How democratic and accountable are the CSO Networks in Tanzania?

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Abstract

Since the early 1990s, Tanzania has experienced a wave of civil society networks as an outcome of the overall development of civil society and donors' preference to dealing with networks rather than individual CSOs. As there has been a concern about the democratic nature and accountability of CSOs, so there has been even a greater concern on the part CSO networks. This article set out to examine the extent to which CSO networks are democratic and accountable to their members and communities of beneficiaries. The main observation from the empirical study is that overall the basic instruments of democratic governance within CSO networks such as constitutions formally do exist in most networks. There are, however, critical deficiencies in the areas of human resource management rules and financial management - factors which have a negative impact on both democratic governance and accountability of the institutions.

Introduction

Civil society organizations (CSOs) and their networks are currently held by academics and practitioners as an important pillar of development in the Third World. They have been assigned many different roles: as a prerequisite or catalyst for accountability, good governance and economic development (Bresser and Spink, 1999; Evans, 1995; World Bank, 1997); as an agent of democratization (Fowler, 1993); as a protector of the vulnerable (Alloo, 2000); as a mobilizer of social capital among the poor (Basgupta and Serengeldin, 1999); as a supplier of services when the state withdraws (Kiondo, 1995]; as a voice booster for the undertrodden (Narayan, 1977); as getting into co-governance with the state (Ackerman, 2005; Kossof, 2000) thereby making for

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a paradigm shift from playing a watchdog role outside the state frontiers to what Goetz and Jenkins (2001:365) describe as " breaking the state's monopoly over the responsibility for official executive oversight"; and as supplying development alternatives or new development paths (Bebbington at al; 2008).

This paper seeks to examine the degree of democracy and accountability of CSO networks to their member organizations and other stakeholders. Although CSO networks are important institutions for the promotion of democracy, good governance and accountability of public institutions, they are not insulated from the criticism that they may have the same features and tendencies of undemocratic practices of public institutions, or even worse, since unlike public institutions, they are not quite open to public scrutiny and oversight. The paper is divided into two main parts. The first part briefly reviews the historical development of civil society in Tanzania; and the second part presents research findings based on fieldwork to establish whether civil society networks in Tanzania are democratic and accountable to their stakeholders and the community at large.

Historical Development of Civil Society in Tanzania

It took many years in Tanzania before civil society was admitted to the above roles by state policies and laws. In this section, we shall review that history briefly to establish the context within which civil society networks emerged. It is now customary to divide the history of CSO evolution in Tanzania into four phases (Kiondo & Mogela 2006; Mushi, 2001). These are: (i) the pre-colonial period; (ii) the colonial period; (iii) from independence (1961) to mid- 1980s, and (iv) from the mid – 1980s to the present.

During the pre-colonial period, none among Tanzania's 120 tribal groups had a social formation permitting a clear division among three spheres, namely civil society, state and market which we make today. These three spheres were fused or integrated and could not be separated from the tribal state (or even "stateless") systems. Social, cultural, economic and political ideas and actions were all integrated into the authority system under the chief. All these constituted essential parts of the tribal state systems. The small, low-technology peasant production did not permit clear socio- economic and socio- political differentiation of roles. This role fusion does not only apply to Africa. Even in Europe, a clear distinction among the three spheres emerged

only in the post–agricultural and post–industrial revolutions of the 19th century. These revolutions in production technology and social relations produced the working class and many other civic groups in the course of the 19th and 20th centuries.

During the colonial period many factors introduced by the colonial system induced the emergence of civil society groups in Tanzania. First and foremost, colonial authorities were seen as alien rulers who had interfered with traditional production and state systems, in some places removing legitimate chiefs who had resisted, and in other places installing illegitimate ones. The colonial system had therefore to be resisted through some kind of organized action. Fully aware of this, colonial authorities permitted the formation of civic groups on strict conditions that they should not engage in politics. Thus, at the first stage only cultural, sports, welfare and recreational associations were registered. At a second stage, following the introduction of big plantations accompanied by forced labour policies and laws, labour based organizations such as peasant cooperatives and trade unions emerged to demand fair prices and wages, respectively.

The third phase in the evolution of civil society organizations in Tanzania is the time of independence in 1961 up to the mid 1980s. During this period, the pre-occupation of the post-colonial government was to exercise absolute control by imposing strict restrictions on civil society development. First, the labor movement was placed under direct control of the state, with the Minister for Labour coupling as the Secretary General of a state –created Workers' Organization (NUTA). This continued to remain the case, with minor changes, until the end of Phase One Government of Mwalimu Nyerere in 1985. The workers were therefore unable to exert independent influence on state policies and actions.

Additionally, the party (TANU) and the government – promoted mass organizations which became the only recognized avenues for airing civic concerns and participation of the public in decision – making processes. The state and the party had a monopoly of information instruments, owning and controlling public media (government and party news papers, radio, television in Zanzibar, etc), thereby shaping public opinion in favour of government and party policies, and minimizing criticism of state actions. The five mass organizations which became party affiliates were: the National

Union of Tanzania Workers (NUTA) [later replaced by *Jumuiya ya Wafanyakazi Tanzania*, JUWATA], the peasants' Cooperative Union of Tanzania (CUT); Tanzania Parents' Association (TAPA). Tanzania Women Organization (UWT), and TANU Youth League (TYL), later CCM Youth League (CCM-YL). Furthermore, most other civil associations which had emerged during the colonial period were either subjected to state and party supervision (mainly sports, welfare and service-providing CSOs) or abolished.

