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***Defiant Civil Society:  
Power and Contestation in Mozambique***

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A dissertation submitted in fulfilment of the requirements  
for the degree of Doctor of Philosophy  
of the University of Sussex

Institute of Development Studies

University of Sussex

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(Resubmitted with small corrections in September 2018)

### **Declaration**

I hereby declare that this thesis has not been and will not be, submitted in whole or in part to another University for the award of any other degree.

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UNIVERSITY OF SUSSEX

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DEFIANT CIVIL SOCIETY:  
POWER AND CONTESTATION IN MOZAMBIQUE

Abstract

This thesis looks at defiance in civil society and aims to contribute towards a deeper understanding of contestation against regimes that restrict the expansion of the political playing field in sub-Saharan Africa. It also analyses the role of contemporary African activists in these contestations, and examines why some social contestation processes are successful and others not. The role of Mozambican activists from aid-supported NGOs in relevant political movements between 2010 and 2015 is a key issue. The first part of the thesis offers a theoretical overview of civil society as contesting actor in Africa and Mozambique, and outlines the construction of concepts of civil society latency, defiance and co-construction through a theoretical framework that draws on the literature on moral economy, social movements, contentious politics, the public sphere, power and competitive authoritarianism. Analysis of two contrasting civil society organisations, the LDH (the League for Human Rights) and UNAC (the Mozambican Peasants' Union), aims to give a better understanding of public spaces for participation and defiance, and to follow the movement of activists from urban areas towards traditional indigenous sectors so as to ensure that vital issues for communities are brought into the public sphere. It also looks at the neutralisation processes suffered by organisations that offer support and/or directly organise contestation of government initiatives and policies that have a negative impact on the population. The case studies draw on research over a period of three years in the city of Maputo and the provinces of Nampula, Cabo Delgado, Tete, Zambezia and Manica. They examine the reasons for contestations around land issues between 2010-2015, focusing on peasants' and NGOs' resistance to the ProSAVANA agrarian development project, and on urban protests against abductions and against the 2012-2015 return to civil war, investigating the role of European donors and government in the near destruction of one of the most well-known NGOs in Africa.

*“Power is a fragile thing. It tolerates no threat.  
Defiance must be met with an example of the wages of defiance.”*

(Senator Roark in “Sin City: A Dame to Kill For”, Frank Miller - 2014)

*For Gilles Cistac, in memoriam.*

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## List of Abbreviations and Acronyms

AAAJC	<i>Associação de Apoio e Assistência Jurídica às Comunidades</i> [Association for Support and Legal Assistance for Communities]
AAG	<i>Associação de Artes Gráficas</i> [The Association of Graphic Arts]
AETCF	<i>Associação dos Empregados de Tracção dos Caminhos-de-Ferro</i> [the Association of Railway Workers]
AEMO	<i>Associação dos Escritores Moçambicanos</i> [Association of Mozambican Writers]
ADEMO	<i>Associação dos Deficientes de Moçambique</i> [Mozambique Association for the Disabled]
ADECRU	<i>Ação Acadêmica para o Desenvolvimento das Comunidades Rurais</i> [Academic Action for the Development of Rural Communities]
AGIR	<i>Programa de Ações para uma Governação Inclusiva e Responsável</i> [Action Programme for Inclusive and Accountable Governance]
AMM	<i>Associação Médica de Moçambique</i> [Medical Association of Mozambique]
AMMCJ	<i>Associação Moçambicana de Mulheres de Carreira Jurídica</i> [Mozambican Association of Female Legal Professionals]
APAC	<i>Associação de Promoção da Agricultura Comercial</i> [Commercial Agricultural Promotion Association]
APPCFLM	<i>The Associação do Pessoal do Porto e dos Caminhos-de-Ferro de Lourenço Marques</i> [the Association of the Port and Railway workers of Lourenço Marques]
CBO	Community Based Organisations
CEEI	<i>Centro de Estudos Estratégicos e Internacionais</i> [Centre for Strategic and International Studies]
CESC	<i>Centro de Aprendizagem e Capacitação das Organizações da Sociedade Civil</i> [the Learning and Capacitation Centre for Civil Society]
CIP	<i>Centro de Integridade Pública</i> [Centre for Public Integrity]
CS	Civil Society
CNAM	<i>Conselho Nacional para o Avanço da Mulher</i> [National Council for Women's Advancement]
CNE	<i>Comissão Nacional de Eleições</i> [National Elections Commission]
CNDH	<i>Comissão Nacional dos Direitos Humanos</i> [National Commission of Human Rights]
CNT	Conferência Nacional de Terras [National Land Conference]

CRM	<i>Constituição da República de Moçambique</i> [Constitution of the Republic of Mozambique]
CTV	<i>Centro Terra Viva</i> [Living Earth Centre]
DANIDA	Danish International Development Assistance
DCS	Defiant Civil Society
DFID	British Department for International Development
DUAT	Direito do Uso e Aproveitamento de Terra [Land usage and exploitation rights]
EU	European Union
EN1	<i>Estrada Nacional Número Um</i> [National Road Number One]
EOZ	<i>Empresa Orizícola da Zambesia</i> [Rice Company of Zambezi]
FADM	<i>Forças Armadas de Defesa de Moçambique</i> [Mozambican Defence Forces]
FORCOM	Forum de Rádios Comunitárias [Forum for Community Radio]
FDI	Foreign Direct Investments
FIR	Forças de Intervenção Rápida da polícia [Police Rapid Response Squad]
FORCOM	Forum das Rádios Comunitárias [Communitary Radios Forum]
FRELIMO	Frente de Libertação de Moçambique [The Mozambique Liberation Front]
GALM	<i>Grémio Africano de Lourenço Marques</i> [Lourenço Marques African Guild]
GAPI	Gabinete de Apoio e Consultoria a Pequenas Indústrias [Advisory and Support Agency for Small-scale Industry]
IEESE	<i>Instituto de Estudos Sociais e Económicos</i> [Institute of Social and Economic Studies]
INGO	International Non-governmental Organisation
IPAJ	<i>Instituto de Patrocínio e Assistência Jurídica</i> [the Legal Aid Institute]
ISCOS	<i>The Istituto Sindacale per la Cooperazione allo Sviluppo</i> [Italian Trade Union Institute for Development Cooperation]
ISRI	<i>Instituto Superior de Relações Internacionais</i> [International Relations Institute]
JÁ	<i>Justiça Ambiental</i> [Environmental Justice]
JICA	Japanese Government Development Agency
JIVC	Japan International Volunteer Centre
LDH	<i>Liga Moçambicana dos Direitos Humanos</i> [Mozambican League for Human Rights]
LGBT	Lesbian, Gay, Bisexual, and Transgender
MASC	Mecanismo de Apoio a Sociedade Civil [Civil Society Support Mechanism]

MDM	<i>Movimento Democrático de Moçambique</i> [Democratic Movement of Mozambique]
MINAG	<i>Ministério da Agricultura</i> [Ministry of Agriculture]
NGO	Non-governmental Organisation
NORAD	Norwegian Agency for Development Cooperation
NPA	Norwegian People's Aid
OD	<i>Observatório do Desenvolvimento</i> [Development Observatory]
ODA	Official Development Assistance
ODAMOZ	Official Development Assistance to Mozambique Database
OECD	Organisation for Economic Cooperation and Development
OJM	<i>Organização da Juventude Moçambicana</i> [Mozambican Youth Organisation]
OMM	<i>Organização da Mulher Moçambicana</i> [Mozambican Women Organisation]
OMR	<i>Observatório do Meio Rural</i> [Rural Observatory]
ONJ	<i>Organização Nacional dos Jornalistas</i> [National Organisation of Journalists]
ORAM	<i>Associação Rural de Ajuda Mútua</i> [Rural Association for Mutual Aid]
OTMCS	<i>Organização dos Trabalhadores de Moçambique</i> [Organisation of Mozambique Workers]
PARPA	<i>Plano de Acção para a Redução da Pobreza Absoluta</i> [Action Plan for the Reduction of Absolute Poverty]
PEDSA	<i>Plano Estratégico de Desenvolvimento do Sector Agrário</i> [Strategic Plan for Agrarian Sector Development]
PES	<i>Plano Económico e Social</i> [Economic and Social Plan]
PIDE	<i>Polícia Internacional e de Defesa do Estado</i> [International and State Defense Police]
PNISA	<i>Plano Nacional de Investimento para o Setor Agrário em Moçambique</i> [National Agriculture and Food Security Investment Plan]
ProSAVANA	Triangular Co-operation Programme for Agricultural Development of the African tropical savannah
PPOSC-N	Plataforma Provincial das Organizações da Sociedade Civil de Nampula [Provincial Platform of the Civil Society of Nampula]
RENAMO	<i>Resistência Nacional Moçambicana</i> [Mozambican National Resistance]
ROSA	<i>Rede de Organizações da Sociedade Civil para a Soberania Alimentar</i> [Food Sovereignty Civil Society Organisation Network]
SADC	Southern African Development Community
SERNAP	<i>Serviço Nacional Penitenciário</i> [National Penitentiary Service]



SISE	<i>Serviço de Informações e Segurança do Estado</i> [State's Intelligence Service] Tropical Savannah in Mozambique
UNAC	<i>União Nacional dos Camponeses</i> [National Peasants' Union]
UNE	<i>União Nacional dos Estudantes</i> [National Student Union]
UNDP	United Nations Development Programme
UPCN	<i>União Provincial dos Camponeses Nampula</i> [Provincial Peasants' Union from Nampula]
USAID	United States Agency for International Development
WLSA	Women and Law in Southern Africa

## 1 INTRODUCTION

After many decades of support by Western development aid agencies for African human rights organisations, in recent years donors have begun to question the effectiveness of this support as a means of promoting democracy and good governance agendas. However, just as donor support appears to be waning, civil society is facing an existential threat through a dramatic limiting of its spaces for operation by the actions of governments with an anti-democracy and human rights stance (Carothers and Brechenmacher 2014). Civil society organisations working on human rights in Africa are facing the contradictions of the neoliberal order that have long been dominant in international development. Support for civil society organisations promoting civil and political rights has formed part of this order, but over the past 40 years of neoliberalism, people have also increasingly questioned the political system (Bobbio 1989), demanding that policies ensure basic subsistence rights.

This was not what had been promised by the new order, which had held up political and economic liberalism as the most effective means of survival for new democracies (Fukuyama 1992). The wave of enthusiasm for defiance in civil society that grew 30 years ago had its origins in the contestation of purportedly socialist totalitarian regimes in Eastern Europe, and was not the result of resistance to neoliberalism.

However, for various regions in the southern hemisphere – as well as in more Northerly areas, this so-called “end of history” marked the introduction of a no less totalitarian process in which the market – either legally or illegally – took over from the state machine and inverted supposed priorities through a semi-privatisation process that has continued to have a negative impact on vulnerable populations. The representative political parties - with their priorities of reflecting the interests of different social sectors (Dobry 1983) - also found it impossible to resist a market in which everything has a price. This market became ingrained in research centres, universities, and people’s daily routines in both state and civil society, and hindered the functioning of co-existent spheres that worked to counter its invasive power. Was this the post-modern version of the one-dimensional society as described by Marcuse (1964), where any protest at all was dangerous as it gave “the illusion of popular sovereignty” (1964:260)? Was the world plunging into a crisis that did not mean the end of ideologies (Bell 1960) but clashes of ideological sub-themes that hindered crucial debates on the economic system? Was the

failure of social transformation projects due to neo-liberalism - which had put itself forward as the only solution?

Following the mass movements since the 2007-8 financial crisis, from Tahrir Square to Occupy, new debates have emerged on the role of civil society in defiance – and it is these that are the inspiration for this study. It entails rediscovering civil society, especially in political environments such as Mozambique where its space is increasingly limited. To talk about defiance is to question the power structure that is leading civil society and also the political system that is close to collapse. In nation states that are not yet fully democratic, “defying” abusive structures does not mean just “challenging” them, but also showing “contempt” towards them, forcing them to bring what matters into the spotlight. In such contexts, it is more important than ever to know what one is fighting for, to be audacious, resilient, focused and vigilant, and to be able to interpret disputed environments. This thesis will address these issues and intends to contribute to the debate on defiance today.

### **1.1 The public sphere, real issues, defiance and co-construction**

The understanding of defiance in this study embraces a Gramscian theoretical framework together with ideas taken from Ferguson’s moral economy (1773). These characteristics place civil society in a dialectic of contestation that is separate from both the market and the state. To understand defiance in contemporary Africa, it is useful to refer to authors from the period known as the “resurrection of civil society”, when debate in the public sphere became more pronounced. Towards the end of the twentieth-century, defiance presented itself as a theoretical element that was part of contentious politics and social movements – and this will be further discussed in Chapter 2. Reichardt (2004) noted that the concept of civil society was applied to various models, including communitarianism and participatory democracy, and was framed by contemporary thinking on diversity, cultural integration, autonomy, coexistence and civil rights.

Benhabib (1992) added to the understanding of the concept of defiant civil society by examining key perspectives on the public sphere: Bruce Ackerman’s liberal vision of public dialogue and Jürgen Habermas’ democratic-socialist take on discursive public space. No less relevant to this study is Sabine Lang’s move “from niche to public” (2013:42-43), and the view of the public sphere as a space that includes both deliberative democracy and the struggle for democracy (Gaventa 2006b; Dryzek 1996).

Ackerman has contributed to understanding of the stages of the co-construction process of answering questions within the public sphere, and this will also be looked at more closely in Chapter 2.<sup>1</sup> Ackerman's proposal is to move away from divisive "morally ideal" types of conversation, hold a more pragmatic dialogue that can identify normative assumptions that stakeholders consider reasonable, and comment "nothing at all" on morally contentious points (1989:16-17). The first criticism of Ackerman is around the study's base premise, which is that real change comes through real issues. Real issues are identifiable through the understanding of powerless groups' moral expectations (Polanyi 1957, Moore 1966, and Scott 1974) of the issues. It is these expectations that turn *real issues* into *latent issues*. The latency is clear from the interpretation of the sense of right or wrong that is not in the cold neutrality of the law – such as the questions of moral economy that Thompson (1971) highlighted as the reasons behind defiant activities in the 18<sup>th</sup> and 19<sup>th</sup> centuries. The second controversial point is that Ackerman does not suggest how to avoid the prevalence of those with most power in the "dynamics of power struggles in actual political process" (Benhabib 1992:84). It is those in power who decide what is to be discussed, using moral values and concepts from the powerless in order to position themselves as the holders of power (Andrews 1974).

Benhabib notes that another limitation is the implicit separation between public and private sectors, which makes it difficult for marginal groups to raise concerns, reduces the scope of public conversation around legal standards, and makes dialogue hostile for the focal interests of subaltern groups. She points out that "most struggles against oppression have begun by redefining what was previously considered private, non-public and non-political in issues of public domain and justice". This idea of redefinition is aligned with bringing the real issue to the fore. For Benhabib, there is little room in the liberal model of neutrality for thinking about the logic of the "struggles of the women's movement, the ecology movement, or new ethnic-identity movements" (1992:82-84). However, despite the limitations, Ackerman offers a useful rationale to approach the real issue beyond the first stages of co-construction, and this will be looked at more closely in Chapter 2.

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<sup>1</sup> Ackerman's liberalism should be understood as a form of political culture where "legitimacy is paramount". He sees liberalism "as a way of talking about power, as a political culture of public dialogue based on certain types of conversational constraints. The most significant conversational constraint in liberalism is "neutrality", which rules that the reason advanced within the discourse of legitimation can be a good reason if it requires the power holder to assert that his conception of the good is better than that asserted by his fellow citizens, or that regardless of his conception of the good, he is intrinsically superior to one or more of his fellow citizens" (Benhabib 1992:81).

While Ackerman contributes to approaching the real issue, even while its presence is already felt and those in power and subalterns are engaged in dealing with it, Habermas gives us a platform to present it publicly. He believes that civil society is nowadays associated with another meaning beyond that of the liberal traditional *societa civilis* (Bürgerliche Gesellschaft) that Hegel (1942) classified as a system of needs - an economic system for the employment market and product circulation. Habermas believes that civil society today particularly focuses on constituted private law, and that it is no longer an economy controlled by market forces, capital, or Marxist visions. For him, state institutions, political parties and groups of economic interest are outwith civil society. The core of civil society is more often found in “non-governmental and non-economic organisations and volunteer associations, which arise spontaneously and are founded on public sphere communication structures in the social and day-to-day environment” (Habermas 1992:443).

Habermas explains that the public sphere cannot be understood as an institution or organisation, and that it is not a collection of standards with different powers, functions and regulations. Rather, it is a basic social phenomenon made up of actions, players, groups and collectives, and does not rely on traditional concepts of social order. He considers that the state and the market are mechanisms for coordinating social relations. The former exercises control through “power and coercion”, and the latter through “money and profit”. A third mechanism is that of civil society, which works through the public sphere and is based on “discussion and communication” (Forbrig 2004:25). Habermas compares the public sphere with a “*Resonanzboden*” [“sounding board”] for “problems that must be processed by the political system because they cannot be solved elsewhere”. It is a “non-specialised early warning system, and a sensor for society as a whole”. The public sphere does not just note and identify the problem, it also presents it in a “convincing and influential way” (1992:435).

Bringing the real issue to the public sphere leads to either defiance or co-construction. This is why the move that Sabine Lang mentions when organisations leave their “niche and go public” is crucial (Lang 2013:43). Raws explains that associations offer publicness, in the sense that they give temporary spaces for citizens to leave their familiar territory. They may, however, also form non-public expressions of civil society and belong to a “background culture in contrast with the public political culture”, where they are recognised collectives (1993:220).

This is the underlying rationale behind defiant civil society: it is not enough to be an institution and to inhabit the sphere of civil society, it is also necessary to bring real issues into the public realm in order to achieve real change. Defiant moves in the public sphere are neither natural nor involuntary - they come about through the connection between subaltern organisations and/or individuals, and when they do occur, they can lead to co-construction and/or contestation processes. These kinds of processes are possible when there are resources available to participate in the political system.<sup>2</sup> As the following chapters will show, defiant organisations can provide these often “unequally distributed resources, [which may lead to] inequitable outcomes” (Levine 2014, citing Verba *et al.* 1995).

## **1.2 Civil society in sub-Saharan Africa**

In general, the literature on civil society in sub-Saharan Africa tends to present two contrasting perspectives. One is based on the normative Western Tocquevillian aim of setting up groups of organisations capable of underpinning civil society and promoting development through liberal economic and political stances in a top-down approach. The other is based on the analytical quest to understand the effects of these efforts and to try to comprehend the potential of a genuinely African civil society.

Through the Tocquevillian model, the success of liberal democracies in capitalist societies has encouraged liberal approaches to “achieving democracy in twenty-first century post-colonial settings” (Tar 2014:258). Since the 1990s, neo-Tocquevillian authors have predominated in academic literature, and they have generated a narrative that presents civil society as a liberal and developmental catalyst (Putnam 1995; Carothers 2000; Chambers and Kopstein 2001; Rothchild and Chazan 1988), and a magic formula to ward off autocratic regimes and poverty (Lang 2013; Cohen and Arato 1993; Rosanvallon 2007). Despite there being no causal link between civic engagement and a democratic “public voice” (Lang 2013:30); between capitalism and the deconstruction of power; or between neoliberalism and quality in governance (Abrahamsen 2003; Kabeer *et al.* 2003); the Western vision has prevailed as the popularity of the concept of civil society has grown in political and academic circles (Young 1994; Söderbaum 2007).

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<sup>2</sup> These features are within the framework of what Levine (2011) calls civic knowledge, which in many cases are not accessible to all stakeholders. This is the knowledge that people create, use, and preserve when they act as members of a CS.

“Much current civil society research, funding, and policy making is still informed by a partial reading of Tocqueville” (Edwards 2011:9).

There has been also been substantial criticism of the immense challenges this model presents (Lewis 2002; Hickey 2002; Robinson and Freidman, 2007 among others). For these visions of civil society as a voluntary association among free individuals distinct from the market and the state, and as a sphere for a balance of power that generates trust and reciprocity on which both democratic and market interactions depend (Bob 2011), any vibrant organisation that strengthens cohesion and disrupts ethnic and racial rifts will cause anxiety.

