead on domestic experience and information. Although one international NGO funded the campaign against the EMA, LEAT did not receive any other outside support. Neither did they face any great opposition from external forces. Although donors were involved, they were peripheral funders and not substantially concerned with content (or their views on content were mixed). The groups' main objectors came from the government. Again, donor influence does not appear to be related to the groups' lack of success.

This was not the situation for the peasants' land campaign. Professor Hayuma, then in the Ministry of Lands, argued that IMF conditions encouraged the government to "improve" access to land for international investors. It appears that donor pressure was against the NGOs in this case. One of the NGOs' major concerns about the Land Bills was in fact that foreigners would have more rights than Tanzanians in land acquisition and disposal. Their other major concern—presidential ownership of land—was likely an entirely domestic issue. The government was adamant in its support for it, and did not ever consider relinquishing control over land to local authorities or individuals. In this case, NGOs were up against two strong forces: donor demands for increased investment and government intent.

Strength of Government's Policy Position

As just mentioned, the government's intent was strongly against NGOs in the peasants' land campaign. Officials from the President to MPs were intractably in favor of presidential control over land, an issue that the NGOs fought hard against. NGOs never really had chance to change this view, no matter what it did. It was different for the women's land campaign. At the beginning of the campaign, NGOs noted that officials were not in favor of increasing women's rights to land. They did not believe it was necessary. However, over time their position changed as a result of group involvement. There was no before and after story for the campaign against the EMA.

Although it is difficult to ascertain the government's position with respect to LEAT's position on the EMA (the documents needed to compare the two were not available to me), the government seemed to entertain some of its ideas at the beginning. Unfortunately, LEAT was really a minor player in the development of the bill, and the biggest conflict was between NEMC and the DOE over who would ultimately manage environmental issues. The government in this case did not have a single intent; many officials had different goals. Who 'won' may have been entirely the result of who was originally given the contract for developing the bill: DOE, not NEMC.

During the development of the National NGO Policy, the government listened willingly to NGO concerns and goals. Many NGOs had significant input the first few years. Once the policy was adopted and the drafting of the bill began, the government again voluntarily invited NGOs to participate in the process. NGO representatives told me repeatedly that they were "promised" full participation and input. Even after the bill was published, officials told NGOs that given time, changes would be made to address their concerns. The Minister of Justice even told NGOs at the public hearing that "we stand on the same side of the river," an unusual reference to sharing similar goals. (Mmanda, 2005) Officials did not seem intent on thwarting NGOs' policy goals, even though they were slow to make changes. When groups went to Dodoma, officials refused to negotiate. Few changes were made at the end, despite earlier reassurances that they would be. In this case, NGOs' decisions to move away from diplomatic persuasion to a more aggressive challenger mode may have angered the government, making officials reluctant to deal with them further.

NGO Tactics

None of the three factors just discussed satisfactorily explain NGO success or failure, although it is likely that the government's strong policy position played a role in the peasants' land campaign. The three factors vary too much across the four campaigns. One other factor may explain group outcomes: the overarching strategies used in the campaigns. Only one campaign

achieved its policy goals, and only one campaign relied on long-term lobbying as its primary strategy. The evidence is certainly not conclusive, but it is suggestive. Although each campaign's success or failure may have depended on separate factors, in at least three of the campaigns the strategies used arguably were the major cause. For example, if LEAT had focused on developing a long-term relationship with policymakers, rather than resorting early to a challenger strategy, the organization may have had more influence over the course of the drafting stage. Instead, LEAT's attempt to devise its own bill for discussion in Parliament led it to be shut out of the rest of the discussion. Similarly, NGOs working against the NGO Bill began diplomatically, meeting with important officials and trying to persuade them to their viewpoint. When this did not work immediately (and there is no reason to believe either way that it would never have worked or that it would work soon), groups turned to Parliament, effectively shutting off the channels of communication with officials in the executive. For both the EMA and NGO Act cases, groups' decisions to engage in challenging behavior prevented them from having greater influence over policy outcomes.