On the other hand, the traditional bases of authority were also contained or eroded. All ethnic- based associations were abolished along with tribal chiefdoms and native authorities, being replaced by government – appointed divisional secretaries, with the party and the mass organizations playing the role of official aggregators and articulators of popular interests. The private sector was also constrained by the *Arusha Declaration* and the *Ujamaa* policies accompanying it (TANU, 1967). Having suppressed the civil society and the private sector (market), the state remained the dominant and unchallenged actor till mid-1980s.

The final stage is from the mid 1980s to the present. From independence to mid-1980s Tanzania operated with a state- centric model, placing emphasis on the central role played by the state in bringing about development, and therefore de-emphasizing the role of the private sector (market) and society. The government set prices of goods and services rather than leaving them to the market forces; it engaged in direct production through state farms and state corporations (parastatals) thereby limiting the space of private operators; and it struggled to "develop" the people or "bring" development to them, thereby minimizing societal initiatives. All this changed after mid-80s when both society and market were ushered in by the neo-liberal policies (Mushi, 2001). The emphasis shifted from the state to the private sector (market), now considered the engine of economic development, and the civil society, now considered the champion of democracy, good governance, human rights and improved service delivery.

Several developments in favour of civil society and the private sector have taken place during this period. The first is that state – NGO/CSO relations somewhat improved: this is seen in the role given to CSOs in the Anti-Corruption Policy and Programme (URT,1999a) and in the National

Framework for Good Governance (URT, 1999b). In both programmes, the civil society is called upon to play a significant role. Second, a CSO/NGO policy was issued in 2000, with limited (but significant) participation and contribution of the leading NGOs/CSOs, especially those based in Dar es Salaam. This was followed by NGO law (Act No. 24 of 2002) which did not deliver as much as desired by the NGOs/CSOs because the government limited their participation in the drafting process (Mogella, 2006; and Ndumbaro, et al., 2006).

Third, the government is now talking about "PPP" (public – private sector partnership) which means both the private sector and civil society organizations are enlisted for the challenging task of economic growth and reduction of poverty. The state wants to hive off a lot to these two spheres by way of service provision contracts and partnerships. During the 1980 - 90 decade over 1000 District Development Trusts (DDT) were formed and run by district councils. These to some extent filled the service delivery gap left by the state - for a while.

Fouth, this period witnessed the emergence of advocacy organizations which had not been tolerated in the previous periods. They emerged on a small scale during the 1980 – 90 decade, facing intense state opposition, and continued to grow and thrive during the 1990-2000 decade. They now include a variety of organizations: advocating and lobbying for human and political rights; rights of women, children and youths; rights of HIV/AIDS victims; rights of street children and many other disadvantaged groups in society. It is now fashionable to use the Swahili word "*haki*" (for rights): "*Haki-Elimu*," "*Haki-Ardhi*," "*Haki* - anything else." The wind of democratization and installation of "good" governance which blew across the Third World (including Africa and Tanzania) during the 1990- 2000 decade helped a lot in getting the state to respect or at least tolerate to some extent the rights – seeking, advocacy organizations which had previously been considered "too political."

The fifth development has been the emergence of CSO networks on a larger scale than in previous periods. Until 1990, prominent networks included the government – sponsored Tanzania Council for Social Development (TACOSODE) established as early as 1965; Tanzania Association of Non – Governmental Organizations (TANGO) established in the mid-eighties, and

a few others. As we shall see later, most of the CSO networks now in existence in virtually all districts and regions of Tanzania Mainland (and in some districts and all regions in Zanzibar) have been formed during the post – 1990 period. Four factors seem to have stimulated this response: (i) the relatively positive change in government's attitude towards NGOs and civil society in general; (ii) the public spaces now open for participation of civil society in the democracy – building and good governance installation projects; (iii) donor preference for networks, and (iv) the need for a body to coordinate CSO activities in a district or region due to their big number.

In terms of numbers of CSOs/NGOs, there was a rapid growth, from an estimated 100 or less registered CSOs/NGOs by mid- 1980s, rising to over 200 in early 1990s, over 2,700 by 2000 (TANGO, 2000) and over 4000 by 2007. The literature gives contradictory figures partly because of definitional problems and the fact that NGOs/CSOs (and CBOs) are registered in at least six different places and under different laws: (i) Registrar of Companies (a few of them); (ii) Registrar of Societies/ Associations/ cooperatives; (iii) Administrator General (most of the trusts) ; (iv) Ministry of Home Affairs (most international NGOs); (v) Other ministries, according to functional areas of the NGOs/CSOs concerned (e.g. education, sports, environment, etc) and, finally, (vi) Local government authorities which register or "recognize" CBOs operating in their areas by entering them in their books, with departments dealing with culture, health, education, and (more recently) environment being the main CBO registration/recognition bodies. These departments also maintain a list of NGOs/CSOs based in the district as well as branches of regionally, nationally or internationally – based ones operating in the district. At the regional level, the Regional Economist's or Planner's Office is usually responsible for this work.