Nasong'o (2007) sees service delivery organisations as pacifying and stabilising agents that consolidate the status-quo and conditions for the hegemony of the free-market. Within a wider perspective, there are others who identify an anti-market civil society that preaches state engagement in provision and social services (Kanyinga et al 2007; Chweya 2004). There are also those who uphold associative and voluntary elements, but this is separate from the state, market and family and follows a counter-hegemonic trend (Chabal and Daloz 1999; Lewis 2002; Habib 2005; Ranchod 2007; Lehman 2008).

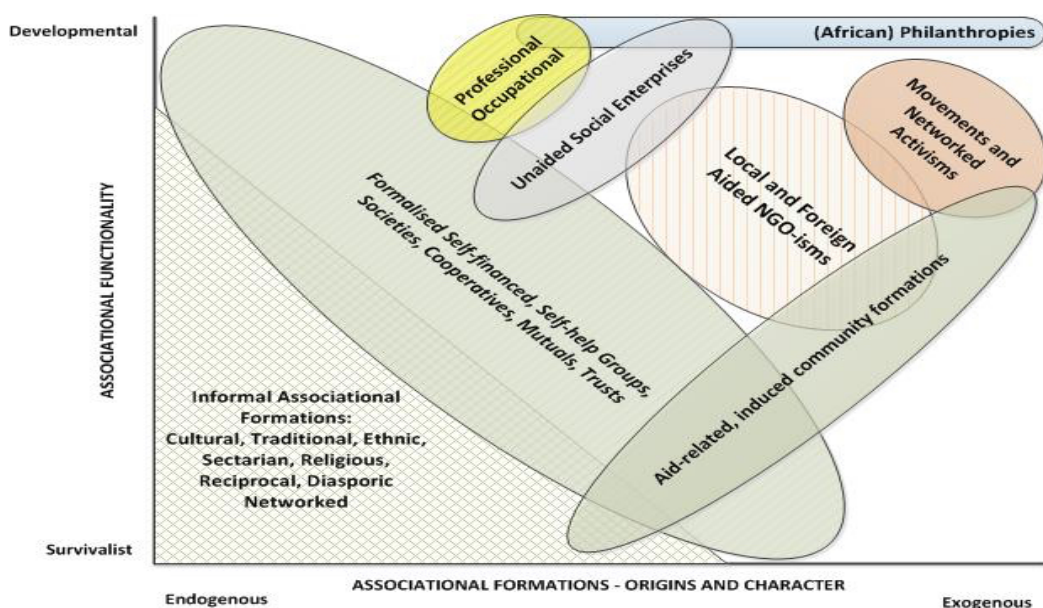
Mamdani notes that the African approach to civil society brings with it a narrative that is “more programmatic than analytical, more ideological than historical” (1996:19). He underscores colonial civil society's links to racism, which is first and foremost a product of the society of colons. Post-colonial civil society has also been highlighted by numerous authors as bourgeois, imported, an extension of the State, the target of coercion and co-optation, and a tool of liberalism (Cox 1993; Corry 2010). It was also based on clientelistic patronage and ethnicity and class divisions (Atibil 2010; Nasong'o 2007; Ndegwa 1996; Ngunyi 1996). Others suggest that the difference of historicity means that concepts of state, civil society and democracy are incompatible with non-Western countries, and lead to charges of “ethnocentric bias” (Wood 1990; Kunz 1995:182). In this context, Olivier de Sardan discusses states created “from scratch by a foreign occupant” that exclude indigenous and co-ownership management models (1999:7).

There is an “exogenous” tendency both in literature and in general analyses to create a “false representation of NGOs” within African civil society (Fowler 2014:430-435). In truth, NGOs were an exogenous component, a body of African civil society made up of complex sectors that form a social space marked by a “liberal bourgeois rule of law” (Helliker 2014:160). From the point of view of defiance, while on one hand the imported NGOisation of civil society is the one that is most able to hold a dialogue with

donors, on the other, it is also that most distant from communities. This affects identification and mobilisation efforts to bring real issues to the fore because the agendas are usually also exogenous, as they are dictated by donors or second-guessed by NGOs wishing to please donors. However, if there is an exogenous level, what is the endogenous equivalent?

Lewis (2010) and Banks and Hulme (2012) contribute to this in their discussion of “genuine” civil society - one that is neither colonial or post-colonial bourgeois, nor the fruit of the NGOisation of the last 30 years. Mamattah (2014) posits that the African peoples already had a pre-colonial associational life, but that their behavioural patterns were not recognised by the conventional tools used to measure participation and political culture. These are behaviours based on kinship ties, traditional leadership and ethnic associations guided by moral ethnicity and focused on reciprocal agreements between rich and poor, the powerful and the disenfranchised, and commitments to the well-being of the community as a whole (Orvis 2001; Chandhoke 2001; Comaroff and Comaroff 1999; Owusu 1997; Gymah-Boady 1997; Monga 1996; Guyer 1994; Callaghy 1994; Woods 1992). This endogenous civil society is amalgamated with ascriptive/primordial attachments of age-sets, clans, religion and other such features (Ekeh 1975; Hyden *et al.* 2003; Kasfir 1998). Bukenya and Hickey (2014:317) cite Fanton (1995:73) to emphasise that the “autonomous individual, freed from communal loyalties (...), which is the basis of liberal views on civil society, is nowhere to be found in Africa.”

Fig. 1.1 “Civil society in Africa – illustration of contemporary associational composition”



(Source: Fowler 2014:431)



Obadare endorses Van Rooy's view (1998) of the nuances of civil society, stressing that African "associational life" is usually built more on "ascriptive groupings" (organisations one is born into) than on voluntary groups, which are more intertwined with the state and affected by external forces (ethnicity, sectarianism, etc.). For Obadare, Western concepts are incompatible with socio-cultural African elements (2004:9). Hammett (2014) notes that African societies are plural, fragmented and organised along vertical lines, while the Western approach is based on horizontal networks. From a normative perspective, pre-colonial African political systems also acknowledged "participation in decision-making and governance" (Wamucii 2014:109, citing Oloka-Onyango and Barya 1997; Nasong'o 2007). Several authors draw attention to community institutions, and self-help groups based on identity that promote development through solidarity between local groups and individuals from the same areas (Opoku-Mensah 2007; Khilnani 2001).

Gaventa and Barret (2010) point out that civil society's impact on governance is more likely to come from rooted civil society than from foreign funded intermediaries. However, NGOs tend to consist of liberal-minded, well-educated people who assimilate international support mechanisms (Willems 2014; Fowler 2014; Mamattah 2014). This gives greater security to donors, who then prioritise exogenous dialogue on development. There is some literature that shows the effects of this on defiance.<sup>3</sup>

NGOisation generates privileges because it is sustained by liberal democracies and tends to "neglect the more radical grassroots organisations that emerge organically in African contexts" (Willems 2014:52-53). Professionalisation favours exogenous dialogue; however, it requires so many checklists and criteria to be met that organisations end up losing the flexibility social movements require. Professionals tend to emphasise organisational governance "over radical politics and supporting local mobilisation and social movements" (Bukonya and Hickey 2014:325, citing Choudry and Shragge 2011; Mueller-Hirth 2009). Donors' excessive focus on service delivery NGOs leads to the exclusion and de-legitimisation of counter-hegemonic groups (Hickey 2002). It is this phenomenon that was behind the rise of a "sanitised form of civil society" (Hammett

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<sup>3</sup> International aid is always in the same direction: from so-called "rich" countries to those defined as "developing" or "poor". This can be seen in the transfer of "financial resources (both grants and loans), technical know-how, military hardware, physical goods or food aid". However, from a developmental perspective, the aid category is Official Development Assistance (ODA), which implies "grants and loans provided at concessional terms, by public agencies, to developing countries, for the expressed aim of promoting economic development and welfare. It includes emergency assistance and technical assistance, but excludes aid for military purposes or loans which are not concessional" (Hudson 2015:123).

2014:130) while other groups were labelled as uncivil society - something that was counterproductive to defiance. This model contributed to the appearance of nodes of power and influence in civil society. For Hammet, this Western incentivisation of democracy reduced civil society to a “sub-set of this arena which overlooks the multiplicity of power relations and flows” (Ibid: 129). Hearn believes that this arena can serve “states and other powerful actors, intervene to influence political agendas of organised groups with the intention of defusing opposition” (2001:43).

To manage defiance, national governments adapted to the aid industry’s operational style in sub-Saharan Africa. Given such dependence on donors, researchers have noted that advocacy NGOs are co-opted by government agendas (Lang 1997; Silliman 1999; Sadoun 2006). For example, Britton draws attention to the constant fear that the women’s movement will become “merely bureaucratic handmaidens who lose their autonomy and critical edge” (Britton and Price 2014:304, citing Britton 2006). Even with the liberal agenda imposed on governments by donors, there are reductions in civil society’s political playing field. The effect of this has been that numerous organisations have taken on non-political issues rather than initiatives for empowerment and accountability (Bukonya 2012; Bukonya and Hickey 2014). Service delivery organisations in particular have become closer to the government and more distant from social movements (Lister and Nyamugasira 2003; Wood 1997), even on occasion refusing to bring real issues into the public sphere. In this study, it seems clear that organisations that lead social movements can also be the protagonists of this neutralisation process.

Some academics consider that service provision NGOs encourage palliative solutions to problems that actually require considerable reform (Banks and Hulme 2012; Bebbington *et al* 2008; Dicklitch 1998). They also arouse scepticism, with accusations of hindering state building and citizenship formation (Gideon 1998; Manji and Coill 2002; Hearn 2007). The cases in this study may contribute to the understanding that both service provision and advocacy NGOs can be defiant if the real issues - Bukonya and Hickey’s relevant questions hidden by “apolitical strategies” (2014:321, citing Banks and Hulme 2012 and Obadare 2011) - are not ignored. Bukonya and Hickey suggest that donors should pay more circumstantial attention to endogenous groups, observing that they could act more “constructively, and the circumstances under which they become divisive and destructive” (2014:324). They have the capacity to “imitate or enter into alliances with other social groups in order to operate in the public sphere” (ibid, citing Page *et al.* 2009).

Accountability as an instrument of power is one of the major issues that arises in literature on civil society in Africa, and it is fundamental to approaches of defiance in civil society. Governments and development agencies export management models and offer funding, thereby gaining influence in cooperation networks through interventions and levies (Bornstein 2003:398-401), but there is still debate about whether alternative forms of financing can actually liberate organisations (Burger and Seabe 2014; Edwards 1998; Hearn 2001). The fact that the majority of the population are on low incomes means that cutting ties with Western funding sources and relying on local donations is risky (Burger and Owens 2011).

The cultural difference inherent in exogeny can have results that not only hinder accountability (Jackson and Haines 2007) but also neutralise defiance - leading the aid system to contradict itself. Experts question excessive funding and governmental codes of conduct, and also the promotion of upward accountability (Bendell 2006) to the detriment of accountability to beneficiaries (Gugerty 2007; Hammer *et al.* 2010; Lloyd and Casas 2006). This latter is vulnerable in contexts where communities are reluctant to criticize NGOs that provide essential services (Beattie 2011). Wallace *et al.* (2006) argue that rational planning tools and other formalistic approaches favoured by funders do not work with people-centred approaches. An emphasis on controls and planning with set targets is hard to reconcile with approaches characterised by “unpredictability”, as they tend to “emphasise process over product” (Bukonya and Hickey 2014:325, citing Banks and Hulme 2012; Bebbington 2005; Elbers and Arts 2011).

There is a considerable body of literature with a state focus that shows how governments seek to curtail organisations’ activities (Jordan 2005). In Ghana, Tanzania and Nigeria, there is space for the charitable work of service delivery NGOs, and there are also restrictions to advocacy through legislation (Atibil, 2012; Oshewolo 2011; Jordan 2005; Iheme 2005). The obstacles are greater still in Sudan, Zambia, Ethiopia and Zimbabwe, where regulation tends to be more autocratic (Elone 2010; Ali 2010). For Burger and Seabe, a large part of the legal framework for NGOs in Africa leaves scope for “interpretation and discretion at the implementation level”, which may lead to inconsistencies and a “biased application of the legislation” (2014:86). The complexity of social relations can result in rifts, personal advantage taking, and personal and informal frameworks that interfere in the functionality of the state and civil society, and that characterise the so-called *economy of affections* (Hyden 2005) and *politics of the belly* (Bayart 2009).

Debates around defiance in civil society in Africa span the constraints of class, ethnicity, and gender on people's agency, to the tensions between state and civil society, and to those that exist within civil society itself (Howell 2000). The approach of separating society into spheres is a challenge to researchers, as the boundaries in Africa between state, civil society and the markets are blurred (Chabal and Daloz 1999). These three spheres are mutually constitutive, and power disputes within each end up shaping each other's form and characters (Bebbington *et al.* 2008; Lewis and Kanji 2009).

Focussing on Mozambique, this study looks at the interaction between civil society, state and market spheres to understand the nature of the disputes and to observe contestation environments that open up when real issues are introduced into the public sphere. My research shows that defiance and co-construction are the fruits of such environments. Alan Fowler (2012; 2014) made a significant contribution towards understanding the functioning of contestation environments when he noted the interfaces between civil society and political parties, hybrid forms of organisation like mutual insurance, cooperatives, and social enterprises and corporate social responsibility initiatives (see Fig.1.1). Fowler understands that civil society in Africa is "mediated" on one hand by "endogenous and exogenous" features of associational life, and on the other, by "functionalities from survival to a developmentalism associated with a modernisation agenda" (2014:431-32). Contestation environments are occupied and influenced by these features of associational life as well as by state and market agents.

A major characteristic of defiance studies is the perception of a transgressive dimension, which is further explored in this thesis. Over the first decade of the 21<sup>st</sup> century, alleged terrorist activities in NGO front-ends focused attention on this specific dimension. These transgressive perspectives from researchers who characterise them as uncivil society or "uncivil" ways of promoting "narrow, partisan neo-patrimonial [...] schedules which entrench hierarchies of power and promote division and exclusionary politics" (Hammett 2014:127, citing Lynch and Jackson 2011) will not be dealt with here. Instead, they will be positioned in Helliker's context, "where uncivil political practices open up spaces to challenge" key bourgeois property rights and neoliberal relations (2014:169).

There are some institutional styles that demand that purist and theoretical notions of accountability in African civil society should be cast aside. For example, some studies linked civil society organisations to xenophobic events in South Africa in 2008 (Everatt 2010; Peberdy and Jara 2011; von Holdt and Alexander 2012). The "institutional poverty

in Nigeria led NGOs to grey practices such as bribing civil servants to ensure that the government served their beneficiaries. [Grey practices bring together a conflict between ...NGOs' moral accountability to beneficiaries and their procedural accountability"] (Burger and Seabe 2014:83, citing Routley 2011). These kinds of practices could be considered what Oliver de Sardan calls a "corruption complex" (1999:27), motivated by NGOs' desire to "serve their clients" (Routley 2016:98). This study will shed light on the transgressive character of not only civil society, but also on all the other stakeholders involved. This transgressive dimension holds codes of conduct in gestures and phrases that are part of a kind of meta-relationship that is not immediately obvious to outsiders.

If one looks at African civil society from a wider perspective than "normative Western precepts, one sees a tremendous disparity" (Hultin 2014:209) that can also be seen in contentious performances - relatively familiar and standardised ways in which one set of political actors makes "collective claims" on another set of political actors (Tilly and Tarrow 2015:236). There are two clear trends in the literature on the subject:

*Purists* allow only nonviolent actions, and interventions in violent conflicts only for humanitarian relief, negotiation for settlements, investigation and stabilising aftermath procedures (Willson and Brown 2008; Paffenholz 2010). They understand civil society as formal organisations and associations. *Realists* encompass a perspective outside mainstream politics that does not necessarily adhere to organised groups, and considers spontaneous collectives, traditional institutions and anonymous collective actions as "infra-political" (Scott 1990:189). Civil society can act outwith conventional law, and sees the use of violence in response to state violence as legitimate - as evidenced in cases in the Niger Delta (Hultin 2014:203, citing Ebiede 2011; Ebeku 2002).

What seems to be taken for granted, is that civil society should not fight to join or capture the state because it is a sphere that is separate from the state - in some cases more so, and in others less so. Even though moves to join the political space or state machinery are common, these are individuals' moves. While they can affect the organisations' positions, they will not stop civil society itself from continuing to be a platform for violent or non-violent actions.

Hultin has looked at cases of organisations in Western Africa that have instigated and/or are active participants in conflicts with violent performances. His work is in contrast with the considerable literature that regulates civil society as an aid to settlement and conflict prevention through promoting democracy and human rights and the construction of durable peace in post-conflict or conflict-prone environments. His

approach contradicts the idea of uncivil society because it sees violent performances as a “reasonable response” to challenge state violence (2014:203). This study is in keeping with realist trends, but it is also aligned with the work of Bratton (1994) in the fact that - despite influences - it does not consider civil society to be the same as political society, which includes political parties and other groups that aim to take control of the state and/or reshape it either through votes or arms.

### **1.3 Defiance in Mozambican civil society**

Studies focusing on Mozambican civil society, the public sphere and moral economy issues that offer a base for any research on defiance are few and far between. However, direct approaches to advocacy and activism in civil society continue to contribute to the field and to grow in several areas including the creation and development of civil society after independence, factors that have influenced Mozambique’s current organisational configuration (Joseph and Monteiro 1995; Kulipossa 1997), civil society’s dilemmas regarding development aid and religion (Van Eys 2002; Negrão 2003; Pfeifer 2004; Reibel 2008; Manning and Malbrough 2012; Ilal, Munck and Kleibl 2014; Kleibl 2016), the role of NGOs in the struggle for participation, decentralisation, women’s rights, good governance and democracy (Adam and Coimbra 1997; Sogge 1997; Monteiro, Baia and Tajú 1999; Osório 2002; De Tollenaere 2002; Bertelsen 2003; Santos and Meneses 2006; 2010; Mulando 2007; Macuane, Salimo, Rosário and Weimer 2012; Chichava and Chaimite 2015; Virtanen 2015; Lorch and Bunk 2016), conflict prevention and resolution (Lundin 2004; Tollenaere 2006; Reppell, Rozen and Carvalho 2016), and the complex political playing field of civil society (Biza 2009; Francisco 2010; Albino Francisco 2015).

Several authors have also contributed with studies commissioned by development agencies to analyse operations, efficiency, fields of action, management, participation mechanisms, and partnerships and funding, among other aspects (Rabelo *et al.* 2002; Haapanen 2007; Matter and Francisco 2007; Francisco, Mucavele, Monjane and Seuane 2007; Sugahara 2011; Schmidt *et al.* 2011; Adalima and Nuvunga 2012; Topsoe-Jensen *et al.* 2012, 2015). What is particularly relevant to this study on defiance is the influential recent work that looks at land issues, South-South cooperation and civil society in the context of ProSAVANA. Of important note in this context are the works of Cabral, Shankland, Vaz and Favareto (2013), Classen (2013), Fingermann (2014), Watanabe and

Akimoto (2014), Mandamule (2015); Ikegami (2015), Mosca and Bruna (2015), Muianga (2015), Cabral and Leite (2015), Shankland and Gonçalves (2015, 2016), Shankland, Gonçalves and Favareto (2016), Cabral and Norfolk (2016), Classen, Chichava and Portes (2016). The huge amount of work on economics, politics, governance and development written by authors including António Francisco, Aslak Orre, Carlos Nuno Castel-Branco, Carrie Manning, João Mosca, Jonas Pohlman, Joseph Hanlon, Luís de Brito, Michel Cahen, Salvador Forquilha, Sérgio Chichava, and Orlando Nipassa, has been invaluable in understanding operations in defiant civil society.