The groups in the women's land campaign were willing and able to engage in long-term lobbying of critical government officials. Their apparent willingness to work within the system and to establish a substantial working relationship worked in their favor. They were struggling against preconceived notions of women's rights of access to land, and did not have strong donor support behind them. Although one of the members did have strong contacts with the Ministry, she was peripheral to the campaign itself. The views of the government officials involved would not have changed on their own; change required pressure from NGOs to convince policymakers that a new perspective on women's land rights was needed. The decision to pursue a lobbying strategy rather than a challenging strategy was an important one, but it is not known why this decision was made. It may have been deliberate or accidental. In either case, it proved the correct decision. Given the outcomes of the other cases, if they had chosen to challenge government officials, it is

likely that women's groups would not have been as successful in achieving their desired policy outcomes.

SUMMARY

As discussed in the last chapter, one characteristic of organizations was directly related to whether groups engaged in challenging behavior: organizations with a 'multiple-policy' focus were much more willing to challenge the government than single-policy groups. The willingness to use challenger behavior is intricately linked with the organizational characteristics of multiple-policy groups. This set of organizations tends to be oriented toward advocacy rather than service, has more activist leadership, and has the resources to carry out active campaigns against policy.

The findings suggest that such groups need to be careful to not always act in the way that seems most natural to their activist natures. Instead, they may need to look for ways to diplomatically engage government officials who are leery of challenges to their authority. In order to achieve policy goals, activist organizations may need to devote more effort to developing relationships with government officials. This may be difficult given these groups' tendency to be highly critical of the regime with whom they may need to collaborate in the future. The concluding chapter discusses these issues in greater depth, asking what we might expect from groups in the future in Tanzania. The role of the Tanzanian political and social environment will also be discussed.

Chapter Six

CONCLUSION

Nongovernmental organizations in Tanzania have demonstrated their willingness to participate in policymaking in a wide variety of ways. Most acted as stakeholders and consultants at the invitation of government officials. Several were content to remain invited participants. The rest were not, engaging the government on their own initiative. These groups quickly moved on to other types of participation when this was not adequate to meet their policy goals. Acting as lobbyists, networkers and challengers, they stepped outside the traditional and accepted means of group participation. The government was tested with these new forms of behavior, and while it did not always respond favorably through policy changes, it did not apply repercussions to the groups themselves.

Across the four policy cases, the most important finding was that challenger strategies of participation were not successful. In the three campaigns that were unable to achieve their policy goals, groups engaged primarily in challenger strategies, while the successful campaign used long-term lobbying as its primary strategy. At the end of chapter five, I argued that the choice of strategy was the primary reason for groups' failure or success in three of the cases—the women's land rights campaign, the campaign against the NGO Act and the campaign against the EMA. In the case of the peasants' rights campaign, the most likely explanation was that groups faced a strong government policy position that would not have changed no matter what groups did to challenge it.

Why did challenger strategies fail? According to the literature in the U.S. and Britain, challenger strategies such as letter-writing initiatives, demonstrations, and influencing the Media and public opinion have been successful in many instances. (Grant, 2001) The focus on the 'grassroots' as an appropriate and worthwhile place to affect policy outcomes has increased in

recent years, particularly with the growth of the internet. Despite these patterns in the West, groups were unable to successfully utilize these tactics in Tanzania. The explanation for this rests in the nature of Tanzanian politics and society.

Chapter one presented two distinctive characteristics of Tanzanian political and social life. First, it is a weak (but growing) democracy. Traditionally, decision-making has been highly centralized in the ruling party, CCM. Although Tanzania now claims a multi-party political system, the opposition is weak, and Members of Parliament are constrained in their ability to contest government policy. Described as a rubber stamp by local academics, Parliament very rarely defies the executive regarding policy and legislation. The weak Parliament hinders the ability of groups to convince MPs to change legislation written by the executive. Although the last resort for most groups, it really is not such thing if policy is never changed there. Groups turn to it without any real hope of success.