Definition of NGO/CSO Networks in Tanzania's Policy, Laws and Academia

Civil Society Networks (CSNs) are part of Civil Society Organizations (CSOs) in Tanzania. They register and operate under the same legal regimes. Though civil society organizations have been in existence in Tanzania since the colonial days, CSO networks as a concept and organizational form, is of recent origin and its application to Tanzania dates back to the 1990s. The first form of CSO networks to come into existence in Tanzania is umbrella organizations. Umbrella organizations were in existence even under the single party regime. However,

during that time there were very few umbrella organizations. Most CSO organizations which would otherwise have been umbrella organizations were "national organizations" affiliated to the party. These included national trade union, national women organization, national parents' organization and national youth organization. These national organizations were either affiliated to the party or were a government creation as in the case of the Tanzania Council for Social Development (TACOSODE). Most of the national organizations had branches rather than member organizations all over the country. One of the main objectives of the umbrella organizations which were affiliated to the party or formed by the government was to control and regulate activities of their branches and to coordinate activities of service-providing NGOs which had been spared by the government.

A majority of the umbrella organizations worth the name were in the religious sector and cooperative sector. With the exception of those which existed in the religious sector such as the Christian Council of Tanzania, and several Muslim organizations, the rest, including the Cooperative Union of Tanzania (CUT), had considerable powers over their regional and district organizations. The "control orientation" also remained in most of the umbrella organizations which were created in the early 1990s. They emphasized control over facilitation of activities of their members. Currently, the orientation of controlling member organizations has almost disappeared. Most umbrella organizations are now working more to facilitate than to control their member organizations.

Most current networks are registered under the National NGO Policy. The National NGO Policy which was approved by the government in 2001 was a result of a long process initiated by umbrella NGOs and the NGOs Coordination Unit under the Vice President's Office in the mid-1990s. The process was highly participatory. The umbrella organizations which participated in the national NGO Policy debate include the Tanzania Association of Non-Governmental Organisation (TANGO), the Association of Non-Governmental Organisations of Zanzibar (ANGOZA) and the Tanzania Council for Social Development (TACOSODE). Several policy drafts were produced and discussed in national and zonal consultative workshops. The National NGO policy defines an NGO as:

> a voluntary grouping of individuals or organisations which is autonomous and not-for-profit sharing; organised locally at the grassroots level, nationally or internationally for the purpose of enhancing the legitimate economic, social and/or cultural development or lobbying or advocating on issues of public interest or interest of a group of individuals or organisations (para 5.1).

The spirit of the policy was to streamline the registration of NGOs by removing deficiencies in existing registration laws. It sought to address some of those weaknesses by harmonizing the existing laws governing NGO matters into a single new NGO law for the whole of Tanzania. However, the *Non-Governmental Organisations Act* (No.24 of 2002) betrayed that spirit by making the NGO Act just another law dealing with NGO matters. The Act neither repealed nor harmonized the other laws. It allowed the non-profit sector organisations to register under whatever law they preferred. Only those which wanted to be legally known as NGOs were supposed to register under the Act. However, there are other organisations which have not registered under that law which still call themselves NGOs. The NGO Act narrowed the definition of an NGO even further by defining an NGO as:

> a voluntary grouping of individuals or organisation which is autonomous, non-partisan, non-profit making which is organised locally at the grassroots, national or international levels 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 organisation, and includes a Non-Governmental Organisation, established under the auspices of any religious organisation or faith propagating organisation, trade union, sports club, political party, or community based organisation; but does not include a trade union, a social club or a sports club, a political party, a religious organisation or a community based organisation.

The 2005 amendment to the Act under the Written Laws (Miscellaneous Amendment) (No.2) Act (2005) elaborated and expanded the meaning. The amendment defined the word "non-partisan" as "not seeking political power or campaigning for any political party", and the word "non-profit sharing" was replaced by non-profit making thereby allowing civil society

organizations to make profit which had been allowed by the policy provided the profit was ploughed back for the development of the organisation and not to pay it as dividend to members. Although the law excludes trade unions, sports clubs, political parties, religious organisations and community based organisations from the definition of NGO, these organizations are part and parcel of the civil society organizations. In this respect, then, the concept NGO as defined in the policy and Act cannot be used to explain the whole civil society sector and its organizations in Tanzania.

The six major characteristics associated with NGOs can also apply to CSO networks. These characteristics are (i) having an organisational form; (ii) having free and voluntary membership; (iii) being autonomous organization; (iv) being managed by members; (v) being non-partisan and (vi) being not-for-profit organization. The definition of CSO networks which guided this study is broader than that provided by the Tanzanian NGO law. It includes all organizations formed for the purpose of providing interdependent linkages among civil society organizations having similar interests or objectives. The organizational structures and processes on which the interdependent linkages are based can be *loose* or *tight*, *formal* or *informal*, and *durable* or *ad-hoc* networks. Networks aim at facilitating cooperation and coordination of member organizations' efforts so as to minimize the deficiencies of individual members and maximize their competences for a greater impact. In other words, networking produces organizational synergies. This is achieved by sharing of information, knowledge, resources and competences among member organizations. Thus, in terms of the nature of the interdependent linkages three types of networks (loose, informal, ad-hoc networks, loose, formal and durable networks, and tight, formal and durable network) can be discerned.