These studies on political economics and governance reveal the formation of a civil society and state with blurred boundaries (Mamattah 2014:147) due to the legacy of an anti-colonial liberation and Africanist past that is shared with the government. Both have undergone generational transitions and have therefore been susceptible to significant change. This study will look at the institutional verticalities and the blurred boundaries of family in civil society - this is because of the bonds of blood relation, affectivity and affinity that are part of institutional daily life, whether in companies, organisations or associations (Gomes 2012). It will also look at the blurred lines between the public and private sectors (Hyden 2005; Bayart 2009).

This thesis focuses on both public and organisational spheres. The public sphere can be seen as a stage for civil society's contentious performances, which is influenced by the state and the market. It is clear that state and civil society share common ground, and that civil society's physical dimension - its human resources and materials - is activated in processes that follow capitalist logic and drive markets around social entrepreneurship (Nichols 2011) - something that could potentially compromise their integrity and independence, as well as transform activists' social identities, values and life-styles (Mamattah 2014). In the organisational sphere, activists often have different identities from those whom they claim to represent, and this makes them vulnerable. For example, as can be seen in chapter 6, state agents claimed that they had no agency to speak on behalf of the communities in debates over land tenure. The process of rapprochement between social and business communities through marketisation and professionalism (Chambers 1986) in the context of development aid has created an institutional model that - while it is not-for-profit - relies on a network of paid employees and considerable operational resources, supplies, products and results. Social entrepreneurship is seen as mercantilism in civil society group actions and activities that had previously been based on "participation, active citizenship, and political change".

This is a global trend that has intensified since the “1970s, (...) a new generation of civil society actors who are driven to address the systemic problems facing the world today” (Nichols 2011:80).

Thus, the defiant civil society that we see now was born with an already mature model that had clearly been transferred from a Western context through NGOs. Nichols (2011) notes that social entrepreneurship is seen by governments as a solution for provisional failures. For civil society, it is a field with hybrid partnerships, a model of political transformation and empowerment, and a driver of social transformation (citing Alvord *et al* 2004; Austin *et al* 2004). For markets, it is a new area of opportunity and a natural development from socially responsible investment (Karamchandani *et al* 2009; Freireich and Fulton 2009). It is through this world of Mozambican civil society organisations that this thesis will be investigating the defiant civil society.



## **2 Research approaches, sites and spaces**

### **2.1 Civil society and the emergence of issues**

Latency is a state where vital issues (real issues) in a community are hidden, opaque or dormant. When real issues are affected, identified and problematised, whether directly or indirectly, they are brought into the public sphere and trigger processes of co-construction or defiance. Real issues often carry a moral expectation (Polanyi 1957; Moore 1966; Scott 1974), and this can make them sensitive and inflammatory. This study looks at latency being disrupted by individuals and/or organisations, and at the Party/State's ability to impose its agenda and consciously and/or unconsciously prevent a range of real issues from coming to the fore while allowing peripheral or "non-issues" (Frey 1971:1091) to emerge selectively.

This analysis has been made through the lens of power theory. Lukes (2005) criticises the behavioural focus of Dahl's pluralistic approach (1961), and Bachrach and Baratz's (1962) elitist approach to power, and he notes that there are still issues placed beyond the political agenda that are not only due to individual action. Lukes introduces an analysis of power that emphasises decision-making and control over political agenda (not necessarily through decision making). He also highlights what he calls issues and potential issues, observable (overt or covert), and latent conflict, and subjective and real interests. This means that one needs to consider that issues remain latent "whether through the operation of social forces and institutional practices or through individuals' decisions" (Lukes 2005:28).

For Lukes, there are deeper, more invisible manifestations of power, which may or may not be identified by more powerful stakeholders but that are hidden from those who are powerless. The non-emergence or neutralisation of issues that are of genuine interest to people obstruct transformational conflicts and keep them in latency. As we will see below, breaking latency should be understood as the first stage of both processes of defiance and processes of co-construction.

This study suggests that there may be peripheral issues. In this sense, it seems that one of several means of political control in power struggles involving civil society comes from the ability to deal with peripheral issues. Defiance arising from real issues is often about the moral economy. However, it seems that real issues can be indirectly and even unconsciously processed via those that are peripheral. This happens because – depending

on the socio-historical, political and economic context – and the approach taken – peripheral and real issues are linked. In this case, real issues are not central to the debate, and collective actions on peripheral issues may also trigger defiance and co-construction (see Fig. 2.3).

Approaches to peripheral issues, however, do not necessarily lead to defiance or to co-construction, since peripheral issues are not always connected to real issues and do not always involve the target public. Peripheral issues are generally issues of morality. These are often tackled in a way that hinders real issues from being processed – thereby blocking any breaking of latency. This means that peripheral issues become non-issues – or rather issues that even after processing do not lead to any significant transformation – and that any debates around them ultimately become non-events. Empirical studies seek to explore all these possibilities by analysing issues brought into the public realm.

Two transitional stages precede defiance and co-construction, and belong to the process of emergence of issues that break the latency (see Fig.2.2):

*Identification* is the phase when civil society become aware of issues. These are not always real issues, but even as peripheral issues, they can have positive effects and lead to concrete changes. This process uses awareness and learning mechanisms such as structural and content instructions on legal standards and the expansion of discussion spaces between affected individuals, indigenous-exogenous, “endogenous” and even “exogenous” groups (Fowler 2014:431). This is the phase that uses sharing resources (Verba *et al.* 1995) and “civic knowledge” (Levine 2011:365-72) to kick-start a contestation environment for defiance or co-construction.

*Intervention* is marked by the “move” that takes real issues to the public sphere (Lang 2013; Habermas 1992) and cements the contestation environment. To be able to pass the intervention phase of co-construction, stakeholders (including the more powerful ones), need to recognise this and move towards the next stages, and to address issues through collective action (Olson 1965) consolidating co-construction. If there were any polarisation between the more powerful and the proponents of the “move”, this would configure a defiant scenario.

## **2.2 Co-construction**

Real issues will never disappear, irrespective of whether they are latent or not. This can perhaps explain why social movements have periods of great activity and then

fall into a latent period (Melucci 1984; Taylor 1989). Nevertheless, the driving issues behind them will always exist. Working directly or indirectly with real issues in latency can trigger contentious “processes” (Tilly and Tarrow 2015:238) that can be transformational, regenerative, urgent, mutually recognised, and can involve dispute and/or negotiation. Therefore, the processes of both co-construction and defiance arise from contentious dynamics.

Co-construction contrasts with the concept of institutionalised co-production because the latter is based on “provision of public services through a regular long-term relationship between state agencies and organised groups of citizens, where both make substantial resource contributions” (Joshi and Moore 2004:31). Co-construction is a process of power dispute between stakeholders, which may include an organisation, a coalition of civil society or an “informal network” (Della Porta 2006, section 1.2.1)<sup>4</sup> in dialogue with a powerful political and/or economic actor (see Fig. 2.2).

In contrast to defiance, the process of co-construction does not come through contentious violent or nonviolent actions (Sharp 2005), but through mechanisms for participation (Pateman 1970; Polletta 2002) such as working groups, forums, councils and other spaces (Brock, Gaventa and Cornwall 2001).

The idea of spaces is very useful in analysing events both in defiance and in co-construction processes. Throughout this study, Gaventa’s power cube offers a framework to interpret levels, spaces and forms of power. Many of the disputes in public spaces take place at local, national or even international levels. The power cube sees closed spaces as those ones where decisions are made “by a set of actors behind closed doors..., [without the inclusion of all interested parties; invited spaces as more “open” ones] in which people (as users, citizens or beneficiaries) are invited to participate by various kinds of authorities..., [and claimed/created spaces, which] are claimed by less powerful actors from or against the power holders, or created more autonomously by them” (2006a:26-27). It works with hidden, invisible and visible forms of power. The invisible “involves the ways in which awareness of one’s rights and interests are hidden through the adoption of dominating ideologies, values and forms of behaviour by relatively powerless groups themselves. [The hidden expressions of power are used] by vested interests to maintain one’s power and privilege by creating barriers to participation, by excluding key issues from the public arena, or by controlling the public arena. [Visible power refers to

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<sup>4</sup> In this as in other references for which the source is an e-book or Kindle edition with no page numbers, I refer to the chapter or section rather than the page from which the quote was taken.

decision-making processes,] decision-making structures are considered accessible by all, so one can understand power by looking at what occurs within them, (...) by seeing who participates, who wins and who loses in these arenas”.<sup>5</sup>

Co-construction seems to have a high risk of failure in hybrid regimes – those ones that “combine democratic and authoritarian” elements (Diamond 2002:23) – due to the complexity and inconsistency of participation. The political structures in competitive authoritarianism, a type of hybrid regime, may contribute to creating conditions in which co-construction is much more of a negotiation, which happens not only in the participation spaces themselves, but also behind the scenes, and it can easily result in non-events, producing nothing that leads to any real change – and making it merely a form of neutralisation.

‘Competitive authoritarian regimes are civilian regimes in which formal democratic institutions exist and are widely viewed as the primary means of gaining power, but in which incumbents’ abuse of the state places them at a significant advantage vis-à-vis their opponents. Such regimes are competitive in that opposition parties use democratic institutions to contest seriously for power, but they are not democratic because the playing field is heavily skewed in favour of incumbents. Competition is thus real but unfair.’ (Levitsky and Way 2010:5).

Levitsky and Way’s theory of competitive authoritarianism specifically addresses hybrid regimes after the Cold War, and highlights certain qualities that characterise them as incomplete or transitional democracies - their relationships with the West and the logic of funding mechanisms for multilateral conditionalities. Here one sees how in the democratic transition of the 1990s, the Mozambican state allowed political opportunity structures for new political players to emerge, but it was not strong enough to stand up against centuries of inequality in social and political relations. Using competitive authoritarianism, this study will look at the political playing field of civil society. Levitsky and Way provide an instrument for measuring the state “organisational power” in competitive authoritarian regimes. “Power Organisational Scores” are based on the state’s “coercive capacity” and incumbents’ “party strength”, and it is important to analyse both the state and the political playing field (2010:376-380).

Thus, co-construction is both ambitious and fragile in competitive authoritarian regimes. It requires a high level of focus and alertness from less powerful stakeholders

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<sup>5</sup> Powercube/IDS (2011) – all cf links and accessed dates in the bibliographical references.

when compared with participation in environments where democratic values and technical robustness in civil society tend to prevail. After identification and intervention – the stages for co-construction processes identified are the following (see Fig.2.2):

*Agreement* commits to participatory mechanisms and makes it possible to work together under the umbrella of normative standards. From this point Ackerman's (1989) public neutrality dialogue is a useful contribution. Here, the guide agreement is equally as important as the self-control of the more powerful stakeholder, which requires a degree of pro-activity and non-intervention in other stakeholders' *modus operandi* at times of increased tension and disagreement.

*Maintenance* is co-construction's "cruising altitude", where stakeholders administer processes with clearly set out shared goals. This is when it is important to take due care, and to ensure that new political and/or economic players do not act under the umbrella of hidden power (Gaventa 2006a) or carry processes down unforeseen paths.

*Collapse* occurs with the absence of due care and focus, usually in a crisis of resilience of the less powerful organisations and individuals. The more powerful stakeholder will often change their stance on the issue. Collapse is influenced by changes in short-term paradigms at local, national and/or international levels.

The principles of co-construction identified in this study are self-control (equilibrium), checks and balances, information sharing (transparency) regarding responsibilities and decisions, and collaboration. These principles seem hard to achieve especially in competitive authoritarian regimes. Empirical studies seek to explore the tendency for the collapse of co-construction once such principles are no longer present.

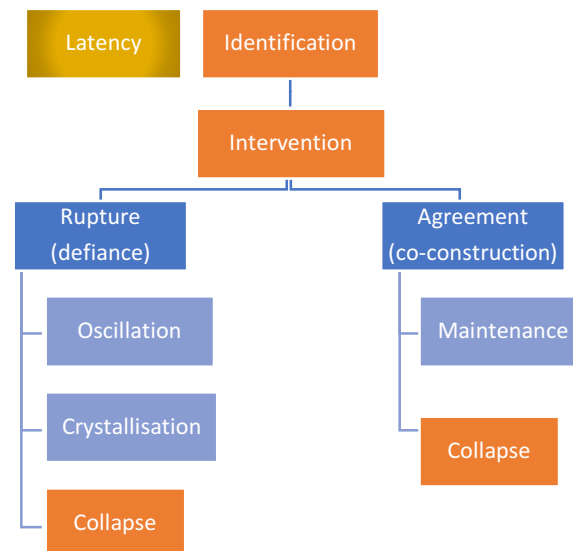
### **2.3 Defiance**

This study will analyse defiance using a theoretical framework that draws on the literature on power, contentious politics, social movements and competitive authoritarianism. Defiance is a process of conflict that places civil society on one side and powerful structures on the other, and is marked by violent and/or non-violent actions, resilience, vigilance, focus, audacity and forcefulness. Defiance seems to ignore the formation of alliances; it can be audacious and forceful without being long lasting. It may lead to neutralisation, co-construction or "outcomes" (Tilly and Tarrow 2015:239). Defiance may or may not be led by social movements, but it is visible in contestation environments.

Civil society members responsible for defiant acts are part of defiant civil society (DCS). This is a flexible group of organisations and individuals who, through public actions and debate, take a stand that places them in opposition to the agenda pursued by more powerful political and economic players. In the case studies in Mozambique, the DCS seems to be understood through the audacious and contentious discourse related either directly or indirectly to moral economy and human rights issues. Organisations and activists enter and exit contestation environments and therefore alter the shape of the contentious current. This means that the DCS is more likely to be a momentum created by organisations and individuals than a fixed or permanent group. Although they have the courage to show themselves in a hybrid regime, on occasion their low resilience may lead to their withdrawal from the public sphere together with the issue they raised.

After *identification* and *intervention* – the stages for defiance processes identified are the following (see Fig.2.2):

**Fig.2.1 Latency and processes of defiance and co-construction.**



*Rupture* takes place when the contestation environment is already set and stakeholders cannot agree to bring the issue into co-construction. The next step is *Oscillation*, which is the moment of accommodation into civil society, when groups (or a group) define who is who in defiance, and define their positions in relation to the more powerful stakeholder. *Crystallisation* is the “cruising altitude” of defiance, when positions are defined and DCS polarises the contestation environment with the more

powerful stakeholder while other groups allow themselves to be neutralised. *Collapse* in defiance happens for similar reasons to collapse in co-construction: lack of vigilance and focus, and the crisis of resilience. The actions of the more powerful stakeholder as well as circumstantial issues can lead to collapse, and this is the result of a neutralisation process.

The discussion that follows will show that social movements can be protagonists for defiance, but it will also show that not all defiance is the result of social movements. This study identifies stages of defiance and co-construction and considers the role of indigenous-exogenous groups - an expression of hybridisation between endogenous and exogenous civil society - in the problematisation of issues that affect diverse social “sectors” (Dobry 1983:402). This does not mean that it ignores the stages of social movements identified by authors such as Blumer (1951), Della Porta and Diani (2006). The next section will demonstrate why these phases are not comprehensive enough to deal with the unpredictability that characterises the move of real issues into the public sphere.

### **2.3.1 Defiant civil society, social movements and contentious politics**

In this study, I use the term ‘defiant civil society’ to describe people and organisations coming together to contest the authority of those who hold formal power. In Mozambique, key factors of producing defiance include those that may bring DCS closer to social movements as well as others that distance them. In Mozambique, the government labels defiant organisations and activists as anti-developmentalists or as the opposition, and they are thus placed in a marginal position that is also attributed to social movements - with players involved in the “disorder” (Touraine 1981:13).

It is increasingly common for Mozambican organisations and activists to work together in informal alliances like social movements; however, this has not yet become standard or automatic as is the case of longer-lasting and more consistent social movements (Tilly and Tarrow 2015). The social movement base depends on the consistency of “collective identity” (Della Porta and Diani 2006, section 1.2.1) between organisations and the social group it claims to represent, and this is difficult in the context herein analysed, where indigenous-exogenous organisations prevail. It is just as important to understand how defiance emerges and is sustained as it is to understand how it dissipates, and hybrid schemes are the ideal political landscape for this. Amongst other

aims, this study contributes towards observing a phenomenon that has been little mentioned in the literature on social movements: the neutralisation of defiance. It may also be interesting to analyse a brief and isolated contentious case in a hybrid regime that may not have previously been considered relevant by authors of social movements.

Any association between collective and contentious actions can often be seen, in a generalized way, as a social movement, though this is disputed by scholars of contentious politics. Social movements qualify as a form of contentious politics, “but so do revolutions, civil wars, and a wide variety of struggles” (Tilly and Tarrow 2015:147-9). In social movement literature, one area of debate can suggest positioning defiance as another form of contentious act, beyond social movements. Some, like Turner and Killian (1987), argue that an organisation can be a social movement like a single-organisation movement, however there are many who disagree. I tend to side with Della Porta and Diani (2006) in that DCS will not always be qualifiable as a social movement, as it does not always act in informal coalition; but that one organisation operating alone can be capable of promoting defiance or co-construction. This study will argue that, if one looks at the landscape of civil society as a whole, while DCS consists of organisations and/or individuals that are not always fighting for the same cause or acting collectively with other organisations and individuals, they do form a spectrum of organisations with different themes that are all on a collision course with those in power. These organisations and individuals could, however, become social movements by coming together in common defiance.

Returning to Turner and Killian’s (1987:369-70) concept, the idea of “single-organisation defiance” would be more appropriate than that of a single-organisation movement. DCS may also have characteristics of what Etzioni calls “constituency-representing organisations” (1985:81), although there are two dilemmas that may challenge these similarities: (1) DCS seems to be less activist-voluntary and more activist-professional, and (2) the aim to represent a group and its full identity seems challenging, as the greater the degree of organisational exogeny, the more fragile its identity within endogenous social group.

This study will argue that, while defiance can be partially explained using the theory of social movements, it can also be aligned with the rationality of contentious politics. Tilly and Tarrow contribute to this idea that “not all episodes of contention constitute social movements, and not all movements endure” (2015:145). Defiant acts seem often to last only as long as a contentious statement resonates in the public sphere



because, whatever the reason for its not lasting, the real issue is revealed and will continue to exist. Defiance seems to be a set of contentious processes. This study follows activists and organisations and embraces explanatory concepts in contentious politics (Tilly and Tarrow 2015), and it also embraces the extensive and extremely valuable literature provided by social movements. Social movement theory can, for example, be used to explain resource mobilisation and features of social movements and organisations in defiance (Blumer 1969; McCarthy and Zald 1977; Della Porta 2006).

### **2.3.2 Defiance, violent and nonviolent actions**

The non-violent performances of DCS in colonialism and in competitive authoritarianism are linked to the literature on non-violent resistance (Ackerman and Kruegler 1994; Sharp 2005; Schock 2005), emphasising that defiant acts can be violent. Defiant acts seem to be uncontrollable, unpredictable and diffuse processes that may result in Badiou's historical riots – “those that indicate the possibility of a new situation of politics, without being in a position to realise that possibility..., [such as] ...the multifaceted uprisings in a number of Arab countries” in recent years (2012:27) - or in small peasant uprisings.

However, the organisations and individuals followed in this study come from an indigenous-exogenous sector that has dialogue with traditional and Western values. The food riots of 2008, 2010 and 2012 in Mozambique, for example, were violent and widespread defiant episodes and led by endogenous groups (De Brito *et al.* 2014); there was no involvement from the indigenous-exogenous sectors in these episodes. Even so, the violent actions brought them to the public sphere with a real issue, implying that such groups were in fact DCS.

No matter how exogenous the defiant group, it can also contribute to unleashing turmoil through a kind of “cognitive liberation” (Della Porta and Diani 2006, section 1.1.4, citing McAdam 1986), which led activists to believe that there was an opportunity for them to bring change. This study will analyse defiance in non-violent performances as well as preventative reactions and measures from the Party/State to contain them. The indigenous-exogenous groups of DCS that will be seen in Chapter 3 are publically incisive and audacious, and they are present in the wake of violent episodes. In the aftermath of the food riots, they offered legal support to rioters and lobbied the government to meet rebels' demands. Over the political-military conflict they called for

an end to violations of opponents' rights, and to those of communities and activists in the midst of conflict. However, they were not directly responsible for violent episodes.