Secondly, Tanzania has a weak economy that limits citizens in a number of ways. The system of communication is that of a developing country, making it difficult for individuals to express opinions to policymakers and MPs expediently. Likewise, it is difficult to travel to most of the country, creating similar problems. Because of the communication and travel issues, mobilizing public opinion is an arduous task. Gathering signatures requires a lot of foot work and drawing people to the major cities for demonstrations demands significant time and funding. This limits groups' ability to convince policymakers that public opinion is a strong enough force to pay attention to.

I believe these two conditions—a weak Parliament and undeveloped infrastructure—are the foremost reasons for the inability of groups to achieve policy goals through challenger strategies. The strategy relies on the execution of outside force to pressure government officials to change policy provisions. If that outside force—executed by Parliament or the public—is never strong enough to persuade officials that they will face repercussions if they do not make changes, then the changes will not be made. Essentially, their challenger strategies failed because not

enough force could be born upon officials to convince them that a threat to their power existed. If either or both conditions were different, perhaps groups would have been more successful.

IMPLICATIONS

Many developing countries can be characterized by these same conditions. Infrastructure is undeveloped and politics is centralized or even authoritarian. The Tanzanian cases suggest that groups in such countries should rely on influence strategies that create long-term relationships with officials if they want to see their policy goals realized. The popular movements commonly employed by human rights organizations may not realize the same level of success, especially in countries in which the government maintains a high level of authority. More research is needed on the use of lobbyist strategies by cause organizations in developing countries to determine whether they are more successful or not than other strategies.

Research is also needed to understand interest group participation in other developing countries. The possible questions are endless. Is Tanzania an exception, or do groups elsewhere also engage the government? Do they use similar tactics and strategies? No matter what forms of participation exist, are groups able to influence policy outcomes? How and why? Does the model of group participation presented here help scholars understand the patterns observed in other countries? Do other groups move from the level of invited participation to initiated participation when their goals are not achieved? Are there situations in which invited participation is adequate?

My findings suggest groups can be found to operate in countries in which the government is strong but not authoritarian and the physical infrastructure is fragmented. Perhaps best referred to as developing democracies, these countries are open enough to allow citizen participation in a myriad of ways. Groups likely exist in such countries, although they rarely get the attention of interest group scholars. I further anticipate that groups are invited to participate in popular discussions of policy, and may have the will and the capacity to initiate their own forms of participation. I would also expect that such groups, depending on the tactics and strategies used to

influence policy, would experience varying levels of success. Likely, other factors such as donor influence and government intractability could affect group outcomes, also. Whether still other factors shape policy outcomes is also open for new research.

Ultimately, Tanzanian NGOs exhibited a forceful willingness to contest the government's traditional authority over policymaking. They compelled officials to pay attention to their demands by engaging in behavior that was new and essentially unacceptable by convention. The government did not always respond to their demands, but its willingness to entertain and even embrace new forms of participation demonstrated its ability to adapt to new processes of policymaking. The Tanzanian government has shown that maintaining authority does not always depend on suppressing participation. Rather, groups can be allowed to proliferate and participate in both traditional and novel ways without fear that the government will collapse. Further, this case demonstrates that groups and citizens can provide meaningful input in ways that can strengthen democracy, even when it is on their own terms.