The first category (loose, informal, ad-hoc networks) include individual organizations which informally and loosely coordinate ad-hoc activities of other organizations, or a task force or committee formed by several organizations working in a particular locality or theme to coordinate their efforts by mutual agreement. Some of them are formally registered CSOs which informally coordinate activities of other CSOs or CBOs found in a particular district or region. Such networks include Lindi Women Paralegal Aid Centre (LIWOPAC) and Youth Development Association – Rungwe (TAYODEA). Others arise to fulfill a particular mission and then are

dissolved or transformed into formal networks after the mission has been achieved. The Gender Land Task Force (GLTF) formed during the land policy debates is one such example of a loose, informal and ad-hoc network.

The second category (loose, formal and durable networks) consists of formal networks which are loosely organized with semi flexible rules and regulations. These include networks such as FemAct and Tanzania Election Monitoring Committee (TEMCO). The third category is made up of most networks registered under the NGO Act. These are tight organizations with strict formal rules and regulations which coordinate activities of other members. Though a majority of networks studied are organizationally tight, formal and durable, other types were also included in this study.

Furthermore, it should be remembered that not all organizations which have registered as networks in the official name are actually working as networks. Tanzania Gender Network Programme (TGNP) is a good example. On the other hand, there are CSOs which operate as networks but do not have a word "network" in their title. This include such organizations as LIWOPAC, TAYODEA and a few others. Conceptually speaking, a network can start as tight, formal and durable organization as required by registration rules [see point (a) in figure 1] but in practice acts loosely as at point (b) or both loosely and informally in coordinating ad hoc tasks of other organizations as at point (c) in figure 1. On the other hand, loose informal and ad hoc networks [as at point (c)] may get institutionalized and decide to adopt tight, formal and durable rules and organizational structure as at point (a). Movement in the anti-clockwise direction is also conceptually possible as shown by the arrows, but its empirical interpretation and exemplification is more complex.

How Democratic and Accountable are Civil Society Networks in Tanzania?
The Relevance of Democracy within CSO Networks

The general observation in Tanzania is that most civic groups including CSO networks are still at the early stage of development, i.e., a formative stage and just a few are considered to have structurally established themselves and acquired the basic ingredients of modern bureaucratic or semi-bureucratic features of organization. Explaining the democratic status of the civic groups in Tanzania, Mushi (2001:83) observes:

> Internal democracy within groups [civic] is low in those groups with a guardian form of organization just as is the case with most of the new political parties. However, groups with semi-bureaucratic organization have adequate avenues for members have been free and willing to address specific demands to their leaders and to the government.

In any case, CSOs and their networks are increasingly becoming important actors not only in socio-economic development but also in political processes. Underscoring the significance of democracy within civil society, Brysk (2000: 151-165) argues that democratic deficits within civil society curtail its legitimacy and ability to perform its proper social functions. There has been extensive debate in the literature on whether CSOs and their networks are truly democratic, representative and accountable institutions to their members and stakeholders, a feature that could genuinely warrant them to claim *societal legitimacy* to act as genuine collective voice of the people for socio-economic and political transformation of society (Bebbington, et. al., 2008:15, Bazan et al., 2008: 184).

By collective voice here it does not necessarily mean a common or uniform position of the broad-spectrum of civil society organizations. Civil society institutions, by their very nature, often "represent particular constituencies, they organize around and articulate particular interests and value systems, and are thereby fundamentally subject to the pluralism of modern societies" (Then and Walkenhorst, 1999:124). In the classical Marxian sense, neither civil society nor the state in a capitalist economic system can produce the common good. From the liberal tradition, by contrast, both the state and civil society can promote the common good. Tocqueville (1990), for example, following this perspective regarded the US as the prime democratic society in the 1980 on the basis of its civic associational life which stood quite apart from the family, market and the state. Therefore, to be precise, it is usually the contribution of various civil society organizations, some representing specific interests of their members and constituencies and others with broader goals and missions, that collectively create a vibrant democratic polity which is accountable to its citizens. Thus, it does not have to be overstated the fact that civil society organizations are indispensable in their intermediary function. They can play the role of mediation not only between the state and society but also even between the market and individuals or families.

In order to be able to assess how democratic and accountable are the CSO networks to their member organizations and beneficiaries or stakeholders, we shall examine the following indices by reviewing governance instruments and analyzing behavioural practices as observed in the field reports and quantitative data from the survey that we conducted in 2008.

For democracy, we shall among other things inspect the following:

- Leaders: are they appointed, elected or self-imposed? Can they be removed once elected?
- Decisions: are they generated from democratic procedures? Who participates in the process?
- Representation: how are member organizations represented in decision making and governance structures of the networks?, etc.

For accountability, the following indicators will be examined:

- Participation: in what ways do member organizations or other stakeholders (e.g. beneficiaries) participate in running the networks?
- Information: assessment of the information flowing to (and from) stakeholders (e.g. minutes, reports, etc).
- Demands: whether demands/queries from stakeholders (if any) are dealt with satisfactorily, etc.