### **2.3.3 Defiance and moral economy**

The features of power relations in hybrid regimes and the profile of civil society mean that even in cases of defiance, contentiousness does not appear to tend to provoke collective action or endurance in the same way as social movements. This study will argue that dissatisfaction is more often reticent in a defiant organisation because of the obstacles to public subversion. Rather than a political oppositional spirit, defiance in hybrid regimes would appear to carry a greater weight of nonpartisan morality - since if it did not, it would not be tolerated. Thus, the more repressive and authoritarian the regime, the bolder would be the defiance. The question however, is not how defiance occurs in such regimes, but why. What kind of anger generates audacity? Although each is unique, rioters' and defiant organisations' defiant acts have something in common: they are often directly or indirectly motivated by issues of moral economy, even when preaching the modern concept of human rights, which is also related to morality.

This study will follow the ideas of E.P. Thompson in the sense that defiant acts are seldom "spasmodic" interventions, and those that relate to issues of moral economy are "self-conscious or self-activating" (1971:131). He accepts the variability of questions of moral economy when he emphasises that it is a challenge for researchers to imagine "the moral economy assumptions of other social configurations" (Ibid). Chapters 3 and 7 will seek to lay foundations for discussion on the causal relationship between moral economy and defiance, comparing "cycles of contention" (Tilly and Tarrow 2015:270) in the 1900s, 1910s and 1920s with contemporary processes a century later.

Thompson explains that uprisings among economically deprived groups in England in the 18<sup>th</sup> and 19<sup>th</sup> centuries were legitimised by rules of reciprocity in social relations, in particular the belief that providing food to the poor should come before private profit. He reassesses the historic transition of the industrial revolution and the rise of the markets, and highlights the clash of paradigms that marked the rebellions of the time: the liberal model where an invisible hand regulated the market through the law of supply and demand, as opposed to a paternalistic state model controlling market provision (Thompson 1971; Smith 2011) that connected common law with customs.

James Scott further developed approaches to moral economy by analysing peasant

uprisings in Southeast Asia during the 1930s depression, linking the ethics of subsistence in a colonial atmosphere and emphasising the vulnerability of rural communities and local and global economic fluctuations. Scott contributes to discussion on the moral economy by bringing up the two paradigmatic ruptures used to damage patterns of social security and “to violate the moral economy of the subsistence ethic (...): the imposition of a cultural system, that North Atlantic capitalism, [and] the related development of the modern state under a colonial aegis” (1974:7, citing Wolf 1969:276). Both Scott and Thompson highlight that breaking paradigms - traditional vs. colonial, paternalism vs. liberalism - leads to breaches of expectations between the subaltern class and the elite. Mauritz (2014) notes that the ethics of subsistence arise from peasants’ practical needs, and that they are well established as the standard for moral rights and expectations (Polanyi 1957; Moore 1966; Scott 1974).

Today, development aid refers to basic needs, a generalised concept that makes it more difficult to read defiance in civil society. The concept adheres to a regulatory model used in capitalist international governance, which provides for a “minimum standard of living which society should set for the poorest of its people, comprising food, shelter, clothing, sanitation, education, and health” (Kappor 2008, Chapter 2, citing ILO 1976:7-32; cf. Streeten and Burki 1978). The idea of basic needs does not meet the specificities of different social sectors, but it does influence global development policies. It is a “consumption oriented approach... [That] advocates for a poverty alleviation agenda [and is in contrast to modern emphasis on growth [and its cultural underpinnings” (Kappor 2008, Chapter 2) obstruct any dialogue with the idea of moral economy and real issues.

In contrast, Marcuse (1967) proposed the more flexible concept of vital needs, which analyses the “quality of freedom” by contrasting the sensation of capitalist freedom and that of freedom per se:

*‘What is at stake is (...) a way of existence: the genesis and development of a vital need for freedom and of the vital needs of freedom (...). All human needs, including sexuality, lie beyond the animal world. They are historically determined and historically mutable. And the break with the continuity of those needs that already carry repression within them, the leap into qualitative difference, is not a mere invention but inheres in the development of the productive forces themselves. That development has reached a level where it actually demands new vital needs in order to do justice to its own potentialities’.*<sup>6</sup>

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<sup>6</sup> See Marcuse (1967), all cf links and accessed dates in the bibliographical references.

This concept distances defiance from capitalist reductionism and contributes to understanding defiance through the unique specificities of each social group, whether traditional or urban modern. Additionally, it sees that the development of society as a whole requires new natural needs. This means that the moral needs and expectations of the indigenous-exogenous urban population in Mozambique have moved on since the peace agreement of the 1990s, and this entails a genuine shift from subaltern deprivation of colonialism and civil war.<sup>7</sup>

*‘For example, the Vietnamese struggling for liberation do not have to have the need for peace grafted onto them, they have it. They also have need of the defence of life against aggression. These are needs that at this level, at this antipode of established society, are really natural needs in the strictest sense; they are spontaneous. At the opposite pole, in highly developed society, are those groups, minority groups, who can afford to give birth to the new needs or who, even if they can’t afford it, simply have them because otherwise they would suffocate physiologically’.*<sup>8</sup>

This deprivation should not be seen merely as a result of a consumer society. Marcuse (1967) refutes the idea that defiance by the new local elite is motivated purely by bourgeois capitalism; it is linked to an interpretation of freedom. He argues that development has reached a level that demands new vital needs to reach its full potential. Mozambique has witnessed multiple changes in paradigms over the past 40 years, such as the end of colonialism, civil war, and political and economic changes - all of which led to needs and expectations both from the emerging bourgeoisie and urban and rural subaltern groups. If we take peace as a vital biological need for minimal economic development, this may provide a basis in Chapter 7 for discussion on how the political-military conflict and the wave of kidnappings in 2013 relate to issues of moral economy and how they generate defiance.

In the context of the moral economy, power relations take on their own nuances, authorities are not seen as merely repressive, but as providers of the conditions that offer subalterns subsistence and other securities, for example. Thompson and Scott help to draw together and reassemble the subsistence ethics behind these material relations

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<sup>7</sup> It has nothing to do with the “deprivation society” (see Foster 1972), where life is played as a zero-sum game, in which one player’s advantage is at the expense of the other (...) The person who is seen or known to acquire more becomes much more vulnerable to the envy of his neighbours. He knows that his neighbours may convert their envy into direct or indirect aggression, because they see his success as being at their expense. He therefore is likely to fear the consequences of their envy (1972:69).

<sup>8</sup> See Marcuse (1967)

between authorities, private actors and subalterns in Mozambique, making it possible to identify breaches of expectations in the narratives of powerful groups and contradictions and fallacies in defiance. As Siméant points out, this study also identifies the “tacit pacts and expectations” (2015:168) behind defiant acts that, from the point of view of governance, may produce relations based on paternalism, clientelism and patronage. Co-construction and defiance are processes that arouse a sense of right or wrong in provision measures and this is what links them to issues of moral economy. One of the challenges of this study is to interpret the human rights that are part of the narratives of defiance - taking into account how these narratives are interconnected with the current debate that involves culture, globalisation and human rights (Mubangizi 2013; Frezzo 2015).

## **2.4 Neutralisation and outcomes**

This study will argue that there are different neutralisation models used by those in power to dismantle contestation environments – whether by nipping them in the bud, or by concealing the emergence of real issues. Tilly and Tarrow call “demobilisation” the process of “declining resources available for collective claim making” (2015:240-241). In this study, the concept of demobilisation partly explains the actions of a Party/State aimed at the extinction of a process of co-construction or defiance when it presents a perspective on “how people who were making claims stop doing so” (2015:38). It takes into account not only the question of (1) the dynamics of mobilisation and demobilisation of human resources, materials, spaces and physical barriers, but also (2) the transgressive dynamics of a hybrid regime and (3) the hidden and invisible means of power.

During the dispute, while challengers are at a disadvantage in these three dimensions of the contestation environment (physical, transgressive and cognitive), defiance, co-construction, individuals and/or organisations are not only demobilised, but neutralised, as the real issue goes back to latency (see Fig. 2.2). Transformative outcomes or the neutralisations of real issues are defined in the disputes in contestation environments that are formed in the public sphere. Using the above theoretical framework, this study proposes an analysis model for the environment of contestation to explain why or why not neutralisation occurs. It looks at the empirical data and takes into account three different dimensions: physical, cognitive and transgressive.

In order to analyse the physical dimension, one has to consider spaces of co-construction and defiance, and the visible features involved. There are “sites of

contention” in which political players interact, organise and mobilise themselves and deploy campaigns, repertoires and physical platforms that show “streams of contention” (Tilly and Tarrow 2015:237). It is also interesting to highlight the collection of resources, “money and labour”, according to McCarthy and Zald’s resource mobilisation approach – which notes links to other groups, dependence on external support, and the tactics used by controlling authorities or corporate movements and relationships with the media (1977:1212-3). Networking and media attention are seen as particularly useful tools to expand organisations and activists’ social capital (Bourdieu 1986). Everything that is available in the political playing field for collective action, either in defiance or co-construction is included here, including those individuals who are not organically integrated with organisations. The physical dimension influences other dimensions because it enables mobilisation, formulation of issues and displays of defiance.

The transgressive dimension refers to compliance with legal standards established by the state itself. Much more than the Party/State’s ability to exercise visible power and definable aspects of political power through state institutions, this dimension consists of the ability that individuals and the Party/ State have to transgress formal rules, structures of authorities and institutions, and decision making procedures. With competitive authoritarianism, it is common for those in power to ignore their country’s institutional structure. For example, threat, attack and even political assassinations in defiant acts become commonplace. Analysis of the transgressive dimension takes into account the political playing field and how the Party/State exercises its “organisational power” in disputes (Levitsky and Way 2010:37). Alongside challengers, and depending on the political playing field, are transgressive contentions, i.e. forms of contention that cross institutional boundaries into “forbidden or unknown territory” (Tilly and Tarrow 2015:62). The transgressive dimension encompasses discourses and narratives that may be contradictory, whether legal or moral, by the Party/State, and that may have become visible for some reason.

In the cognitive dimension there is the adaptation of the powerless in the face of the powerful, resulting in psychological subalternisation. Subalternisation is here understood as influencing how individuals think about their place in the world, shaping “people’s beliefs, sense of self and acceptance of the status quo” (Gaventa 2006a:29). This therefore works along socio-constructivist power lines, and is also inspired by Gaventa, (1980) and Andrews (2006), after Rosenberg *et al.* (1988). The key issue is to understand how “cognitive liberation” (Della Porta and Diani 2006, section 1.1.4, citing

McAdam 1986) arises and leads to individual and/or- collective audacity. This liberation is susceptible to “power influences that shape or determine conceptions of the necessities, possibilities and challenges of challengers in situations of latent conflict” (Gaventa 1981, part I). For Rosenberg *et al.*, Gaventa observes how power influences “needs, possibilities and strategies, [and provides the basis for assessing individual understanding encompassing] (1) relationships of cause and effect, (2) probability and prediction, (3) concepts of the future, past and present, and (4) questions of socio-political transitivity” (1988, Chapter 7). For this study’s model, items (1) and (2) refer to what individuals see as offering security for and how to act, i.e. they refer to risks; items (3) and (4) refer to personal narratives and transgenerational experiences, and to the reason and opportunities for action. According to the authors, the above four cognitive abilities guide decision making, and the degree of cognitive complexity and role-taking skills and moral judgments is relevant. As with defiance, it is important to calculate and/or predict risks of rebellion (Rosenberg *et al.* 1988), and the cognitive dimension considers factors of cognitive liberation, such as audacity and resilience. “Looking at structural opportunities without considering the cognitive process which intervenes between structure and action can be very misleading” (Della Porta and Diani 2006, section 1.1.4, citing Gamson and Meyer 1996; Diani 1996).

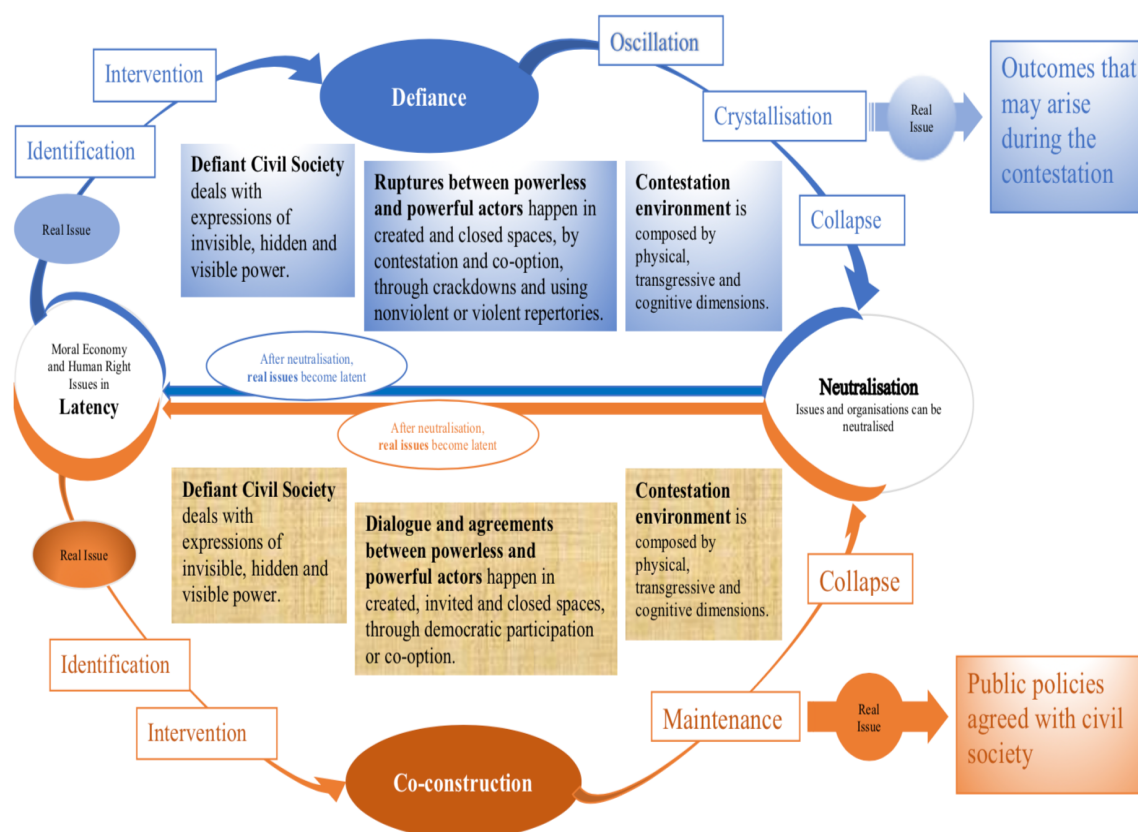
In addition to using this framework to analyse the contestation environment, this study also uses Christine Oliver’s five strategic responses to institutional pressures to examine the neutralisation of civil society organisations: acquiescence, compromise, avoidance, defiance and manipulation. Oliver identifies three tactics under each strategy. In the Mozambican Human Rights League case, presented in Chapter 8, Oliver’s avoidance strategy is used in analysing the escalation of institutional conflict with donors, as the NGO precluded the “necessity of conformity” (1991:154) with intermediaries’ requirements. Pertinent to this case are what Oliver calls tactics of “concealing” nonconformity, “buffering” to reduce external inspection, scrutiny, or evaluation, and “escaping” from issues that bring external pressure (Ibid:155).

## **2.5 Connecting the elements of the conceptual framework**

The diagram below shows how the principal concepts of the theory of defiance in civil society relate to each other. The cycle in blue shows the phases of defiance, in which the real issues follow the stages of oscillation, crystallisation and collapse. The orange-

coloured part of the diagram shows the phases of co-construction, wherein the real issues follow the stages of maintenance and collapse. It can be seen that the real issue may go forward through both paths, emerging from its state of latency, and it being able to move toward different destinations - which include being neutralised and going back to the state of latency. In both cycles the defiant civil society creates environments of contestation dealing with expressions of the invisible, hidden and visible power in created, closed and invited spaces.

**Fig. 2.2: Theory of defiance in CS – the inter-relationship of key concepts**



## 2.6 Research aims, questions and methods

To highlight the transformational potential of civil society in relation to hybrid regimes, and to be able to rediscover defiance, I started with a broad question: *How has defiant civil society struggled for political change in ways that reflect the claims of the moral economy in Mozambique between 2010 and 2015?* To be able to answer this, I set



four secondary questions:

- 1) Who is part of defiant civil society in Mozambique?
- 2) What are the main interests in dispute between defiant civil society and state organisations, and how have struggles taken place?
- 3) How have defiant civil society values and tactics been presented in the struggle for moral economy issues in Mozambique?
- 4) What kind of engagement has there been with political parties and to what effect?

To find the answers to these questions, I looked at activists and civil society organisations that were challenging initiatives that had impacts on the population, and I identified two organisations. (1) UNAC (*União Nacional dos Camponeses*, the National Peasants' Union) led a campaign against the ProSAVANA agrarian mega project; which is the result of a tripartite cooperation between the governments of Brazil, Mozambique and Japan. (2) The LDH (the *Liga Moçambicana dos Direitos Humanos*, Mozambican League for Human Rights) was an organisation recognised internationally for its positions against abuse of political and economic power. The following will set out the research aims for investigating these two organisations, the measures and criteria taken for data collection and verification, and the unexpected challenges of the field study.

### **2.6.1 The coverage of defiance**

The first objective was to identify and observe defiance in Maputo and Zambezia Province which involved issues of human rights and moral economy. The LDH offered to host me in the capacity of a researcher. When I arrived in Mozambique in September 2013, I was planning to talk to at least 40 activists involved in contentious campaigns and try to understand how they operated. The organisation seemed ideal for instigating participant observation and collecting texts and reports, and was also a starter platform for expanding networks through snowball sampling. In this way, I hoped to connect with UNAC, as previous attempts to contact the organisation had failed. Another goal of the snowball sampling was to contact activists from the UNE (National Student Union) and the umbrella organisation for women's rights *Forum Mulher* (Women's Forum), and researchers and journalists who would be able to help me identify and interpret protests

or controversial issues in the country. The idea was to enrich the study by talking to state representatives about defiant civil society. However, over the field study, this multi-sited ethnography planning changed because I realised that defiance as a process was not always visible or in the predictable places I had thought it would be, but rather, where it had to be. This led me to the decision to record on video or audio all the events and episodes that I could, irrespective of the possibility of violent or non-violent clashes.

Methods used included participant observation, semi-structured interviews and thick description. There were seven months of participant observations between 2013 and 2014 - including LDH activities in urban and rural contexts in the Mozambican capital and in the provinces of Maputo, Gaza, Zambezia, Nampula and Cabo Delgado, Tete and Manica - and in 2015, I accompanied activists in Nampula and Zambezia for 40 days. I took part in a research team with the LDH that provided the evidence for many of the organisation's accusations of rights abuses. Like the League's workers, I also suffered from the effects of the financial crisis that undermined and almost wiped out the organisation, making it impossible to pay salaries and expenses for months and leaving numerous projects and contracts unfinished. This was a major factor in the field study and had a financial impact on research up to 2017.

### **2.6.2 Positionality, changes in expectations and solutions**

The targets set through the snowball sampling methods and participant observation were only partially achieved in the LDH. Being part of a well-respected and credible organisation helped to open doors, but the fact I was a foreigner was somewhat limiting - not only within the LDH infra-structures, but also within the activist network. By then, I managed to show the familiarity I had built up with Mozambique after over 10-years' experience working in the international media. I also shared my experiences with the student and trade union movement in Brazil, when I collaborated with several group actions, including demonstrations and strikes. Even though this helped me to integrate into the work team, I had to tread carefully as the circumstances, subjects and political environments were completely different. It was only in 2014 and over my second period with the LDH that I managed to more fully integrate and participate in civil society in general, and was invited to activities promoted by different organisations, and to share experiences, strategies and free-time with my work team both in and outside the League. From that point on, I significantly expanded my understanding of the relationships

between civil society, activism and contestation environments.