Appendix

Table A.1: Activities of NGOs in the Women's Land Rights Campaign					
Event Number	Event Description	Form of NGO Participation	Initiated By	Date	Event Title
1	Govt Workshop	Stakeholder	MLHUD	Aug. 27- 29, 1991	Arusha Workshop on Land Policy, Rural
2	Workshop	Stakeholder	MLHUD	Jan. 16-18, 1995	National Workshop on Land Policy, Arusha
3	Workshop Seminar	Stakeholder	MLHUD	April 3, 1996	Workshop on a National Land Bill
4	Workshop	Networking	MLHUD	Nov. 1996	Workshop on a National Land Act, Arusha
5	Workshop	Lobby	TAWLA	Mar. 3-5, 1997	Gender and Land Workshop
6	Workshop	Lobby	HakiArdhi	May 15-16, 1997	Consultative Conference of Concerned NGOs and Interested Persons on Land Tenure Reform
7	Workshop	Networking	GLTF	Nov. 14, 1997	Sensitization/ Mobilization Workshop on Gender Land Bill Act
8	Workshop	Networking	GLTF	Nov. 24-25, 1997	Workshop on Awareness Creation on Land Policy and the new Land Act
9	Workshop	Networking	GLTF	Nov. to Jan. 1998	TAHEA: Series of local sensitization/ mobilization workshops on land issues

10	Media Contact	Lobby	GLTF	Dec. to Jan. 1998	Media Campaign by TAMWA: Awareness raising on Land Issues
11	Workshop	Networking	GLTF	Jan. 5, 1998	WLAC/SUWETA Workshops for Paralegal Units
12	Workshop	Lobby	GLTF	Feb., 1998	Meetings with MPs
13	Planning Meeting-NGOs*	Networking	GLTF	Mar. 18, 1998	Meeting to Discuss Land Bill Progress
14	Position Paper	Lobby	GLTF	Apr. 1998	Analysis of Gender Matters in the Draft Land Bill
15	Position Paper	Networking	NALAF & GLTF	June, 1998	Publication of land newsletter
16	Workshop	Networking	NALAF & GLTF	June 28, 1998	Workshop on the Progress of the Bills
17	Workshop	Lobby	GLTF	Dec. 12, 1998	Workshop on Advocacy and Lobbying for Women MPs
18	Workshop	Lobby	GLTF	Jan. 15-16, 1999	Conference on Bills for MPs
19	Workshop	Lobby	GLTF	Jan. 21-23, 1999	Lobbying, Advocacy and Mobilization Workshop on Land Bill
20	Parliamentary Public Hearing	Stakeholder	Parliament	Jan. 26-27, 1999	Public Hearings on the Land Acts
21	Newspaper Supplement	Lobby	GLTF	Jan. 31, 1999	Gender and Land Newspaper Insert
22	Demonstration	Lobby	GLTF	Early Feb., 1999	Walk around Parliament
23	Workshop	Lobby	GLTF	Early Feb., 1999	Lunch Meetings with Women MPs
24	Information Sharing	Lobby	GLTF	Early Feb., 1999	Presentation of Discussion Papers
*Undoubtedly GLTF members met regularly to plan their advocacy activities. This is the only recorded meeting, however, therefore none others are listed in this table.					

Event Number	Event Description	Form of NGO Participation	Initiated By	Date	Event Title
1	Workshop	Stakeholder	MLHUD	Aug. 27- 29, 1991	Arusha Workshop on Land Policy, Rural
2	Workshop	Stakeholder	MLHUD	Jan. 16-18, 1995	National Workshop on Land Policy, Arusha
3	Workshop	Lobby	Pastoral Caucus	Mar. 8-9, 1995	Pastoral Caucus Workshop on the National Land Policy, Arusha
4	Workshop	Stakeholder	MLHUD	April 3, 1996	Workshop on a National Land Bill
5	Workshop	Networking	MLHUD	Nov. 1996	Workshop on a National Land Act, Arusha
6	Network Letter	Networking	HakiArdhi	Apr. 22, 1997	Consultation on organizing debate on draft Land Act
7	Workshop	Lobby	HakiArdhi	May 15-16, 1997	Consultative Conference of Concerned NGOs and Interested Persons on Land Tenure Reform
8	Position Paper	Challenge	NALAF	June, 1997	Publication of <i>Azimio la Uhai</i> and start of signature collection
9	Planning Meeting-NGOs	Networking	NALAF	June 18, 1997	NALAF Meeting at TGNP
10	Planning Meeting-NGOs	Networking	NALAF	Aug. 21, 1997	NALAF Meeting at HakiArdhi
11	Planning Meeting-NGOs	Networking	NALAF	Nov. 21, 1997	NALAF Meeting at HakiArdhi