The Process of Getting Leaders

The process of getting leaders of CSO networks is an integral element for democracy and accountability of CSO networks. Leaders who are democratically elected are more likely to be more accountable than self imposed leaders. It has been observed from the survey that all registered CSO networks have formally a clear procedure of electing their leaders. There are variations from one organization to another of the leadership tenure applying for a secretariat, an executive committee, board members, and other positions. For example, some networks hold their General Meetings to elect office bearers after every four years (e.g., TACOSODE, SHDEPHA), some after every three years (e.g., LIWOPAC, MTANGONET)

others after every two years, and others after every once a year (e.g., RANGO**).** Some organizations hold their meetings for elections regularly and in time and others fail to hold such meetings and hence allowing incumbents to stay over for quite a long period before elections. Likewise, for the relatively new networks, there has been a situation in some cases for the interim leaders to stay for a long period before elections are held.

According to the survey of the 228 CSO networks, the process of getting leaders was considered democratic in 88.5 percent of the networks, in 7.9 percent it was considered as partially democratic; and only in 1.6 percent, it was considered as undemocratic. In those cases when the process of getting leaders was considered as partially democratic or undemocratic, it was due to the inability of the networks to hold meetings in time for the elections or the practice of patronage system, particularly among the founder members. It was reported in some cases, for example, in Bahi that Bahi and Chamwino NGO Network (BACHANGONET) "is currently, managed by its founding members. No elected members are in place because no general meeting has been held. No board of directors, therefore all major decision are been made by the founding leaders" (Kihamba 2008:14).

Some organizations have comprehensive rules and regulations governing the election process, for example, SHDEPHA in Kibondo District clearly states in its constitution, article 20 (1) that elections should be held after every three years and:

- Any person who aspires to be elected has to fill the form which issued by the secretariat at a free fixed by the Executive committee.
- Election must be conducted by a secret ballot.
- A contestant who gets above 50 percent of the votes cast shall have been elected, where there is a vacancy in any of the leadership positions the Executive committee shall elect any member amongst themselves to act in that vacant post pending formal elections during the first meeting of the General Meeting.

Such kind of details is very important for the institutionalization of democratic practices. It is interesting to not here that instead of electing a leader on the basis of simple plurality of votes, the constitution seeks to promote consensus among members by putting a requirement of getting above 50 percent of the votes cast. Other networks, however, for example,

Newala NGO Network (NEWNGONET) elects their leaders by a simple majority.

The Process of Making Major Decisions

As to what extent do the respondents assess the level of participation of members in decision-making within CSO networks, 38.3 percent of them said that there is adequate participation, 51.5 percent said there is low participation and only 3.5 per cent said that there is no participation at all. This implies that the rate of members' participation in civil society networks is not impressive. Those with adequate levels of participation are less than 50 percent. In the majority of cases, the level of participation is not satisfactory. Cases were mentioned of some CSO networks whereby critical decisions are made by a few leaders without involving representatives from the member organizations as the following case demonstrates:

> The process of making major decisions is partially democratic because not always decisions passed by unanimous agreement of all members in formal and constitution legal decision meetings. Sometimes, the interim leadership makes major decisions on the behalf of member organizations, only if the decisions seem to have some benefits to the network and its members as well as other stockholders. This is usually done if the decisions are so urgent, but members would get reports about the decisions in the near future (Mmari 2008: 8).

A simiar case was reported in Rungwe District Mbeya. According to Ndumbaro (2008:14):

> The discussion with the respondents reveal that the decision-making process is partially democratic. This is due to the fact that not all key decisions are made collectively. Some of the key decisions are made by YODEA leaders and member organizations are left to implement what have been decided for them.

In some networks there are more checks on decision-making processes. Instead of giving excessive powers to the management or executive committee, it is the board of directors or trustees which is vested with powers to make major decisions, even in the event of urgent conditions. In SHDEPHA (Service Health Development for People Living with HIV AIDS),

in Kibondo District, for example, Muganyizi (2008: 23) observes: "The process of making major decisions is democratic because all members participate in meetings to make decisions, except in the case of emergence the board of directors decide on behalf of all member organizations."

There are some variations among networks in the degree of participation of members in the process of decision-making. In cases where the networks are so loose and the branches or units operate independently with their own structures and meetings (e.g, Lindi Women Paralegal Aid Centre [LIWOPAC]) the degree of decentralization is so high and the centre cannot dictate anything to the units that are loosely affiliated to it (Bakari 2008:13). However, since in such an arrangement there are no established mechanisms of accountability and controls, what exists is simply a sort of working relationship that is not coordinated by any established structure.

In some networks, however, there is a high degree of decentralization but the centre plays a more active role in coordination. Kweyamba (2008:5), for example, observes that Rukwa Association of NGOs (RANGO) as regional network generally operates in a decentralized manner with member organizations "running their day-to-day activities without oversight of the network's headquarters, but they are responsible to submit progress and performance reports to the network's headquarters". He notes that there is a high degree of participation of member organizations in decision making as they are involved in setting up and ultimately participating in RANGO meetings and election of leaders. Each member organization nominates three representatives to the General Meeting, which is held once a year, and which is charged among others, with the duty of electing the Chairperson and the Board of Directors.