In addition, barriers created by perceptions of my work made snowball sampling more difficult. There were organisations that I observed that were protesting about Brazilian companies' activities in the mining industry, as well as Brazilian involvement in ProSAVANA. Some feared that I worked for the government and that I was a spy. Chapters 4, 6 and 8 will show how the narrative of secret agents infiltrating civil society is a recurring one, and it is for this reason researchers and professionals are distrustful.

However, nothing surprised me as much as the obstacles I encountered when trying to investigate the League's contentious history. This data ended up helping me to understand how the organisation had engaged in processes of co-construction and defiance over the previous 30 years. The LDH is an organisation with barely any documentary records. The "information department" only saves a limited number of reports, recent newspaper articles and civil training materials. The accounting department kept its data secret and there were no records of the organisation's history. All this limited any text-based analysis on the organisation. The alternative found was to conduct anonymous interviews, many of which were not recorded due to people preferring to remain anonymous.

Throughout my experience with the League, it faced a grave crisis with its donors, and this had a critical impact on the organisation – so much so that it accumulated half a million dollars in employee debts. This crisis became worse over the duration of the field study. Blocking of funding led to political divisions within the LDH. This was a period filled with fear, short tempers and insufficient communication, and it required considerable care on my part. There was an awareness of and sensitivity to the difficulties of the staff who were facing weekly redundancies and delayed wages. Everyone was afraid of saying too much or allying themselves with the losing side. My participation in events related to the crisis was limited, and I was not encouraged to attend meetings between officials and managers. I was not actually banned from attending - I was merely not informed of the dates of the meetings to discuss the situation. These barriers affected the scope of participant observation techniques and thick description. The results of this can be seen in Chapters 7 and 8. The description of the League's neutralisation process uses information gathered from participant observation, documents published in the press, and moments of tension that escaped the control of the parties involved. While it was later discovered that other defiant organisations also survived crises that had originated from changes to project funding mechanisms - the effects of which will be seen

in chapters 4, 5 and 6, the impact of this on the LDH was particularly devastating.

It was only during my third visit to Maputo when working with activists and professionals from funding agencies, that I realised what the two organisations that I had chosen as the starting point for the study had begun to suffer between July 2014 and July 2015. This period coincided with presidential elections, and it was aggravated by military-political conflicts and far-reaching decisions on agricultural and resource extraction projects in the north of the country that involved significant investment. Unlike the crisis in the League, the crisis at UNAC did not have a financial element. It was a political crisis that led to the neutralisation of the internal current and made the organisation defiant, and that also made it the leader of the campaign against ProSAVANA - the large-scale agrarian development programme that was suspected of being created to facilitate land-grabbing.

The neutralisation of UNAC was a process that while it appeared gradual to anyone outside the organisation, had a considerable impact on the peasant campaign against ProSAVANA after the second half of 2014. A few months after the *Não ao ProSAVANA* (No to ProSAVANA) campaign launch, the government and internal elements of UNAC made efforts to reduce its participation in the campaign. In December 2014, the upper echelons of UNAC announced internally that it “was going to stop rebelling”, and that 2015 was going to be the year for “lobbying”.<sup>9</sup> This was a watershed for the study and made it necessary to rediscover the focus of the peasant resistance to ProSAVANA, as clearly it was no longer centred at UNAC. Through snowball sampling I managed to reach the heart of the protests over ProSAVANA through individuals who still supported the campaign in Nampula. Using participant observation and thick description, I drew up the ethnographic description of the public consultation for the ProSAVANA Master Plan. This change in direction helped me to discover more about ORAM’s (*Associação Rural de Ajuda Mútua*, Rural Association for Mutual Aid) history in Nampula and Zambezia. This investigation was conducted in 2015 on trips to Mozambique and via contacts in Europe. The results are discussed in chapters 5 and 6.

UNAC’s neutralisation cannot be separated from the Party/State’s efforts to manage the political crisis at the start of Filipe Niussey’s government in 2015. At the time, RENAMO (*Resistência Nacional Moçambicana*, Mozambican National Resistance) had broken the truce signed before the October 2014 election because of alleged electoral

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<sup>9</sup> NGO worker interview, Brighton, 7 May 2015.

fraud, and had gone on to announce its intention to take control of the provinces it claimed to have won. With conflicts on several fronts, the Party/State changed its approaches to civil society. The organisations involved in defiance over land issues ended up becoming targets for harassment, as will be seen in Chapter 5. The government used several neutralisation methods, including co-option and intimidation through threats and assassination. This context required adaptations and changes to the planning of this study. While the dynamics that led to the characterisation of defiant civil society became more manifest, access to information became more difficult, particularly as many activists refused calls from unknown numbers, and avoided meetings.

My professional training and experience as an investigative journalist helped in overcoming certain obstacles to collecting information in such complex environment. Not only confidentiality, but also the search for safer locations for interviews (where sometimes public places were better) became increasingly important. I avoided conversations or interviews with activists via e-mail or phone. Personal meetings and introductions via common acquaintances were preferable, as I contacted many activists who were probably being monitored by security officers, and I realised that I may well be being observed as well.

There are two ethical considerations that I would like to make:

- 1) For my research with the LDH, I requested authorisation from the organisation to observe its ongoing work in Maputo. When I arrived at the League's headquarters, I received the surprising offer to work as a consultant for the organisation. After careful consideration, I accepted, but under the proviso that it was understood I had not been planning to take a post as a consultant as I was keen not to delay my research. The NGO persisted with their offer, and conceded that I could make participant observations and collect data for my doctoral research at the same time as I was providing them with my services. The experience of participant observation was a positive one, as it meant I was able to build closer and more profound contacts with workers in their day-to-day lives, and with the managerial element of the League.

- 2) In chapter 6, I describe how the UPC-Nampula asked me to pay part of the organisation's expenses for the ProSAVANA public regional meetings. I refused to pay anything other than my own expenses, and I tried to make this clear. The organisation eventually found an alternative solution:

a foreign researcher offered to pay the organisation's expenses and I was able to pay just my share of the fuel costs, food and accommodation for the public meetings, as I had originally planned.

### **2.6.3 Defiant images and interviews**

Defiance in civil society is connected either directly or indirectly to a range of different individuals. At the start of my research, I used a constructivist paradigm (Guba and Lincoln 1994) to observe social phenomena through activists' projects, and this led to interactions between students, politicians, state agents, charity agency staff, and local communities. The understanding of defiance in civil society came through the interpretation of empirical data from both active and passive participants on the ground. The qualitative analysis naturalist paradigm meant it was possible for all the epistemological knowledge to come from "tacit knowledge" and to collect information based on the individual "subjectivities" of a wide range of people from a variety of backgrounds and origins. This shed light on the multiple holistic "realities" of the phenomena in people's minds and showed that there are "as many realities as there are people" (Guba, 1981:76-77).

This project encompassed 42 semi-structured interviews with representatives from civil society organisations, young activists, experts and members of the general population, and it evaluated 28 group audio and video recordings of events held by the CIP (*Centro de Integridade Pública*, Centre for Public Integrity), the JA (*Justiça Ambiental*, Environmental Justice), WWF-Mozambique (World Wide Fund for Nature), the Platforms Alliance for Natural Resources and FORCOM (*Fórum das Rádios Comunitárias*, Community Radios Forum), as well as street protests. Clearly, the 42 interviews had different weightings in accordance with the degree of importance for the final result obtained. The interviews with students, independent activists and professionals of civil society organisations were the most important because they provide information that makes it possible to perceive nuances inside and outside the organisations that enable comprehension of indigenous-exogenous defiance in civil society, and co-construction and neutralisation processes, both in Maputo and in the provinces. The most important sources within this main group were the activists I travelled with in Nampula and Zambezia provinces, and the NGO staff I worked with in the LDH. I acknowledge that, although I have triangulated other views, I effectively

privileged their point of view. From my own political and epistemological standpoint this is justified because of the focus and nature of my research. At a second level of importance are the audios collected in interviews or in events with people living in the countryside or living in communities, because they reveal the perceptions of endogenous groups about defiance in civil society, and contribute to the debate on human rights and moral economy over the course of the thesis. At a third level of importance are interviews and audios of events that contain the opinion of political analysts, politicians, donors and state agents. This is important material because it frames the political environment more generically – where these endogenous and indigenous-exogenous groups relate to exogenous factors and actors.

As I was formulating Chapters 4, 5, 6, 7 and 8, I tried to listen to the members of civil society organisations in a non-committal way, and I also tried to expand my understanding of their awareness of defiance in civil society. Their approaches led me naturally to pay particular attention to national organisations' demonstrations on human rights and issues of land ownership. I sought to carefully observe their work and interviewed activists from the UNAC, ORAM and the LDH. Then – in addition to people connected to these organisations - I focussed on activists from other organisations within the same sectors, as well as Party/State agents, journalists, farm workers and ordinary citizens, so I could expand on the difference of views held on these themes.

People were given the choice to withdraw from participating if they felt uncomfortable answering questions. There were only a few analysts who took part, and anyone with a media presence or with links to intermediary organisations responsible for organising funds transfer to civil society ignored all interview requests.

Feelings of intimidation amongst sources increased slowly over the three years. All interviews are stored outside Mozambique, and follow strict confidentiality and anonymity criteria, and this study promised not to disclose any sources without express authorisation. A standardised set of questions was used, however, these inevitably led on to other related subjects, and this meant that semi-structured interviews worked well.

Despite financial constraints, with hindsight it was worth the effort staying longer in Mozambique. It made it possible to observe urban demonstrations, to expand contacts and networks with activists and students, and to participate in two events on the role of civil society in ensuring the interests of communities affected by the extractive industries. It also allowed for contact with staff from funding agencies during events, social activities and interviews.

Over the ten months in the field, activists - both urban and rural - helped to develop my understanding of defiance. In addition to the above mentioned organisations, there have been participants from organisations such as *Forum Mulher* (Women's Forum), FORCOM, *Lambda* (Lambda for gender equality), *Parlamento Juvenil* (Youth Parliament), CIP, IESE (*Instituto de Estudos Sociais e Econômicos*, Institute of Social and Economic Studies), ORAM, JA, CTV (*Centro Terra Viva*, Living Earth Centre), ADECRU (*Ação Acadêmica para o Desenvolvimento de Comunidades Rurais*, Academic Action for Rural Community Development), *Livaningo*, and *Forum Terra* (Land Forum), among others. I also met students from the legal and social science faculties at Eduardo Mondlane University. The daily newspapers also helped to interpret the political environment. Secondary sources included academic texts by both national and international authors.

#### **2.6.4 Data Analysis**

The collected and analysed data came from a concerted effort to ensure reliability - taking into account criteria of confirmability, dependability, transferability and credibility. Indigenous-exogenous social groups, NGOisation, protests and attempts to participate in governance in competitive authoritarianism are phenomena that are likely to be found in other regions, and this demonstrated the potential transferability of this study's findings. Regarding confirmability, auditing strategies with other researchers were implemented on data and findings during ProSAVANA public meetings. Relevant events and episodes in defiant acts of the war and kidnappings by ProSAVANA and in neutralising the LDH were reconstituted in this study by triangulating methods and data. The cases of war and kidnappings were triangulated using presential observation methods, interviews, and media reports that offered a backdrop to events. The defiance of ProSAVANA also triangulated the same methods, as well as using data from NGOs, documents and a focus group. The neutralisation of the LDH involved the triangulation of interviews and presential observations – and some information from the press enabled further contextual expansion.

Triangulation, code-recode procedures, participants' requisitioning from time to time, and video and audio-recording of events both in rural and urban defiance to subsequent data re-analysis were constant in efforts of dependability checking during the data collection stage. To ensure the credibility of the study, as well as implement some



of the above techniques, I also spent a total of three years with participants in the study – with some time away, which I used to confirm data for when I returned. As can be seen, the processes of defiance underwent changes over time, and required that appropriate solutions be found during data collection and data checking processes. Many of these are explained in section 2.5.2. A database was put together using a coding system linked to the conceptual framework and to categories that emerged over the course of the study. More than just one perspective on the same object was also important in order to be able to triangulate information and limit any researcher bias, to broaden and deepen the understanding of defiance, and to verify similarities of visions and narratives in different multi-site ethnographic areas so as to become more familiar with the case environment and to review previous research findings (Polit and Beck 2008, Shenton 2004, and Lincoln and Guba 1985). A simplified structure of the coding rationale developed for the content analysis is shown in the attachments.

After describing the theoretical framework of this study, and how it was conducted during the fieldwork, the following chapters present cases that facilitate understanding of defiant civil society in Mozambique. There is no way of dealing with the complexity of current Mozambican power struggles without paying close attention to traditional and colonial power, and to the single-party and Party/State eras. Chapter 3 provides an historical overview of disputes in the colonial regime, and it underlines factors connected to the current regime - which is also immersed in a neoliberal economic context.

### **3 The origin of defiance in civil society and the hybrid regime**

This chapter offers a brief historical overview to illustrate how the repositioning of powerful groups can result in political and economic paradigms shifts that in turn triggered processes of defiance. It looks at the main social reconfigurations that resulted from the decline of the monarchy and the first Portuguese Republic, when the colonial regime opened up a new political playing field, and when exogenous social sectors brought new narratives and contestations of moral economy and civil liberties into the public sphere. It contributes to understanding the intrinsic concepts of civil society in Mozambique, using Mamdani's perception that only "through a historically anchored query is it possible to problematize the notion of civil society, thereby to approach it analytically rather than programmatically" (1996:19). The second part of this chapter employs Levitsky and Way's competitive authoritarianism theory to analyse the type of hybrid regime that prevails in Mozambique today, and explain its potential to serve as fertile soil for latency, and for processes of defiance, co-construction and neutralisation. The end of the chapter will comment on the similarities between contestation environments and their political actors at the beginning of the 20<sup>th</sup> century and those seen today - which will be analysed more closely in following chapters.

#### **3.1 The roots of the local elite and defiance in Mozambique**

This section identifies the elements of defiance that were influential in the colonial period. It highlights the muzungu society that had consolidated itself over the centuries as an elite with endogenous and exogenous traits, and the Mozambican version of urban bourgeois civil society (Mamdani 1996) that arose from indigenous-exogenous individuals in the early 20<sup>th</sup> century. It describes contentious episodes that preceded the paradigm of the *new imperialism*, and spawned narratives vital to understanding why urban defiance took place 100 years later – this will be further discussed in Chapter 7.

##### **3.1.1 Muzungu society and the kidnap stigma**

When the Portuguese navigator Vasco da Gama arrived in the region of Inhambane in 1498 - still under the political auspices of the late Dom João II (the king-merchant), he met natives who already spoke the language of trade. Reports of contact

between the populations of the coast of central Eastern Africa with communities in the Indian Ocean go as far back as the early Christian era. A multi-ethnic population began to form in this coastal area - which until then had been predominately African Swahili speaking sailors and merchants, Arabs and Indians (Newitt 1995:122). As of the 16<sup>th</sup> century, the *prazos da coroa* [grants of crown land] became increasingly influential, and this led to an unprecedented imposition of power in the region. The *prazos* were land concessions made through contracts for land leases, but for the Africans this meant the rise of controlled areas. This system evolved and became more complex in the 18<sup>th</sup> century after it was regulated (Cabaço 2010, Rocha 2006 and Newitt 1995).

From the 17<sup>th</sup> century onwards, the generations of the Afro-Portuguese became known as muzungos and they gained status in colonial society. Physically and behaviourally, the muzungos were little different from the indigenous population. They visited magicians and healers, formally married African women, and their children became part of the lineage of traditional chiefs. The *prazos* became another part of their fortune, and were used to bargain with, to accumulate wealth, to control agricultural and business activities, and to control slaves, communities and even private militias. “The social structure of the larger prazos had all the complex characteristics of Medieval European feudal relations” (Newitt 1995:215). This indigenous-exogenous group built its power by meeting the needs of their tribal relatives and of those who requested their services. Their influence held back both the growth of a strong colonial state, and the growth of a powerful African monarchy. Many became rich from their access to the markets of European and Indian capitals, and “were also linked to networks formed by the traditional leaders, the leaders of the caravans (...) and by those with power inland” (Ibid: 215). Over four centuries, the muzungos of the Zambezi integrated the matri-lineal speakers of Makwa variants, and were united by the Yao and Makonde trading caravans, which spread the word of Islam. They were malleable, political, despotic, uncompromising, often elitist slave owners, either protected by the law or powerful in their resistance to it. It was a heterogeneous and fragmented world that served both to “expand mercantile capitalism”, and to “resist the economic control of the outside world” (Ibid: 123).

Until the second half of the 19<sup>th</sup> century, the colony of Mozambique showed none of the characteristics of a modern state. The map of Portuguese control cast huge territorial shadows. The Portuguese occupation was fragile, and needed careful negotiation, coexistence or confrontation with local rulers. Alliances between the

Captaincy leaders (muzungos or Africanized whites) of traditional kingdoms challenged colonial power. At the beginning of the 19<sup>th</sup> century, although these alliances had not yet become a new bourgeoisie, there was a slave-owning class of whites, Goans and mestizos (Capela 2002:157). It was an elite made up of political and social units defended by “armies of servants and slaves, who were opposed to Portuguese rule and had become land and slave owners and war-mongers” (Cabaço 2010:54, quoting DHUEM 2000:261).

Being able to perceive the impact of the slavery and banditry on these societies helps to understand the displacements, kidnapping, abductions and other types of forced displacement that several generations of Mozambicans were subject to. Despite the inaccuracy of data, the 1845 census estimated there were about 15,750 slaves in Mozambique, making up approximately 80 per cent of the population.<sup>10</sup> Vast numbers of people were ensnared by judicial decisions, tribal wars and armed incursions. They married free people, yet gave birth to future slaves (Ferreira 1966). Women in the North were particular targets for diverse groups because of “lineage reproductive concerns among matrilineal people”. In some Makua societies, the “presence of women meant abundance for the lineage because the men had to work to support their wives and children” (Thomaz 2012:188). For example, subordination and co-option led to the butacas, where slaves had a master status over a village and had sometimes more slaves than their own masters (Capela 2000). It was a pattern reproduced from endogenous to exogenous social tissues that became more sophisticated and commodified over the years.

Kidnappings enabled “domestic slavery”, which was not a “mutual concession between master and slave”, but made it possible for the “kidnappee” to become a member of another family line (Thomaz 2012:187). It was perhaps this “integrational” aspect that motivated Vilhena to conclude that both the slave and the master valued domestic slavery because slaves were able to find family, protection and primary subsistence resources (Capela 2000:35, citing Vilhena 1910). Capela highlights a collective consciousness, stressing that there were few revolts against slavery around 1850, and that there were wars where, in practice, slaves defended the continuity of their status and condition. Further analysis of this “interiorised and generalised slaving mentality” as a set of a social complexity - which over centuries forced people from their communities and families and

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<sup>10</sup> For more about census inaccuracy see Capela (2000).

“compensated” for this violence by their integration into another group in a “symmetrical inclusion” (2000:44) - is beyond the scope of this study, but its effects are relevant.<sup>11</sup>

Slavery derived from mechanisms of capture, kidnapping and/or abduction, which enabled the headcount to be preserved or increased, as well as a supply of subordinates and dependants (Thomaz 2012, Medeiros 2007; Geffray 2000). These kidnappings are therefore related to the need of a workforce as well as a functional livelihood, and while one social group gained, the other lost. Abductions for slavery became “increasingly violent over the expansion of the slave trade” (Medeiros 1988:19-28). Even with the slave trafficking prohibition in the 1830s, slavery was still an issue at the beginning of the 20<sup>th</sup> century. A form of legalised abduction increased due to the colonial forced labour policy – which meant extremely low wages for those in both the public and private sectors and the massive displacement of *chibalos* until 1961, three years before the start of the liberation war. Chibalos were autochthonous workers forced to engage on private and state ventures and should receive salaries, meals and accommodation from their employers, but many times they did not receive what was determined by the law. Some chibalos used to live in traditional huts at the edge of the urban centres. In 1912, there were 91,000 Mozambican chibalos in South African mines and around 6,000 in Lourenço Marques. They were a mass of displaced people and this model of displacement and underemployment was protected by the law (Penvenne 1995:11-13).