12	Planning Meeting-NGOs	Networking	NALAF	Jan., 1998	NALAF Meeting
13	Planning Meeting-NGOs	Networking	NALAF	Mar., 1998	NALAF Meeting
14	Media Contact	Challenge	NALAF	Apr. 4, 1998	Media Seminar hosted by NALAF
15	Planning Meeting-NGOs	Networking	NALAF	Apr. - May, 1998	NALAF Meetings
16	Position Paper	Networking	NALAF & GLTF	June, 1998	Publication of land newsletter
17	Workshop	Networking	NALAF & GLTF	June 28, 1998	Workshop on the Progress of the Bills
18	Workshops	Challenge	NALAF	Fall, 1998	Workshops for MPs
19	Dramatic Plays	Challenge	NALAF	Nov., 1998	Street Theater Performance
20	Dramatic Plays	Challenge	NALAF	Jan., 1999	Street Theater Performance
21	Parliamentary Public Hearing	Stakeholder	Parliament	Jan. 26-27, 1999	Public Hearings on the Land Acts
22	Demonstration	Challenge	NALAF	Early Feb., 1999	Land Week Demonstration

Table A.3: Activities of NGOs in the Campaign Against the NGO Act

Event Number	Event Description	Form of NGO Participation	Initiated By	Date	Event Title
1	Workshop	Stakeholder	Govt/ VPO, ILO, UNDP	Nov 27-28, 1996	Consultative Workshop on NGO Policy Guidelines
2	Committee Meeting- Official	Consultation	VPO	Mid 1997	Formation of NSC
3	Draft Consultation	Consultation	Govt, ILO	Fall 1997	National Feedback Consultation on Second Draft
4	Committee Meeting- Official	Consultation	VPO	Winter 1997/1998	NSC Meeting
5	Workshop	Stakeholder	Govt/ NSC	Feb 24-26, 1998	Second National Workshop on NGO Policy
6	Committee Meeting- Official	Consultation	Govt/ NSC	Aug 21-22, 1998	Natl Steering Committee Retreat/Workshop
7	Zonal Workshops	Stakeholder	Govt/ NSC	April - May, 1999	National Zonal Workshops
8	Planning Meeting- NGOs	Networking	TANGO	Apr 5-6, 1999	TANGO Staff Meeting
9	Planning Meeting- NGOs	Networking	TANGO	Apr, 99	TANGO Meeting with TACOSODE
10	Lobby Meeting	Lobby	TANGO	Apr, 99	TANGO Meeting with Mr. Mushi, Director of NGO Office in VPO
11	Lobby Letter	Lobby	TANGO	Apr, 99	TANGO Letter to VP
12	Committee Meeting- Official	Consultation	NSC/ VPO	May, 1999	NSC Retreat/Workshop
13	Lobby Letter	Lobby	TANGO	June 3, 1999	TANGO Letter to Mr. Mushi