It is important to note that in some networks the procedure of making decision is through consensus as is the case with SHDEPHA+ in Kibondo whereby their constitution clearly provides that "all decisions of the organization shall be reached by general consensus" (article 24). In others, decisions are made by a relative majority of above 50 percent of the votes cast. Yet in others, a simple plurality of votes is enough for a decision to be passed.

Representation of the Member Organizations in Decision-making

The representation of the member organizations, however, in decision-making and governance processes of the networks is relatively lower than the scores on the election of leadership and decision-making. About 72.2 percent of the respondents of the networks said that there is very good representation of member organizations, 2.8 per cent said that the representation is somewhat adequate and 22.2 percent viewed it as inadequate. However, because these scores might have been largely influenced by the comments of network leaders rather than the independent judgment of researchers and research assistants, there is apparently a high margin of error. From the qualitative field reports, the degree of democratic practices in the networks is much lower than the scores provided by the quantitative data. Thus, in this area our analysis is much more informed of the qualitative data from the interview reports which to a large extent capture the realities of the governance structures and process of the networks. The following passage aptly represents an example of good practices in the aspect of representation.

> There is somewhat adequate representation since member organizations represented through their selected representatives in the Annual general meetings [AGM], which is the high decision making body of the network. Each organization represented by not more than 4 members in AGM. Apart from representation in AGM, the high committee of the network comprises with members from different organizations and they ensure the interest of the network and their organizations (Mmari, 2008:13).

In some cases, representation seems to be highly flawed as the following example illustrates: "…the extent to which member organizations are represented in the decision-making process is very inadequate". Part of the reason attributed to this situation is due to the fact that "member organizations are recipients of funds from the network, whereby YODEA operates as a coordinator" (Ndumbaro, 2008:4). This situation underlies the potential threat for democratic practices, when the network serves as a coordinator in resource mobilization and distributor of such resources. Instead of close cooperation with the members, a tendency of donor-recipient, or principal and agent relationship may arise that threatens the freedom and autonomy of individual members. Under such kind of a

situation, the network may consolidate itself at the expense of individual members and defeat the whole purpose of networking and benefits of exploiting synergies between the network and member organizations.

Information and Communication Channels to Members and Stakeholders

CSO networks and their members use different means of communication among themselves. The most common means of communication include periodic reports, letters, emails, website, newsletters, telephone, physical visits, meetings, etc. Most CSO networks were reported to have effective ways of communication. No case was reported of a serious communication problem. In some cases, information sharing was observed to be a problem, vertically between the networks and member organizations, and horizontally among member organizations themselves. This was essentially not due to lack of means of communication but due to secrecy and confidentiality of some types of information particularly those relating to funding. Some organizations, including those which refused to reveal their incomes and sources of income were reluctant to share such information with fellow organizations. They considered that type of information strategic in promoting their chances of securing donor funds. By concealing such information, they intend to minimize the rate of competition for funding so as to boost their chances of success.

Demands/Queries/Requests from stakeholders

One of the relevant indicators making CSO network accountable to its members, is the extent to which it receives and handles demands, queries or requests from its members. The higher the demands, and the higher the extent to which they are positively handled would indicate the level of trust of the members in the network on the one hand, and the capacity and degree of accountability of the network to its members, on the other. Out of the 228 CSO networks surveyed, 19.6 per cent said they had received no demands, queries or requests from the member organizations or stakeholders. Most of these organizations are those which are those which are considered as very loose kind of coalitions or networks and they are relatively new. Most of the networks (78.6%) reported to have received some demands, queries or requests from their members and stakeholders. Thus, the relatively high number and volume of demands from member organizations and stakeholders suggest that there are quite great expectations on the part of the member organizations and stakeholders on CSO networks.

As to what extent CSO networks have been able to respond to the demands from their members and stakeholders, there is a great variation between one organization and another. Whereas 51 percent of the respondents said that their networks had been able to respond to the demands, 37.9 percent said that they could not positively respond to the demands given their low capacity either in terms of finance, human resources and skills or lack of time. The picture painted by these seemingly impressive figures, i.e., 51 per cent of the demands being positively acted upon, may not be realistic. Part of the reason for this high percentage of demands positively addressed by CSO networks may be due to the fact that member organizations and stakeholders do not place many demands as they recognize the incapacity of their networks to handle those demands. Some of the common demands to the networks are such as: capacity building, request for expertise, grants, information about funding, facilitation of registration, request for representation and participation, etc. The CSO networks receive a wide range of demands, not only regarding the internal workings of the organization, funds, material assistance, expertise, and capacity building, but at times, demands of political nature are articulated. The following passage illustrates the kind of demand specific for the affairs of the network and its members:

> In the past two years Arumeru NGO Network (AMENGONET) has received two majors queries from the member organizations which were; election of leaders and registrations of the network. Members' organizations request the interim leaders to speed up the process of registration of network because they think without registration the network loses many opportunity of expanding itself. There is some sort of delay in solving members' demands due to the shortage of funds to implement such demands. In the near future when the network would be strong enough in financial matters, it would be able to respond quickly as possible as leaders of the network wish (Mmari, 2008:14).