Thomaz argues “indemnity-person” or “human pledge” were practices in some regions between the second-half of the 19<sup>th</sup> century up to the early 20<sup>th</sup> century (2012:186). This resulted in exchanging people or services to compensate for damages and to settle debts, and was punishable if interpreted as “temporary slavery” (Ibid). A person’s sudden absence could impact not only on the production process, but also on a “group’s socio-spiritual stability” (Thomaz 2012:187). The abduction of different people in wars and personal disputes had similar negative effects on the economies of both families and communities.<sup>12</sup>

Forced displacements for workforce proposals were recurrent in Mozambique until the final years of the 1992 civil war. Events during Machel’s regime - in the 1970s and 1980s – like the Clean-up Operation, Re-educational Camps, Production Operation and Communal Villages (Thomaz 2008, 2013; Thomaz 2012) and conscription for the

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<sup>11</sup> For more about nuances on domination and control over the human being as workforce in Mozambique see Vilhena (1910), Isaacman (1977), Capela (2000; 2002) among others.

<sup>12</sup> See Thomaz 2013 – all cf links and accessed dates in the bibliographical references.

civil war show that there are massive compulsory displacements not only in transgenerational narratives, but also in current social memory (French, 1995). People were forcibly displaced by Machel's policies that conjugate punishment and food production, as well as by civil war that was also based on kidnaping and forced recruitment. In 1982, there were 1,352 Communal Villages in the country; these included 45% of the population in Cabo Delgado, and 17% in Gaza (Thomaz 2008:186; Kaplan 1984:106). The regime created a repressive structure that in 1980 was responsible for the "kidnapping" and relocation of ten thousand people to twelve re-education camps. "These numbers continued to increase over the following years" (Thomaz 2008:190). It is therefore crucial to take kidnappings into account as both economic and moral phenomena – in order to understand the historical defiance which took place in 2013, and which will be looked at more closely in Chapter 7.

The next sections underscore processes of defiance which emerged from the collision of paradigms that contrasted muzungu society and the Portuguese new imperialism. The translation of these particular indigenous-exogenous social groups to urban zones, with proper features and origins, was to become important in creating the contestation environment after the Berlin Conference, when Portugal increased its territorial control to its detriment. This clash gave rise to the bourgeois civil society that traverses through less endogenous and indigenous-exogenous groups, and that brings peripheral and real issues into the public sphere.

### **3.1.2 Paradigm change and latency**

The Berlin Conference (1884-1885) was a watershed for colonial politics in Mozambique.<sup>13</sup> It started a process of change in the structure of classes, and directly affected the influence of the local elite and power relations, making it decisive in the emergence of the environment of contestation in the colony. It introduced the concept of effective occupation that, with its ineffectual control over the inland reaches of its colonies, put Portugal in a difficult situation; its weakness only further whetting the appetite of the United Kingdom and Germany. Thus, the Portuguese crown expanded its

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<sup>13</sup> The meeting took place between 15 November 1884 and 26 February 1885. Fourteen countries, with and without colonies, took part. Amongst other issues, they debated the rules for international relations on potential occupations along the coast of the African continent and on slave trafficking (Mazuri 2011).

occupation of Mozambique with the assistance of international capital and other mechanisms to profit economically and politically.<sup>14</sup>

Narratives arose at this point that reverberate still today in processes of defiance, based on state measures that allied powerful local structures with foreign economic elites in a colonial capitalist economic model. This paradigm shift set up new social patterns to the detriment of muzungu society and its urban elitist version. The biggest capitalist owner became the Portuguese state, which then subcontracted British, French, Belgian and German backed companies. Below these in the pecking order came more exogenous Portuguese and Afro-Portuguese officials - muzungos and those who had been “assimilated” - who formed an indigenous-exogenous social group. An autochthonous mass of taxpayers and the general workforce were on a third level in more endogenous groupings.

White European immigration was encouraged by offering privileges in the labour market. Capital accumulation was facilitated by employment agreements with South Africa and new land and employment legislation (Newitt 1995:321-386). The state expanded its infrastructure, and encouraged political and social disintegration with a proliferation of administrative posts throughout the territory (Mann 1984; Newitt 1995). Leaders in these areas were replaced by state appointed officials and *régulos* [traditional leaders], and this modus operandi inspired state initiatives a hundred years later.

The so-called “Conquest of the South” began after the fall of the Gaza Monarchy on 28 December 1895. In 1902, the Central region was still controlled by the Mozambique Company, private subcontractors and the captaincies (Rocha 2006:36-44; Newitt 1995:352). In 1913, the Niassa Company expanded its exploitation of the territory by defeating the Muslim Yao and Macua resistance. In the context of the German threat, the Makonde resistance in the Northeast was also quashed after the First World War (1995:353-374). The next subsections draw attention to episodes that show how the urban local elite reacted to the extension of the infrastructural power of the colonial state and its subordination.

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<sup>14</sup> In 1890, Portugal began to advance into central Mozambique and attacked the Mokololo, who were under the protection of the British. On 11 January 1890, the British crown gave an ultimatum, demanding the immediate withdrawal of the Portuguese troops and threatening military retaliation. There was considerable nationalist response in Portugal from influential, including intellectuals from the so-called “Generation 95” (see Cabaço 2010:61-62).

### 3.1.3 The real issue for the local elite

The Labour Law of 1899 was key to the emergence of the contestation environments up to the birth of the *Estado Novo* [New State] – the 40-year long authoritarian and colonialist regime in Portugal. Underlying this was an obsession with controlling labour and the native population. The state preached moral freedom to native workers - with employment contracts, and employers' obliged to provide food and accommodation - but what really mattered was Lisbon's *regra do vadio* [rule for the idle], which imposed forced labour on those people without employment contracts.

‘The law considered moral obligation to be met through capital ownership, professional status, or the cultivation or production of goods for exportation. It remained up to local authorities to determine whether or not these conditions were met. Obligations could only be fulfilled through paid work, and local authorities could forcibly recruit anyone not actively seeking work. They also had the power to impose forced labour on anyone who broke the law, including employment laws’ (Newitt 1995:341).

As the majority of the population were subsistence farmers without any formal contracts, this meant that they could be forced to work in accordance with the wishes of the settlers. The regime argued that the civilizing ideal was promulgated through “work and education” (Cabaço 2010:103).

The law divided the population into indigenous and non-indigenous, and disregarded liberal principles of “colonial integration” (Newitt 1995:340). Those born in the colonies, to native parents, were not to be distinguished by their education or customs but rather, by their racial background (Enes 1945:69-70). Non-indigenous people were able to shelter under metropolitan law, while everyone else had to follow African and colonial law (Newitt 1995:340-345). These reforms reduced the local elites' political and economic influence and their ties to Portuguese citizenship (Newitt 1995:122-138; Cabaço 2010:112-131). They benefited new settlers to the detriment of the local elite, who became more closely associated with the natives - rather than with those who were civilised. Segregation became even more radical and became confused with the Decree of Assimilation in 1917 (Cabaço 2010; Rocha 2006; Newitt 1995).

In rural and urban areas in the province's central region, with private investment, muzungu families resisted, and in the 20<sup>th</sup> century they adopted nationalist causes (Newitt 1995:123-330). “Rebellion” by the urban local elite questioned both contradictions in the



colonial narrative and state racial segregation, to build up its own defiant narrative over two fronts. The following subsection shows that, first, the local elite built up organisations and adjusted their discourse to what they supposed to be the interests of the “uncivilised” masses, thereby bringing the racial issue - which had previously been latent - to the fore. Secondly, they became aligned to social liberal republican ideals, which was ultimately ineffective, as the proclamation of the Republic did not restore the local elite’s privileged status.

### **3.1.4 Press, associativism and the breaking of latency**

The first urban challenges in Mozambique came through the press. These appeared first in the newspaper *O Progresso*, on 9 April 1868, which stated it was in favour of public freedom, social improvement and freedom of expression.<sup>15</sup> Over the following decades, newspapers denounced corruption and the stultification of “development”, and barely survived legal restrictions imposed on them (Fonseca and Garcia 2014:117; Dias 1954:51; Andrade 1997:48). It was only in 1892 that the newspaper *Clamor Africano*, founded in Quelimane, shifted the focus of criticism to colonialism (Rocha 2006:76). From the early 1890s, urban areas saw an increase in oppositional European and republican ideas, with the immigration of protagonists from the Porto Revolt, anarchists and masons.<sup>16</sup> At the same time, worker associations were being set up on the Island of Mozambique, in Inhambane, Quelimane, Tete, Beira and Lourenço Marques - modern day Maputo (Ibid).

In the first decade of the 20<sup>th</sup> century, Lourenço Marques was already the capital of the province of Mozambique. It was common for the city’s white community to set up organisations with common social and economic interests. The initiative received legal support from the Decree of 10 October 1901, which regulated the formation of associations (Ibid). The Association of Railway Workers was perhaps the first attempt at forming a workers’ organisation, and the Lourenço Marques African Guild (GALM) in 1906 stood out for its Nativist ideology (Rocha 2006:79 and Cabaço 2010:117). The Couceiro da Costa Republican Centre, with its connections to Freemasonry, and the

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<sup>15</sup> See Macua.org (2010) - all of links and accessed dates in the bibliographical references.

<sup>16</sup> The Porto Revolt was a movement against Portuguese cession to the British Crown’s ultimatum. The aim was to introduce a secular Republic, influenced by Portuguese left wing republicanism, and inspired by the examples of Switzerland and the United States" (De Sousa 1991)

Workers' Confederation - the first trade union in Mozambique - held demonstrations in support of independence in Portugal on 5 October 1910.

Over the years, associations, unions, and their respective newspapers proliferated. The Association of Graphic Arts made up of blacks and mestizos, deportees and political refugees, gave particular impetus to contentious performance through the press. It launched the workers' newspapers *O Gráfico* and *O Germinal*, and stood at the front of the trade union movement in Lourenço Marques in the 1910s (Rocha 2006:86; Capela 1983:123; Rocha 1975:82). The Association of the Port and Railway workers of Lourenço Marques was responsible for influential strikes up to the regime of the New State. Its contentious discourse was disseminated through the newspapers *Os Simples*, *O Germinal* and *O Emancipador* (Rocha 2002:87).

The following section presents two cycles of urban defiance in Mozambique. Both were based on moral expectations, and exposed contradictions and fallacies in the narratives of powerful stakeholders. The local elite associations called for civil rights and racial equality in the Nativist Cycle, but they did not secure the adhesion of urban endogenous groups because while this issue was crucial for the local elite, it did not mean a break of expectations for the *chibalos* (the endogenous population of forced and underpaid workers), who were subjugated by the powerful through forced work and displacement (Newitt 1995; Zamparoni 1998; Penvenne 1995). On the other hand, the worker cycle had the participation of endogenous groups because the issues at stake were related to the moral obligation of provision (Newitt 1995; Bohstedt 2016).

### **3.1.5 The cycles of contention up to the New State**

Until the start of the New State, the contestations were shaped by organisations, workers' newspapers and activists, and while there was little legal repression of organisations, there were restrictions on public demonstrations based on social class and race (Cabaço 2010; Rocha 2006; Zamparoni 1998). There was still no independence movement, and liberation was an issue in latency - quite hidden and overlapped by other issues. The next subsections highlight cycles of contention that contrast processes of defiance, and present dynamics of neutralisation up until the closure of the political playing field in a regime change. Discourses on racial equality and economic issues formed the streams of contention in the early 20<sup>th</sup> century.

## The Nativist cycle

Zamparoni (1998) writes that the *passe* [pass law] was imposed in Lourenço Marques at the end of 19<sup>th</sup> century to keep the black population under control, as state authorities feared a reaction to the end of the Gaza Empire. Other authors have argued that the state needed to control the displacement of natives because it was the largest exporter and employer of this source of labour.<sup>17</sup> The *passe* in Lourenço Marques affected native workers after 1904, stopping them from seeking employment freely and thus creating a group of low-paid workers (Rocha 2006:111). “Workers who often needed to travel into town were required to wear a *chapa* [metal plate] on their arm, which, as of 1913, provided their native registration number to the Police Commissioner” (Zamparoni 1998:291-293).

GALM was founded in the midst of this racial tension in the colony, and took a central position in the Nativist movement. Rather than defending “Africa for the Africans”, it stood for equality between blacks and whites. GALM’s principal contentious performance was its articles in the newspaper *O Africano*, and at the end of the 1910s, in the paper *O Brado Africano*. *O Africano* was censured for four months in 1909, 1910 and 1911. After that, it was banned for being a mobilising force of the Lourenço Marques native community. These newspapers made public the daily life of the unassimilated and the local elite who had seen their status lowered after 1890. This was just one of two dozen newspapers in Lourenço Marques; however, it had a version in Ronga and sections in other local languages such as Changana and Zulu. This is how the Nativists tried to attract the native population educated in the local language to the attitude of defiance they were putting forward. However, this did not take place within this cycle. GALM was the inspiration behind the creation of the Nativist Party, nativist organisations in other urban centres and acted as a launch pad for unions such as the Union of African Workers. (Rocha 2006:119-121).

The state saw Nativism as a separatist movement (Andrade 1997:110-111). It realized that the local urban and rural elite were behind controversial speeches and demonstrations in Mozambique and strikes and popular uprisings in places like Barué,

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<sup>17</sup> The Native Employee and Workers’ Regulations for the District of Lourenço Marques authorized natives to travel freely in the capital providing that: 1) they owned a property, business or industry, 2) they worked for the state and had a license to look for work, 3) they worked for visitors to the city, 4) they had documents proving they were in the city to resolve personal issues or to sell products, 5) they were servants, employees or scribes of private individuals and were appropriately identified (Zamparoni, 1998:291, citing the Regulations for Native Employees and Workers for the District of Lourenço Marques).

in 1907 and 1917.<sup>18</sup> Despite this, the organisations inspired by GALM, and GALM itself, though defiant was not seeking independence. *O Brado Africano* referred to natives as “Portuguese blacks”, which suggested an acceptance of the “colonized condition” or the assimilated. One branch of the organisation also preferred to avoid more confrontational clashes, and questioned GALM’s involvement in the workers’ movement (Rocha, 2006:120, citing *O Incondicional*, 05/06/1913 and *O Africano*, 13/02/1915). This branch of GALM advocated for a co-constructive approach. A hundred years later, organisations can split between defiance and co-construction over the same issue, and this can result in neutralisation – as will be shown in Chapter 5. The next section will show why “uncivilised” groups joined processes of defiance.

### **The worker cycle**

Nativist attempts to spread contentious ideas among potential beneficiaries – the indigenous population, agitated colonial power, and the latter reacted by implementing a process of neutralisation in an attempt to delegitimise Nativism. In addition to the Decree of Assimilation in 1917, Provincial Decree No. 317 made a distinction between educated natives and those who were “uncivilised”. The local elite had started to be seen as “the others” by both the chibalos and the settlers (Cabaço 2010:120), and the decree acted as a co-optional factor for a section of this group. Throughout the economic crisis between the First World War and the end of the First Portuguese Republic (1914-1926), the settlers made their money in British sterling as inflation had destroyed the Portuguese escudo. The local elite could be paid in sterling if they accepted the assimilation decree, and thereby escape the category of native (Ibid: 122).

The Nativist movement resisted these neutralisation attempts by expanding its repertoire through reports in newspapers calling for petitions, strikes and demonstrations (Penvenne 1994:68; Rocha 2006:113-176).<sup>19</sup> At the same time, Chibalos also saw that the crises put at risk the bare minimum needed for their survival. It meant that their moral economy expectations, based on a tacit agreement of subordination, were gradually being broken down. The link between citizenship and race, inflation, high prices, the

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<sup>18</sup> The Barué Uprising was instigated by chiefs who had been exiled in central Mozambique, which stretched down to the southern reaches of the Zambezi, and effected the entire population of the Mozambique Captaincy. There was a shaky alliance in the 1880s between the Barué and the Da Cruz and Pereira factions through contacts with the descendants of the old Afro-Portuguese lords, and which attracted the offspring of de Sousa and incorporated former chicundo and dissatisfied Afro-Portuguese soldiers (see Newitt 1995:366-367)

<sup>19</sup> Tilly and Tarrow call “contentious repertoires” arrays of contentious performances that are currently known and available within some set of political actors, for example petitions, lobbying, press releases, public meetings and others (2015:236).

devaluation of the escudo, hunger, corporal punishment, poor working conditions, and forced labour recruitment, mobilized endogenous and indigenous-exogenous groups to establish new networks in the colony, the cities and abroad.

From 1919 to 1921, Nativists joined with workers in their defiance. There were strikes by dockworkers in May 1919, and in January and June 1920, with arrests, convictions for forced labour, and mass layoffs. May 1920 saw a wave of looting by junior officials and white workers instigated by the newspaper *O Emancipador*, the *revolta da carestia* [revolt of the scarcity] – which was a food riot. In September, the railway workers' strike, which was supported by other groups as well, also included members of the indigenous population. This led to military intervention at the *Caminhos de Ferro de Lourenço Marques* rail station and a state of emergency was declared, with arrests and deportations of strike leaders (Rocha 2006:106-168).

The initial consequences included an economic and political initiative on the part of the regime to try to reverse the chaos. Firstly, it gave administrative and budgetary autonomy to Mozambique, which thus became more independent from the *Banco Nacional Ultramarino* [National Overseas Bank], a Portuguese bank with operations in the provinces. The province wanted to distance itself from currency issued by the BNU, which had monopolised operations since 1864. The dispute was the main cause of the huge rise in inflation in the 1910s (Newitt 1995:375). Secondly, GALM was recognised and legalised in July 1920, and the Decree of Assimilation was suspended five months later. A further consequence was that in December 1922, owners of businesses, “public officials, office and retail employees, printers, foremen and civil servants” were no longer obliged to use the *passe* (Rocha 2006:169). August 1924 saw yet further outcomes: the government offered subsidies and recognised “the need for regulatory wage standards for the state’s indigenous workers, thereby avoiding unjustified inequalities” (Ibid: 170, citing Administrative Rule no.781, 30/08/1924). In 1925, the regime began to investigate price increases (Rocha 2006:170, citing Administrative Rule No.781, 08/30/1925).

*O Brado Africano* launched a manifesto on 14 March 1925 calling for African unity and action against the colonial administration (Ibid 2006:170, citing *O Brado Africano* 14/03/1925). Between August 1925 and March 1926, Mozambique saw numerous demonstrations by civil servants and business and industry owners, and a general strike triggered a state of emergency. In retaliation, the military closed union headquarters and the newspaper *O Emancipador* - which from then on became an underground publication. The military also interfered with the railway system, overseeing

dismissals, arrests and deportations that tended to target black workers. Two months later, the coup of 28 May in Lisbon overthrew the Republic (Ibid 2006:171).

Numerous organisations were incorporated, controlled or removed by the New State (Rocha 2006). At the end of the 1920s, the authoritarian regime undertook the process of neutralisation, imposing press restrictions and trade union demobilisation through the Law *João Belo*, which preceded the censorship act of 1933. The political playing field became increasingly limited. Journalists fled Mozambique and newspapers such as *O Emancipador* and *O Brado Africano* were directly affected. Defiant organisations were banned (Ibid: 91-112). Nativism was disrupted by the “separations between groups of blacks and mulattos” and the “fragmentation of the movement as a whole” (Ibid: 233).

### **Pan-Africanist Cycle**

Throughout the era of the *Estado Novo*, endogenous groups protested against colonialism in discrete actions such as the Makonde sculptures, and in satirical performances (Kingdom 2002:24). There were several indigenous-exogenous organisations registered in urban areas, but they then ran out of control. The MJDB (Mozambican Young Democrat Movement) was terminated in 1949 due to its Africanist campaign and to defending urban and rural workers’ rights (Cabaço 2010). That same year saw the creation of NESAM (the Centre for African High School Students of Mozambique), which started an Africanist network in which Eduardo Mondlane was one of the protagonists (Meyer 2013:92). Africanism was furthered by the Protestant missions through “evangelism and literacy teaching in local languages” (Cruz e Silva 1998:399, citing Harries, 1988). Other religious groups, including Muslims, also played similar roles (Cabaço 2007:391).