14	Zonal Workshops	Networking	TANGO	June 21-23, 1999	TANGO Zonal Workshops on 5th Draft
15	Workshop	Networking	TANGO	Jul 8-9, 1999	TANGO National Consultative Workshop on the 5th Draft of NGO Policy Document
16	Lobby Letter	Lobby	TANGO	July 16, 1999	Second TANGO Letter to Mr. Mushi
17	Lobby Letter	Lobby	TANGO	July 27, 1999	TANGO Letter to Mr. Khalfan
18	Lobby Meeting	Lobby	TANGO	Aug. 13, 1999	TANGO Meeting with VPO's Mr. Suleiman
19	Lobby Letter	Lobby	TANGO	Aug. 16, 1999	TANGO Letter to Mr. Suleiman
20	Committee Meeting-Official	Consultation	NSC/ VPO	Sept. 7, 1999	Natl Steering Committee Retreat/Workshop
21	Draft Distribution	Consultation	VPO	Sept. 27, 1999	Release of 5th Draft for Comments
22	Committee Meeting-Official	Consultation	NSC/ VPO	Fall, 1999	Natl Steering Committee Retreat/Workshop
23	Lobby Letter	Lobby	TANGO	Oct. 22, 1999	TANGO Letter to NSC
24	Workshop	Stakeholder	NSC/ VPO	Nov 30 - Dec 1, 1999	Third National Workshop on NGO Policy
25	Planning Meeting-NGOs	Networking	TANGO	Dec. 13, 2001	Networking Meeting Among NGOs
26	Network Letter	Networking	TANGO	Dec. 14, 2001	NGO Policy/Bill Process Brief
27	Press Release	Lobby	TANGO and Partners	Feb. 1, 2002	NGO Response to New National NGO Policy
28	Workshop	Consultation	VPO	May 3-4, 2002	Retreat Meeting on NGO Legislation at Whitesands

29	Consultation	Consultation	VPO	June 22-27, 2002	Study Tour to Cape Town
30	Network Letter	Networking	TANGO	Mid October, 2002	The NGO Bill Process Update Letter
31	Planning Meeting-NGOs	Networking	TGNP	Oct. 10, 2002	Networking Meeting Among NGOs
32	Network Letter	Networking	Hakielimu	Oct. 15, 2002	Urgent Action Needed on NGO Bill 2002
33	Planning Meeting-NGOs	Networking	NGO Core Group	Oct. 18, 2002	NGO Core Group Meeting
34	Lobby Meeting	Lobby	NGO Core Group	Oct. 22, 2002	NGO Core Group Meeting with Minister
35	Position Paper	Lobby	NGO Core Group	Oct. 22, 2002	NGO Bill Review
36	Parliamentary Public Hearing	Lobby	Parliament Committee	Oct. 23-24, 2002 or 22-23 (N65)	Parliamentary Public Hearings on NGO Bill
37	Planning Meeting-NGOs	Networking	NGO Core Group	Oct. 25, 2002	NGO Core Group Meeting at Hakielimu
38	Planning Meeting-NGOs	Networking	NGO Core Group	Oct. 28, 2002	NGO Core Group Meeting at TGNP
39	Planning Meeting-NGOs	Networking	NGO Core Group	Oct. 29, 2002	NGO Core Group Meeting
40	Media Contact	Challenge	NGO Core Group	Oct. 29, 2002	Press Conference at MAELEZO
41	Information Sharing	Challenge	NGO Core Group	Late Oct., 2002	Position Publications Produced
42	Position Paper	Lobby	NGO Core Group	Late Oct., 2002	Analysis of Critical Aspects, NGO Bill 2002 (Draft 3)
43	Signature Campaign	Challenge	NGO Core Group	Early Nov., 2002	Signature Petition Campaign Against the Bill