Citing a case of a demand of political nature, in Lindi Region, Lindi NGO Netwrok (LANGO) reported to have received some demands from the community. Most of these demands are expressed through the public discussion forum. In one instance, for example, in Ruangwa Constituency, people asked the network to send a strong message to the relevant authorities that the MP for Ruangwa is not visible in the constituency and

does not have an office where his voters could go to report their problems (Bakari, 2008: 12). This kind of demand is indeed of political nature - a member organization at the district level asks the regional network to echo a collective voice demanding political accountability of an MP.

Analysis of Governance Instruments and Gaps

Overall, according to the assessment by the researchers, governance instruments of the networks, i.e., constitutions, visions, missions, statements, rules and regulations were rated as follows: About 55.6 percent of the networks were considered to have quite adequate instruments of governance, 37.2 percent with somewhat adequate instruments and only 4.6 percent were considered to have inadequate governance instruments. In the case of constitutions or memoranda, 15.6 percent of the networks have constitutions, 46 percent have adequate constitutions, 36 per cent with satisfactory constitutions and only 1.9 percent with unsatisfactory constitutions. Since having a constitution is usually a condition for registration most networks have constitutions and those without are usually new networks which are yet to get formal registration.

On financial regulations, 15.6 percent of the networks do not have financial regulations, 46 percent were considered to have adequate financial regulations, 36.5 percent have satisfactory regulations and only 4.3 percent were considered to have unsatisfactory regulations. However, these figures do not present a true picture. Review of the constitutions and other organization documents as well as interviews indicate the existence of a precarious problem of financial regulations and financial management. Most of the networks do not have comprehensive rules and regulations governing financial management. Some constitutions are very brief and do not contain a section on financial rules and regulations and there are no separate documents of financial regulations (e.g., LINGONET, LIWOPAC, MTWANGONET). Some constitutions are so comprehensive and contain a detailed section of financial rules and regulations, for example, Singida Non-Governmental Organization Network (SINGONET). Other organizations have separate documents of financial rules and regulations. However, the existence of financial rules and regulations is one thing, and their adequacy for accountability is quite another. Besides, in some cases the formal documents of financial regulations may be quite in order but their adherence in practice may be a problem.

Whereas on the whole, the basic elements of constitutions exist in most constitutions, there are critical deficiencies in the areas of human resource management rules and financial management. Those constitutions or separate documents of rules and regulations governing human resources and finance management are supposed to have the following basic elements:

Staff regulations: i.e., appointment and recruitment procedures, remuneration, awards, and allowances, leave, transport and traveling, termination and terminal benefits.

Office practice and procedures**:** including specification of working hours, handling of mails, use of secretariat services, etc.

Financial management and accountability**:** budget and budgetary control, financial accounting and reporting, bank signatories and purchasing procedures.

Miscellenous**:** code of conduct, honoraria, and allowances to elected officers
and the procedure for the revision of the rules and regulations.

In the assessment of human resource management regulations, 32.5 percent of the CSO networks studied do not have human resource manuals or regulations, 34.4 percent have adequate regulations, 26.8 percent have satisfactory regulations, and 6.2 percent have unsatisfactory regulations.

Table 1: Assessment of human resource management regulations

Category	**Frequency**	**Valid Percent**
Do not exist	68	32.5
Adequate	72	34.4
Satisfactory	56	26.8
Unsatisfactory	13	6.2
Total	**209**	**100**

Source: Survey data, 2008.

It is difficult to exactly tell how many CSO networks have all such requirements, and whether they are necessary or not and to what extent are

the rules and regulations observed. Suffice it however to note that in case of conflicts or mismanagement, the existence of a comprehensive package of a constitution, rules, regulations and by-laws may serve a useful purpose of exercising oversight over the management and settle conflicts that may arise. In some cases, one may observes some shortcomings of the rules and regulations, they may not be up to the accepted standards of good practices. In the rules and regulations of SINGONET, for example, the appointment and recruitment procedures, section 2.1.1 provides that, "SINGONET Executive Committee shall be the overall appointing authority for all categories of appointment provided that the executive committee may delegate these powers to General Secretary who shall act and report to the Executive Committee". There is no further guidance. As it is, this provision allows the delegation of too much power to the General Secretary. Apart from reporting to the Executive Committee, there is no procedure that has been specified to restrict the possible abuse of power by the General Secretary. As an individual, the Secretary General can employ somebody without consulting his colleagues in the secretariat or without constituting a panel for interview or screening of applicants. The mere act of reporting to the Executive Committee does not provide an adequate mechanism for control and oversight.

From the survey, however, we have discovered that a large number of the networks do not have comprehensive rules and regulations including those relating to financial management and staff regulations. The patronage system, i.e., the tendency to employ one's relatives or friends is quite common, and to a large extent is facilitated, by the lack of or non-adherence to rules and regulations.

It was discovered from the survey that some CSO networks do not have administrative/management structures. The networks of these kinds have very loose kind of cooperation such that there is no specific body or organ charged with the coordination of network affairs (e.g., LIWOPAC, FemAct). Out of the 228 networks studies, 23 (11.1 percent) did not have administrative structures, 97 (46.2 percent) were considered to have adequate administrative structures, 77 (37 percent) had satisfactory administrative structures and five percent had unsatisfactory administrative structures. Those without administrative structures are usually those which have informal kind of cooperation with member organizations.