Urban and rural communities also challenged the regime through less discreet non-violent actions. In Sofala in 1947, 7,000 women refused to plant cotton in a demand for higher wages. Similar actions took place in Gaza in 1955 and 1958 (Isaacman 1983:66). In 1947, hundreds were deported after a general strike in Lourenço Marques (Cabaço 2010). In 1956, colonial forces killed 49 protesting port workers (Meyer 2014:92). In Cabo Delgado, farmers founded the African Voluntary Cotton Society of Mozambique in partnership with Tanzania’s African National Union. The cooperative became a means of resistance, as the farmers managed all the production and marketing

independent of colonial rule (Hanlon 1984). In Mueda, on 16 June 1960, they held talks with the local administration about trying to legalise the model. It is estimated that 500 people were killed in the so-called Mueda Massacre.<sup>20</sup> In the 1960s FRELIMO (Frente de Libertação de Moçambique, The Mozambique Liberation Front) supported petitions, strikes, leaflets and cultural manifestations in resistance to colonial authoritarianism (Meyer 2013).

The following section gives a brief overview of the intervening period between the advent of the New State and the end of the civil war. It will also highlight the early years of the FRELIMO rule and the civil war, and introduce the context in which a hybrid regime began to emerge in Mozambique in the end of 1980s.

### **3.2 Liberation and Civil Wars**

FRELIMO emerged out of a political incubator created in Dar es Salaam by the OAU (Organisation of African Unity) and Julius Nyerere's TANU (Tanganyika African National Union). The unification of Mozambique's independentist groups that created FRELIMO on 25 June 1962 was the product of several pan-African interests and emerging leaders in Southern, Northern and Central regions. FRELIMO brought together three different strands: 1) UDENAMO (Mozambican Democratic Union), founded in Harare, 2) MANU (Mozambique African National Union), formed in the main by leading Makondes sympathisers with Tanzania, and 3) UNAMI (Independent Mozambique National African Union).<sup>21</sup> The war of liberation started with the attack on a Portuguese base in Cabo Delgado on 25 September 1964. Eduardo Mondlane had led FRELIMO for seven years until his assassination in 1969, and had founded the OMM (Mozambican Women's Organisation), the OJM (Mozambican Youth Organisation), and the OMT (Mozambican Workers Organisation). Mondlane had apparently no ideological commitments to either East or West (Emerson 2014; Berry 2010), and this helped FRELIMO's recognition by superpowers.

FRELIMO has had a history of divisions and conspiracy narratives that have promoted an elite from the south of the country and which continues to hold positions of

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<sup>20</sup> The Mueda massacre is described by Newitt (1995) as the Mozambican version of Sharpeville, and took place three years before the bloodshed in South Africa. Eduardo Mondlane points out that after this event many people "were determined to never again be disarmed in the face of violence" (1969:117)

<sup>21</sup> In December 1964, PIDE destroyed any chance of unarmed independent insurrection. It set up a major operation in Lourenço Marques, where 1800 activists were arrested and it FRELIMO's activities in the south (Newitt 1995:452)

power in the Party/State.<sup>22</sup> The ambiguous stance of the West on Portugal, and the Soviet bloc's armed support of pan-African groups led FRELIMO to lean towards the Soviet Union after Mondlane's death (Gourd 2010). As of 1975, Samora Machel led a one-party government system. Rhodesia and South Africa, which had resisted African nationalism, realised the threat and supported the proxy-war that destabilised Machel, supporting RENAMO (*Resistência Nacional Moçambicana*, the Mozambican National Resistance).

At the 3<sup>rd</sup> Congress of FRELIMO in 1977, the regime declared itself a technical Marxist-Leninist party and expelled any dissidents. The president called young Mozambicans to take on the nation's management after 200,000 Portuguese citizens fled the country. They took up roles as administrative staff in various government departments. This led to what is known as the *8 March Generation*, which has historical links to FRELIMO and has been influential not only in Party/State structures, but also in civil society. The 8 March Generation contrasts with *historical FRELIMO* – a highly cohesive southern-centric group that came out of the war of liberation and that controlled the state and party for 50 years. Despite this, FRELIMO was exposed to a wider range of backgrounds that went beyond ethnic-geographical debates between North and South. Ethnic geographical, generational, private and political economics are just some of the many backdrops to the complex mosaic of groups and power relations in the party today. Although FRELIMO's decision-making bodies increasingly consist of people under forty, the institution's intrinsic values remain, and they are likely to continue historic FRELIMO's legacy for generations to come.<sup>23</sup> While on one hand this new generation of FRELIMO is emerging and highlighting diverse opinions; on the other, those who actually hold power within the Party/State, the historical FRELIMO group, distance themselves from these new opinions in decision making.

In 1981, RENAMO fought in “nine out of the ten provinces”, and backed by Rhodesia and South Africa over the next ten years, caused damage to the country's infrastructure and public service network (Amond et al. 1998:83; Smith 2014). Machel signed agreements worth hundreds of thousands of dollars with the USSR for arms and military advice (Milhazes 2010:30). The regime absorbed the unions and enabled FRELIMO's social organisations to take control of civil society, and ignore traditional authorities.<sup>24</sup> The security forces and the GDs (*Grupos Dinamizadores*, Dynamizing

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<sup>22</sup> For more on the history of FRELIMO, see Ncomo (2010).

<sup>23</sup> STV (2016c)

<sup>24</sup> In the 1970s, the OMM had an estimated 7,000 members and by the 1980s it had hundreds of thousands. For more on the chronology of Mozambican trade unions, see Ribeiro (2015).



Groups) controlled the urban and rural endogenous populations and endorsed a type of forced mass displacement policy that was used for punishment, ideological control and the recruitment of agricultural labour, as seen in section 3.1.1.

In 1984, foreign debt was 18 times the value of annual exports and there were tens of thousands of people going hungry (Newit 1995; Amond *et al.* 1998). Donors were pushing for the implementation of the IMF's Structural Adjustment Programme (Hanlon and Smart 2010). The RENAMO army consisted of 20 thousand conscripted soldiers, but it also included volunteers that felt resentful and disillusioned about the country's precarious economic situation (Emerson 2014). These massacres in the midst of such poverty attracted international attention. In 1987, Mozambique was considered the poorest country in the world (Arnold 2009). After Machel's death, Joaquim Chissano took control. In the 5<sup>th</sup> FRELIMO Congress on 17 July 1989, the party announced it was abandoning Marxism-Leninism. After international pressure and over two and a half years of negotiations, the Sant'Egidio peace agreement was signed in Rome on 4 October 1992, and thus RENAMO became a political party.

### **3.3 Civil society organisations after the liberation**

Between 1975 and 1986, the few agencies and NGOs active in Mozambique were expected to acquiesce to the only controlling party. The established legal framework and the armed conflict hindered the emergence of non-partisan civil society organisations, although some faith-based organisations tried to empower society beyond party lines, such as the Christian Council of Mozambique and the Episcopal conference of Mozambique (De Araújo and Chambote 2009:216). As of 1984, with the economy in decline, the influence of foreign agencies continued to grow and they started to become integrated into government strategies and plans. However, agencies claimed that there was a lack of fluent dialogue, which was down to governmental policies, corruption and the cultural "rootlessness" of those in power. The Government on the other hand blamed impositions created by the North on the South, and global financial and discriminatory inequality. After 1986, these organisations started to look for partnerships with the communities, "to respect State norms" and develop aid projects (Adam and Coibra 1997:82-84).

As we will see in more detail in Chapters 4 and 8, the 1990 multi-party constitution and the 1992 peace agreement were set up to try to ensure freedom of expression and

association. This made the environment more conducive to independent national and foreign advocacy, humanitarian, and associative organisations to set up in Mozambique. Between 1984 and 1996, international agencies started up several national NGOs, and also contributed to creating others; this meant that the number of organisations increased from just four to two hundred over the course of twelve years. This period saw the creation of organisations that we will look at over the following chapters. For De Araújo and Chambote, the origins of this post-war civil society were characterised by an “over dependence on external funds and skills, and lack of grass-roots support, particularly in the rural areas that were supposed to constitute their natural support base” (2009:217). The focus points of the organisations broadened to include the honing of government systems and encouraging liberal democratic values.

In the 1990s and 2000s, organised civil society developed into three different categories. Johansson and Sambo define the first as a small professional elite with the power to “participate, comment and interact with State institutions”. These are organisations and individuals that have been invited to “participate” and act on behalf of certain groups, but without necessarily having to identify with them. The next level is a group of “middle-ranking organisations” with less political influence and fewer financial resources, and that are dependent on external donors. The third level is comprised of less influential associative organisations that work on a district and provincial level (2017:103-104, quoting Topsøe-Jensen *et al* 2012, and Negrão 2003).

After 25 years’ experience in this new political field, these Mozambican organisations consist of individuals from a post-civil war period, and we will also look at this more closely in Chapters 4 and 7. These individuals set up organisational structures that in general lacked democracy, did not introduce new leadership models, and focussed their accountability on the donors rather than beneficiaries or the workers themselves. Such structures lack human and financial resources for management and operations. De Araújo and Chambote point out another weak point of this organisational structure – an issue proposed for this study: the quest for what is actually the real issue. In their opinion, “CSO weaknesses originated in part to form the lack of qualitative and quantitative research about the country’s social reality, restricting their knowledge and capacity to act” (2009:217-218).

The organisational structure of this generation of Mozambican civil society is concentrated in a few areas. At the end of the 2010s, Maputo was the base for 13% of the country’s organisations, which in turn held over half of the resources destined for the

sector. Around 70% of organisations were based in five provinces and only 5.7% had national reach. More than 70% of organisations' funds came from abroad, and the foreign NGOs received 54% of these, despite only making up 3.9% of the organisations working in the country (Johansson and Sambo 2017:103-104, citing Open Society Initiative for Southern Africa 2009). In spite of so many challenges, De Araújo and Chambote believe that the organisations have been able to raise awareness about civil and political aspects, and also make important contributions to basic services and promote human rights "by putting pressure on political decision-makers in support of a justice system which serves citizens, in social, economic and political development processes" (2009:218).

Mozambican activists refer to a culture of fear, which is very close to the culture of silence (Freire 1972), that prevents citizens from rising up against everyday injustices. However, for defiance, it is particularly important to remember that the traditional and monarchical colonial muzungu model, the new imperialist regime of the turn of the 20<sup>th</sup> century, António Salazar's New State (the colonial dictatorship), and Machel's regime - which still has some individuals in power - continues to depend on strongly hierarchical segregationist and isolationist structures. Generations of Mozambicans have accumulated a deep subaltern memory, having been subjected to powerful structures that tend to be replicated over time and are sanctioned for any disobedience. They make Mozambique seem an inhospitable and unfavourable environment for any autonomous agent able to challenge authority, as defiance is seen as contempt. This context makes it more likely that subalterns will see the authorities as legitimate (Rosenberg *et al.* 1988), and it also means that the focus of attention is secular subaltern narratives, which transcend rule of law and democratic values. The next section discusses how it has worked in the FRELIMO's regime after the Cold War.

### **3.4 Hybridism in the Mozambican State**

After nearly six decades of a restricted political playing field, a hybrid regime began to emerge in Mozambique. The "transition period" between the 5<sup>th</sup> FRELIMO Congress of July 1989, and the elections of October 1994 was marked by the disintegration of the totalitarian Marxist-Leninist paradigm and a rapprochement with the West.<sup>25</sup> Levitsky and Way (2010) wrote that Mozambique was seeing the birth of

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<sup>25</sup> The totalitarian regime is marked by mobilising the masses and a public idealism. This regime is a form of control over society and individuals that accepts neither basic rights nor power division. It is characterized by an ideology that controls public and

competitive authoritarianism. As discussed in Chapter 2, the conditions of a competitive authoritarian regime are favourable for the environment of contestation because they open up a particular kind of political playing field. From this standpoint, this section of the chapter will look at the stagnation of democratisation and the state model of governance and organisational power, which interacts with the defiant civil society seen today. Understanding the genesis of the current Mozambican state helps one to perceive nuances in co-construction and defiance processes that are still taking place.

### **3.4.1 Stagnant democracy**

Several authors have drawn attention to the stagnation of democratic transition in Mozambique and the still frequent political tensions almost 30 years after the civil war (see Bertelsen 2003; De Tollenaere 2003; Castel-Branco 2015). Levitsky and Way argue that links to the West were not strong enough to prevent the loss of a pro-democratic focus after 1994 and the reaffirmation of FRELIMO in power. While there is high leverage - with a considerable part of the state budget consisting of foreign aid - there is, on the other hand, low linkage, i.e., there are insufficient economic, political, diplomatic, social and organisational links with the West (2010:43). This combination of high leverage and low linkage would not encourage democracy. Linkage could contribute towards democratisation in three specific circumstances: “raising international reactions to autocratic abuse, creating domestic circles of democratic behaviour for established standards and encouraging new means of domestic distribution of power and resources, and strengthening democratic and oppositional forces and weakening and isolating autocrats” (Ibid:44-54). This study raises four phenomena that may have contributed to the backdrop of low linkage in Mozambique: 1) dependence on donations, 2) insufficient technical and educational exchange, 3) donors’ change of focus and 4) the emergence of an “indirect” mechanism of democratisation.

For decades, Mozambique did not respond proactively to the transfer of resources from the West. Moreover, it did not create conditions to strengthen a two-way path to economic linkage (Levitsky and Way 2010), and was merely a passive receiver. The channelling of resources towards developing production was to gradually reduce

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individual life, building a hierarchical structure that leads the State apparatus to single-party leadership and leaves the economy at the mercy of one state and one party, which censors the media, militarises society and excludes and terrorises the opposition (Vierecke 2010:85; Rieger 2002b:1105)

dependence, thereby breaking the unilateralism of economic linkage.<sup>26</sup> Academics such as Hanlon and Smart have criticised dependency on external aid in the policies of the presidents Armando Guebuza and Joaquim Chissano. Subservience and passivity led to a “donor darling” label. Up until the end of the 2000s the donor darling “received around US\$350 million per year”. While Malawi, Tanzania, and Uganda received US\$42.00 per capita in 2004 and 2005, Mozambique received \$65.00 per head – “50 per cent more” than these other countries with a similar GDP per capita (Hanlon and Smart 2010, Chapter 11). In 2012, Mozambique was one of the six African countries that received most from the ODA, with donations of US\$2.07 billion, 4 per cent of the total ODA resources for the continent (OECD 2014).

The second phenomenon, the educational exchange with OECD countries lacked investment in the 25 years following the civil war. The exception, as Hanlon and Smart pointed out, was that “key finance and planning staff were sent to universities in the United States, where they learned neoliberal economics and spent time working for the IMF or World Bank” (2010, Chapter 11). Several current civil society activists and government officials were educated in South Africa or in Zimbabwe in the 1990s and 2000s.<sup>27</sup> Similarly to Malawi, Mozambique has a very low outbound enrolment ratio of 0.1 per cent. This is lower than neighbouring Zambia (0.3 per cent); Zimbabwe (1.0 per cent), Botswana (1.6 per cent) and Namibia (1.6 per cent). In 2015 and 2016, for example, Mozambique had 2,271 mobile students abroad, the highest rate of the last eight years. The majority of its external educational links are with non-OECD learning institutions, despite the most important destination over recent years being Portugal. In 2016, while almost a quarter of students studying abroad went to Portugal, more than 50 per cent students were enrolled in institutions outside Western Europe, the United States and Canada.<sup>28</sup>

This may be explained by three significant factors: the first is the historical connection of pan-Africanism, which emphasises technical and educational cooperation in the SADC, the Southern African Development Community (Chan 2011). The second is the South-South cooperation that encourages partnerships in educational and

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<sup>26</sup> Cardoso and Faletto (2008) state that the policy of dependence consists of a “set up whose structural links are not based on just external forms of exploitation and coercion, but rather, on forms that are rooted in the coinciding interests between local and international ruling classes, and that are also challenged by subservient local groups and classes. Under certain circumstances, coinciding or reconciled networks of economic interest may evolve to include sectors of the middle class, and even alienated sectors of the working classes. In other circumstances, sectors of the ruling classes may seek alliances with the middle classes, workers and even peasants in their quest to protect themselves from foreign involvement that is contrary to their interests” (2008:12).

<sup>27</sup> Fieldwork notes and interviews from 2013-2015

<sup>28</sup> See UNESCO (2016)

technological areas (Milani *et al.* 2016). The other is cultural: the strongest bond between Mozambique and the West is its Lusophone links.<sup>29</sup> This factor may however, actually weaken direct relationships between the economic, cultural and educational elite and more influential OECD members such as France, Germany, the United Kingdom and the United States, and it also explains the low technocratic linkage and social linkage.<sup>30</sup>

The third phenomenon came when donors' leverage for liberalism became heavier with the FDI strategy during the 2000s. While Mozambique was going through the period of transition after 1989, donors wanted to consolidate democratic institutions and encourage political reform, and as of 1994 they focused on supervising privatisations and breaking down protectionist barriers. The result was an indirect democracy promotion through the transfer of funds to different NGO projects. Pitcher helps understand the neoliberal focus of donors and the donor darling style that other authors have called "resubordination" (Saul 1993:61) or "neo-colonial vassalage" (Plank 1993:429-40). She argues that Mozambique was "losing its sovereignty and being recolonised" (Pitcher 2002:147). From 1985 to 1998, the government raised US\$4 billion in auctions of more than a thousand state-run enterprises. Domestic investors bought more than 90 per cent of these companies, with 70 per cent being in the agricultural and industrial sector. However, in the so called "new investments" stage in the second half of the 1990s, foreign investors focused on the larger companies and mega-investment projects, a trend that would continue throughout the 2000s, as presented in Chapter 5. "As of 1997, 50 per cent of the total equity of the medium to large companies sold by the state, even though foreign investors only purchased 25 companies out of 115 that were sold" (Ibid:147-148, citing UTRE 1998).

Ribeiro argues that at the end of the civil war, many state-owned companies were either underused or in a semi-suspended state of operation.<sup>31</sup> Workers fought against late payments, firing of managers and removal of union leaders. Just before the state cashew company was sold, disjointed protests took place in many factories in different regions, and the dynamic of the contestation "dragged" the lackadaisical union into this (2015:373-374). In 1995, the multilateral conditionality mechanism promoted the

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<sup>29</sup> Many approaches by the country's economic, political and educational elite have strong links to Portuguese teaching institutions and to countries with shared roots in the Latin language, such as Spain and Italy. Italy in particular has kept its doors open to Mozambicans since the end of the civil war.

<sup>30</sup> Six linkage dimensions are particularly significant if a country wants to be more sensitive to Western pressure for democracy. These are economic, intergovernmental, technocratic, social, informational and civil (Levitsky and Way 2010:43-44).

<sup>31</sup> Ribeiro cites companies such as Cometal-Mormetal (metalworking), Suínos de Maputo (pig farming), Indel (home appliances) and, Companhia Industrial da Matola (cereal crop) and many factors of Caju de Moçambique (cashew) (2015:373).

privatisation of cashew nut production and sale, and banks, and the dismissal of 10,000 public employees.<sup>32</sup>

Fourthly, the indirect democracy promotion through the transfer of funds to different NGO projects can be seen as an effect of the unilaterality of economic linkage. Mozambique did not create restrictions on the advance of the international economic elite, yet conversely, it ensured generous donations while limiting the pressure for democratisation - making it more comfortable and controllable.

Two dimensions of linkage became stronger over the 1990s and the following decade, and had considerable impact on civil liberties: these were information and civil society linkage. International news agencies and Western media companies have always been present in the country - which has press freedom and has, according to Freedom House, been stable since the 2000s.<sup>33</sup> The private press is relatively free to report what is happening in the world and has open channels with Western media. The same happens with civil society, whose activities can only be considered partially free, because there are organisations that have restrictions, such as Lambda which stands up for freedom of sexual orientation. According to Freedom House, Mozambique is classified as partially free, and civil liberties have slowly improved between 2001 and 2015.