44	Information Sharing	Challenge	NGO Core Group	Early Nov., 2002	Lobbying of Parliamentarians
45	Media Contact	Challenge	NGO Core Group	Early Nov., 2002	Article Posting
46	Media Contact	Challenge	NGO Core Group	Early Nov., 2002	International Supporters Engaged
47	Dramatic Plays	Challenge	NGO Core Group	Early Nov., 2002	Theatrical Performance
48	Planning Meeting-NGOs	Networking	NGO Core Group	Early Nov., 2002	Daily Strategy Meetings
49	Lobby Letter	Lobby	NGO Core Group	Early Nov., 2002	Letters to Critical Officials
50	Planning Meeting-NGOs	Networking	NGO Core Group	Nov. 1, 2002	Dodoma First Networking Meeting
51	Training	Networking	NGO Core Group	Nov. 2, 2002	Lobbying Training Workshop
52	Workshop	Challenge	NGO Core Group	Nov. 2, 2002	Awareness Workshop for NGOs and Media
53	Planning Meeting-NGOs	Networking	NGO Core Group	Nov. 3, 2002	Dodoma Second Networking Meeting
54	Network Letter	Networking	NGO Core Group	Nov. 3, 2002	Lobbying Campaign for the NGO Bill
55	Workshop	Networking	NGO Core Group	Nov. 4, 2002	Dodoma NGO Mobilization Workshop
56	Workshop	Challenge	NGO Core Group	Nov. 5, 2002	Third MPs Seminar
57	Workshop	Challenge	NGO Core Group	Nov. 6, 2002	Women MPs Seminar
58	Position Paper	Lobby	NGO Core Group	Nov. 6, 2002	Additional Points of the Bill Review
59	Position Letter	Challenge	NGO Core Group	Nov. 6, 2002	Letter to MPs, in Swahili
60	Workshop	Challenge	NGO Core Group	Nov. 7, 2002	Youth MPs Seminar
61	Lobby Meeting	Lobby	NGO Core Group	Nov. 8, 2002	Meeting with Minister Edgar Maokola Majogo

62	Lobby Letter	Lobby	NGO Core Group	Nov. 8, 2002	Letter to Minister of State, VPO, Mr. Maokola Majogo
63	Position Letter	Challenge	NGO Core Group	Nov. 10, 2002	Letter to the Public
64	Network Letter	Networking	NGO Core Group	Nov. 11, 2002	NGO Bill Process Update
65	Network Letter	Networking	NGO Core Group	Nov. 12 or 13, 2002	Consortium of NGOs Lobbying Activity Report

Table A.4: Activities of NGOs in the Campaign Against the EMA

Event Number	Event Description	Form of NGO Participation	Initiated By	Date	Event Title
1	Workshop	Stakeholder and Consultant	DOE & ENATA	Nov., 1994	National Forum on Environmental Policy
2	Workshop	Stakeholder and Consultant	DOE & CEEST	Nov., 1994	Workshop on a National Environmental Policy
3	Workshop	Stakeholder and Consultant	DOE, ENATA & CEEST	Sept., 1995	Workshop on Environmental Policy
4	Workshop	Stakeholder and Consultant	DOE, AGENDA & Partners	July, 1996	Putting the Environment on the National Agenda
5	Workshop	Stakeholder	DOE/ILFEMP	Nov., 1998	National Consultative Workshop
6	Workshop	Stakeholder	DOE/ILFEMP	Aug. 9-10, 1999	National Consultative Meeting
7	Workshop	Stakeholder	DOE/ILFEMP	1998-1999	Zonal Consultative Meetings
8	Consultative Report	Consultant	DOE/ILFEMP	1999	LEAT Report for ILFEMP
9	Workshop	Stakeholder	DOE/ILFEMP	2003	Planning, Sectoral and Decentralization Workshops
10	Workshop	Challenge	LEAT	April & May 2003	Planning and Consensus Building Workshops
11	Alternative Legislation	Challenge	LEAT	Summer 2003	LEAT Draft of Environmental Management Bill
12	Consultative Meeting	Consultant	DOE/ILFEMP	Aug. 14, 2003	Meeting at LEAT
13	Workshop	Stakeholder	DOE/ILFEMP	Aug. 25, 2003	National Workshop on Environmental Laws

14	Workshop	Challenge	LEAT	Sept. 3-4, 2003	National CSOs' Consultative Workshop on the Proposed Environmental Management Act
15	Workshop	Challenge	LEAT	Nov. 28-29, 2003	Workshop to Discuss Proposal Bill for an Environmental Management Act, 2004
16	Workshop	Stakeholder	DOE/ ILFEMP	Dec. 15-17, 2003	National Consultative Workshop on Environmental Management

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