On the question of democracy within the networks, 36.1 per cent of the respondents said that democratic principles are satisfactorily observed with the networks, 50.7 per cent, only to some extent, and only 7.1 per cent were of the view that principles of democracy are not observed at all. The main reason for non-adherence to democratic principles within networks was that most of the critical decisions of the networks are made by leaders without involving members.

On the issue of accountability of the CSO networks most of the respondents (56.1 percent) said that they are somewhat accountable (to a small extent) to their members and stakeholders. About 36.5 per cent said that they are to a large extent accountable and only 2.1 per cent said that they were not at all accountable. Reasons given by those who were not satisfied with the degree of accountability include vested personal interests of leaders, inadequate education among members, lack of regular meetings and lack of resources.

There are great variations among CSOs in terms of their governance documents. Some networks have quite adequate governance instruments, namely constitutions, financial regulations, human resource manuals, and others have only constitutions which are not comprehensive. As a matter of necessity for all registered networks, they should have at least constitutions or memoranda. Otherwise, they will not be registered whether by the Registrar of Societies, Administrator-General, or any other government authority. A brief review of the constitutions of some of these networks reveals that some are up to the required standards of a constitution in terms of clearly defining powers of the various organs, clearly defined duties and responsibilities, rights and obligations as well as checks and control mechanisms. Others seem to have serious shortcomings. Whether these shortcomings are due to oversight, ignorance or purposeful, it is difficult to establish. However, as a general (sweeping) observation, the bigger and well established networks are more likely to have better governing instruments than smaller ones.

Conclusion

Based on the qualitative and quantitative data from the nation-wide survey the civil society networks in Tanzania could be divided into three broad categories, namely democratic, partially democratic and undemocratic. The level of democracy within the CSO networks is largely a function of the formal governance structures and instruments such as the constitution, rules and regulations, the character of the leadership, particularly the top leadership, as well as resources. Those that are relatively more resourceful are likely to be more democratic than those that are less resourceful. This is due to the fact that the practicing of democracy involves some costs, for example, convening regular meetings for the member organizations to participate in the network meetings involves some costs. So most of the networks that have failed to hold their regular meetings cite costs as the main hindrance. Likewise, the issue of accountability of the networks is closely related to democratic practices, transparency, and resource capacities. Those that are democratic are usually accountable to the members and stakeholders. Similarly, when there is transparency, members and stakeholders are more empowered to enforce accountability. On the other hand, when there are no resources, it is very difficult to practice democracy and enforce accountability. For example, instead of holding a meeting of the executive committee or board members, an individual executive officer is delegated powers to make critical decisions, a factor which is a threat to democracy and accountability.

Recommendations

A number of recommendations could be made in order to democratic credentials and accountability of CSO networks in Tanzania. First, on the governance structures, it is evident that formally, the legal documents in most cases meet the minimum standards required. This refers to constitutions, memoranda and by-laws, etc. However, just like CSOs, the phenomenon of "*founder syndrome*" is common to most networks. Although not the same degree as ordinary CSOs as members from other CSOs nominally have an opportunity to compete for leadership positions, but network leaders once they have entrenched themselves it is difficult to replace them. Although some degree of continuity is required in terms of leadership especially when the organization is at in its infant stages, the process of institutionalizing CSO networks is rather slow. Thus the sustainability of the CSO networks in this aspect has to be viewed in terms of

both appropriate governance structures and processes. Whereas there is quite an impressive degree of formal governance structures, the processes and practices are far from being truly democratic and accountable.

The second key aspect is the issue of transparency as it relates to accountability. The study observed that most CSO networks run their affairs in secrecy. Since these institutions are usually insulated from public scrutiny, they would require quite strong oversight by their members so as to accountable. Asked about their sources of income and budget, most of them were reluctant to reveal their incomes, sources of income, as well as breakdown of their budgets. This raises a serious question relating to transparency and accountability. Although sources of funding were considered as confidential and strategic to the organizations so as to avoid possible competition with other organizations, but reluctance to reveal even the total amount of income of the organization for a specific year, let alone the budget breakdown is a proxy for lack of transparency.

The third critical area is the need to build up and strengthening networks, alliances, and coalitions. This endeavor should take into account both vertical relations, i.e., relations within an individual network and member organizations, horizontal relations among member organizations and with non-member organizations as well as horizontal relations with other networks and CSOs in general, those that could serve the common purpose.

Fourth, is the imperative of establishing working relations with the state and the market. The networks should strive to establish and strengthen relations with both the state and the market without sacrificing their autonomy and deviating from their original missions. Networks concerned with policy advocacy, in particular ought to exercise due care not to play into the hands of government authorities or market forces. Instead of seeking direct involvement in formal government structures of decision-making, they ought to put greater emphasis in guarding their spheres of autonomy with aim of exerting pressure, and strengthening their policy capacities including research and lobbying for policy change rather than legitimizing government decisions and policies. Confronting the government with common policy positions, well researched policy options and arguments is far more constructive that having individual members from CSOs directly taking part in the authoritative or consultative decision-structures.

Fifth, there is need to strengthen coordination of activities of the networks, by establishing a clear system of accountability and follow-up of decisions made by the networks. This applies to all levels, i.e., coordination of member organizations at the district, regional and national level.

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