### **3.4.2 The Party/State Strength**

In the period since 1994, Mozambique has become an arena with a constellation of interests. Western donors focus on promoting neoliberalism and advocate electoral democracy, distancing themselves from other dimensions of democracy. Unlike the transition period, pressure for and supervision of civil liberties is indirect and discreet, and is the responsibility of civil society. In turn, civil society comes into conflict with the political elite, which breeds contestation environments - not as violent as armed conflict, but not so peaceful that the state can turn a blind eye.<sup>34</sup> We will now look at the organisational power of this state to implement mechanisms of neutralisation.

In Mozambique, the security forces do not have the backing they need to maintain a significant presence in the territory, and the police force is understaffed and lacks

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<sup>32</sup> See Mozacaju (2011); Verdade (2012c)

<sup>33</sup> See Freedomhouse reports (2001)

<sup>34</sup> In the theory of competitive authoritarianism, "where linkage is high, leverage is more likely to create pressure towards full democratisation" (Levitsky and Way 2010:51).

training and resources (Pessoa *et al.* 2016:137-138). With approximately 100 police officers for every 100,000 inhabitants, the country has one of the lowest ratios in the world (OSISA 2012:23). The state increased funding between 2011 and 2014 from 0.9 per cent to 1 per cent of GDP for the armed forces. However, its military personnel of 11,000 soldiers corresponds to just 0.1 per cent of the country's working population - the global average is 0.8 per cent. In the 1980s during the sixteen-year war, these troops numbered almost 65,000. Numbers are now lower than neighbouring countries such as Zimbabwe, South Africa and Tanzania.<sup>35</sup>

Despite this, the Mozambican Party/State has managed to skew the political playing in its own favour, and this means that “even highly controversial or illegal orders will be carried out by both high-level security officials and rank-and-file soldiers and bureaucrats” (Levitsky and Way 2010:60). This has three underlying reasons: 1) the successful colonial war and the civil war created bonds of solidarity between agents of the state and the FRELIMO nationalist freedom front.<sup>36</sup> 2) The struggle for freedom and the sixteen-year civil war led by against a regime that preached national unity and diverse ethnic ties between state agents, an approach that minimized ethnic divisions in society. 3) FRELIMO went back on its promise to incorporate fighters from RENAMO into the FADM (*Forças Armadas de Defesa de Moçambique*, Mozambican Defence Forces) that had been set out in the General Peace Agreement.<sup>37</sup> This maintained RENAMO-FRELIMO polarisation meant that high internal cohesion had to be maintained within the armed forces and particularly FRELIMO itself.

FRELIMOS' behaviour throughout the 1990s suggested it is a national “mass organisation that penetrates virtually all population centres down to village and neighbourhood level and/or civil society and/or workplace with evidence of significant grassroots activity – during and between elections – across the national territory”. The party is capable of “carrying out election campaigns and Fielding candidates across the national territory” (2010:377). However, events in the 2000s ended up increasing FRELIMO's reach in communities and civil society, and significantly increasing the size of its infrastructure and penetration throughout national territory and society. This was the start of the new Party/State era: confined democracy.

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<sup>35</sup> See World Bank (2015)

<sup>36</sup> Levitsky and Way (2010) consider that this solidarity as perhaps the most robust source of cohesion amongst State agents.

<sup>37</sup> See University of Notre Dame (2015)



While it was going through its democratic transition period (1989-1994), FRELIMO collaborated with a variety of political actors, including those whom it had opposed in war, in the same sphere as everyone else in reconstructing the state. In Joaquim Chissano's first post-war term (1995-1999) however, FRELIMO set itself apart in its own sphere of state power, opening a playing field in a different sphere for all other political actors, where there are contestation environments. Thus began a process to reincorporate the state similar to the single party, becoming both party and state together. In Chissano's second term (2000-2004), the Party/State seemed to confine day-to-day political disputes within these disempowered contestation environments, frequented by those in opposition, and by the media, activists and international political actors.<sup>38</sup> Shut off within its own state sphere, FRELIMO debated only with itself, visiting the contestation environments and forcing neutralisation when convenient, and making state decisions from within the party structure. This phenomenon was facilitated by the reduction of Western leverage, as the West believed that Mozambique was now able to walk on its own two feet and that it was confident about the realisation of regular elections (Hanlon and Smart 2010).

Although Law 2/97 opened up the possibility of multi-party election in 33 of the country's *autarquias* (municipalities), the governors of the provinces and neighbourhood secretaries were still appointed by the Party/State.<sup>39</sup> Decree No.15 (*Boletim da República* 2000a) marks the moment when the Party/State finally incorporated traditional leaders, by guaranteeing their financial rewards. In practice, the Party/State expanded its power by embracing the traditional chiefs, which, according to Geffray (1990), were strong flexible grassroots institutions within the framework of political, social, cultural and rural standards. A measure that could have been used to decentralise power - with the vast majority of the population living in rural areas - thereby expanded central power.

From the point of view of governance, while local neighbourhood laws save Machel's Dynamizing Groups, Decree-Law No.15 reminds us of the "administrative authority of colonialism" (Lourenço 2009:133). The state creates a new direction in its infrastructural power and the party takes full advantage of this. Civil society visits rural communities, where it is necessary to seek permission from local leaders who are loyal

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<sup>38</sup> It is important to note that this phenomenon occurred at a time when FRELIMO feared losing power. This can be demonstrated by the apparatus used to elect Chissano in a highly controversial scheme full of irregularities (Manning 2002:194-199; De Brito 2007:1).

<sup>39</sup> Law 2/97, 18 February 1997, was the legal framework for local municipalities institutionalisation. It was altered by the law 15/2007, 27 June 2007, and 1/2008, 16 January 2008.

to FRELIMO.<sup>40</sup> A model of neo-traditional corporatism, involving instrumentalisation of traditional authorities, emerges with a fusion of ideas that are completely averse to democracy (see Robinson 1991; Grest 1995; Harrison 1996; Alexander 1997; Santos and Meneses 2010). FRELIMO managed to reconstruct its hegemony, allowing a period to cool off from the decentralisation and democratisation of the early 2000s, and used its infrastructural power to incorporate the state.

Historically FRELIMO has a relatively moderate wing (Hanlon and Smart 2010, Chapter 10). There are members of the 8 March Generation who have been loyal for over 40 years, and who were the driving force behind the post-civil war civil society. Together with other opposition groups, they are voices that remember Machel and that have stood up against the alleged political murders of the journalist Carlos Cardoso, in 2000, the economist António Siba Macuácuá, in 2001, and more recently the professor Gilles Cistac, in 2015 – who blow the whistle on purported Party/States' connivance with corruption and leniency regarding political-military conflict. FRELIMO has influence over civil society, but it interferes circumstantially.

Therefore, since 2000, FRELIMO seems to have increased and strengthened its influence on society as whole. It historically reaffirmed itself as a party that was the result of very successful liberation movement, consolidated over the sixteen-year proxy war as the only party, and which had held onto its command since 1963. In the multi-party system, it won five elections - with four mandates for two presidents who participated in the struggle for liberation. Its members shared Nationalist values with the population and sustained the narrative of unity that goes beyond ethnicities and generations. In 2000, FRELIMO deployed a kind of neo-traditional corporatism, when it realised the importance of allying with traditional leaders and realised that it could have a “nonconflictual society in which organic unity provides a check against competitive pluralism and corporate groups facilitate mass mobilization for economic development equivalent to the assertion of the hegemonic culture of politics” (Robinson 1991:15; FRELIMO 1991:1, Lundin 1992; Geffray 1991). Thus, despite being reliant on external resources support, internally the Party/State concentrates on policy control and on influencing the political playing field, which creates a very specific scenario for process of defiance in civil society. It avoids conflict within the political elite and plans ahead for challenges made by the opposition, both in the streets and at the ballot box. When

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<sup>40</sup> This was seen at several points in different field research projects in Malema, Montepuez, Ancuabe, Manica, and Chókwe, among others (Fieldwork notes).

challenged, the Party/State is still able to withstand or to repress, which has allowed it to “survive even in a context of high leverage” (Levitsky and Way 2010:71).

Chapter 3 showed how history can reveal social memories that help to understand how and why defiance takes place today. Furthermore, it presented the foundations of contestation environments over the past century with specific forms, reflecting the exogeneising effects of colonial rule, the concentration of power in the post-colonial era and the conditions for neutralisation on civil society that followed. This chapter has presented the genesis of indigenous-exogenous civil society and its role in processes of defiance in Mozambique. Faced with colonial interference, this social group engaged in struggles on behalf of endogenous groups. In order to understand contestation environments today, over the following chapters this study will look at indigeno-exogenous civil society and how it continues to set up contestation environments. Just as in the past, defiance is still surrounded by issues of civil liberty and moral economy under the competitive authoritarian regime that has been described in this chapter.

## **4 Defiant civil society in Mozambique: activism, resilience and crackdowns**

Chapter 3 showed how contestation environments and defiant civil society emerged in the first decades of the 20<sup>th</sup> century and also contrasted the kind of states that defiant civil society had and still has to deal with in Mozambique. This chapter initially looks at civil society's exogenous features which can affect the permanence or rupture of the state of latency – triggering or not processes of defiance and co-construction. The final sections of the chapter highlight several episodes that demonstrate how powerful political actors generally neutralise processes of co-construction and defiance in Mozambique, despite the country having favourable participatory legal frameworks.

### **4.1 The exogenous components in the contestation environment**

To identify key elements for this research in the landscape of Mozambican civil society, it is important to bear in mind its non-static nature. Civil society organisations can, for example, move “from niche to public” (Lang 2013:43) opening contestation environments and making defiance and co-construction visible. This non-static nature also allows organisations and individuals to move through more or less endogenous groups, approach others, form alliances, and rupture the state of latency. Topsøe-Jensen *et al.* also suggest organisations can leave their niches, “change their characteristics and thus travel” through different levels (2015:50).

Fowler argues that aid to civil society in Africa has created an ecology inhabited by “an organisational category intermediating between domestic and international constituencies and interests”, which is a more exogenous sector. This sector “is semi-detached or disassociated from the dense fabric of the associational life of citizens”, however, according to Fowler, it is linked by two paths:

‘The obvious is (1) via aid-related CBOs with origins that may be indigenous or induced, but in a relational frame that is exogenous and “modernizing” in its premises and effects. The less observable path is (2) via leaders and staff of aided-CSOs whose private lives remain attached to the deeper socio-organisational fabric that incorporates networks of mutual support in cash, kind and knowledge that are of survival and developmental value. Typically, exhibiting forms of patronage intimately tied to the nature of African states and the Politics of the Belly, this organic system of civil society operates in masse and in parallel to aided CSOs’ (Fowler 2014:433, citing Wilkinson-Maposa et al. 2005 and Bayart 2009).

To understand the neutralisation processes set out in the next chapters, it is crucial to dedicate attention to these more exogenous sectors between domestic and international constituencies and interests. This section highlights levels and groups that in the current model of civil society have huge potential to affect the contestation environment. The next section gives an overview of civil society exogenous features.

#### **4.1.1 The intermediary organisations**

Topsøe-Jensen *et al.* see NGOs as partners, funders and intermediaries between civil society and donors. They identify the trend to transform these NGOs into national organisations through the “non-renewal of work permits” for foreign workers and “rent hikes for office space” and she argues that a “nationalization (...) legitimizes their role in political dialog and in developing sectors such as health, agriculture and education” (2015:53); however, other barriers remain.

As shown in Chapter 1, while intermediary organisations - national or not - play a role that suggests they can influence and/or work at different levels of civil society, they can also represent a logic of exchanging privileges (Willems 2014), excessive professionalisation (Choudry and Shragge 2011; Mueller-Hirth 2009), the exclusion and delegitimisation of endogenous groups (Hickey 2002), and the prevalence of exogenous power and influence (Hammet 2014; Hearn 2001). This can hinder the breakup of latency and propel neutralisation processes - which fall into two groups:

Those that are Active: sharing an area in which private consultancy companies dominate the market. These focus on the operationality of projects with local organisations. ActionAid, Save the Children and Care are all part of this group. An example of a consultancy firm in the same field is the Danish organisation COWI. For example, DFID finances a monitoring program for education and health sectors through a consortium that includes Save the Children and is led by COWI, which, in turn, provides funding to local organisations to monitor public services.

Fiscal and/or Supporters: these are organisations that audit and control the release of third party resources for civil society projects. In Mozambique, they are visible as part of the Action Programme for Inclusive and Accountable Governance (AGIR), which relies on funds from the embassies of Sweden, Denmark and the Netherlands. The aim of AGIR is to strengthen the capacity of civil society organisations in the context of

promoting good governance and democracy.<sup>41</sup> Examples of intermediaries with AGIR, are IBIS, Diakonia, OXFAMNOVIB and WeEffect. Another example is MASC (*Mecanismo de Apoio a Sociedade Civil*, Civil Society Support Mechanism), which supports community-based organisations. It works with funds from DANIDA, Irish Aid, Swiss Agency for Development Cooperation (SDC), British Department for International Development (DFID) and the Finnish Embassy.<sup>42</sup>

Local organisations allege that intermediaries are still in control of a large proportion of project resources, and this means that relatively little actually reaches local partners (Francisco 2015:33). Currently, intermediaries have significant effect on defiance and co-construction processes mainly because of their control of funding. Historic power relations between endogenous and exogenous groups also plays a role in this influence (Rocha 2006; Cabaço 2010; Zamparoni 1998, 2012).

#### **4.1.2 The professional and bourgeois local elite**

There is relatively little debate around activism and professionalism in Mozambique, despite the vast literature on the topic and the idea that volunteering is an integral part of traditional life in African context (Perold and Graham 2014). It is important to understand how the professional perspectives of this current model of civil society affect the contestation environment. The phenomenon refers directly to what Chambers (1986) calls “normal professionalism”,<sup>43</sup> which comes into conflict with activism and the search for “alternatives to mainstream thinking” that is expected of civil society (Lewis 2001:9). According to Patel (2007), in Southern Africa the largest contribution of voluntary service is not in fact made by skilled or educated people, but is based on relations within the same community. This means that it is reasonable not to expect volunteerism from exogenous or indigenous-exogenous sectors of civil society.

Hwang and Powell argue that the expansion of professionalism does not just involve “paid, full-time careers and credentialed experts, but also the integration of professional ideals into the everyday work of charitable work” (2009:268). Lang accepts that the “badge of professionalism contributed to the legitimacy that in turn was needed to acquire funding” in Russian competitive authoritarianism (2013:83). However, Smyth

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<sup>41</sup> See AGIR (2016) - all cf links and accessed dates in the bibliographical references.

<sup>42</sup> See MASC (2015)

<sup>43</sup> Chambers suggests a new paradigm for development practitioners, which combines “excellence in their professional work with a rare and original vision and a commitment to creating institution to make the world a better place” (1986:31).

realises that NGOs' great challenge is to find a professionalism "shaped according to their own models and principles, rather those uncritically adopted from business, for profit organisations" (2002:114). Chambers dreamed of a sort of "movement" for a new professionalism for real change, but this has not been seen in Mozambique (1986:31). In interviews, Maputo-based NGO staff explained that civil society has become an attractive market for professionals who are not necessarily identified with the organisation or connected to the cause, but are attracted to paid professional activity.<sup>44</sup> Others declared they entered organisations due to activism and were proud to change people's lives. However, if the organisation no longer receives donations and spirals into crisis, they may well resign.<sup>45</sup>

I became aware of a chain of thought that argues that activism is in decline and that organisations are primarily seeking financial returns.<sup>46</sup> Some interviewees saw that colleagues were more focused on the material opportunities and benefits that employment in a national or provincial organisation can provide: "There is a lack of commitment. They focus on going to cafes, events and parties (...) and there is little to show at the end of the year (...). This weakens advocacy".<sup>47</sup> Others think that organisations are used by professionals to climb the promotion ladder and to get better positions in the state or private sector: "None of the people in the waiting room were activists, and were caught up by the regime. The system creates a trap. It neutralises the major players of civil society".<sup>48</sup>

According to those working for large donors in Maputo, questions such as "What is the per diem? How do I get there? Where am I going to sleep?" are symbolic of the mentality in most exogenous civil society sectors in Mozambique.<sup>49</sup> There are some advocacy officers in the provinces who are now leaving civil society to perform tasks for the government. According to a donor collaborator, "The state offers them a good salary and silences them. At the moment, in areas in Nampula where we are fighting land grabbing, discussions are losing ground because of this".<sup>50</sup> This means that donors tend to invest more in grassroots organisations to identify people with advocacy potential, or who can act as paralegals within communities, without needing to move them to

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<sup>44</sup> Intermediary worker, Maputo, 13 May 2015

<sup>45</sup> NGO worker, Maputo, 4 December 2014

<sup>46</sup> Intermediary worker, Maputo, 13 May 2015

<sup>47</sup> NGO worker, Maputo, 1 April 2015, quoting João Pereira (MASC).

<sup>48</sup> NGO worker, Maputo, 18 November 2014

<sup>49</sup> NGO worker, Quelimane, 7 May 2015; NGO worker, Maputo, 13 May 2015; Intermediary worker, Maputo, 13 May 2015

<sup>50</sup> Intermediary worker, Maputo, 13 May 2015

provincial capitals or Maputo.<sup>51</sup> In these places, they would otherwise be “influenced by the financial appetite of the professionals in the organisations in the provinces and the capital”.<sup>52</sup>

The employees of organisations of the levels of the new local elite are part of the so-called “emergent Mozambican middle class”, with salaries of US\$500 to US\$5.000.<sup>53</sup> They have the financial means to build homes in areas of urban expansion and to invest in other sectors of the economy like transport and trade.

Can this status and behaviour with financial guidance influence the contestation environment? The answer is yes. In the transgressive dimension, state and private players use material and professional ambition for co-opting through employment offers.<sup>54</sup> In the cognitive dimension, normal professionalism sets power relations within organisations through subordination processes - the “doctors” have a higher status, as will be shown in Chapter 8. Outside these organisations, their distance from endogenous groups builds up an identity barrier, hierarchies of power and promotes division and exclusionary politics, which can obstruct strategies to breakup latency and empowerment – such as “awareness raising, adult education, participatory research to validate peoples’ own knowledge, uses of media and popular communication methods to challenge dominant stereotypes, etc...”.<sup>55</sup> Regarding physical dimension dynamics, an organisation that delays paying wages runs the risk of losing out on human resources, which may affect any processes of co-construction and defiance involved.

The next sections will highlight events that allow one to understand the more common dynamics that affect contestation environments in Mozambique, and that restrain or boost processes of co-construction and defiance. They draw on the theoretical framework of power dimensions (Gaventa 2006a), social movements’ resource mobilisation (McCarthy and Zald 2003; Pfeffer 1982) and competitive authoritarianism (Levitsky and Way 2010).

## 4.2 The Physical Dimension

Since the 1990s, financial support for Mozambican civil society has, in the main,

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<sup>51</sup> Paralegals are professionals with legal training and are recognized by the State as legal assistants.

<sup>52</sup> Intermediary worker, Maputo, 13 May 2015

<sup>53</sup> The AfDB defines the *lower-middle class* and *upper-middle class* in Africa as population groups in receipt of respectively 10 and 20 dollars per day (Ncube et.al, 2011:5), but this concept will be discussed further in Chapter 7.

<sup>54</sup> NGO worker, Maputo, 20 April 2015.

<sup>55</sup> See Powercube/IDS (2011)



been provided via international donations, and this characterises high resource dependence (see Pfeffer 1982; Pfeffer and Salancik 1978). This set up a scenario where organisations deal with incompatible demands from a variety of external actors. It forces them into the “organisational necessity of adapting to environmental uncertainty, coping with problematic interdependencies, and actively managing or controlling resources flows” (Oliver 1991:148). Any variation in these donations impacts on human, material and operational organisations regarding defiance and co-construction. The next sections show two episodes which are directly connected to resource effects on the contestation environment in the past years.

#### **4.2.1 Implementation of a regulatory legal framework**

There are no legal restrictions to civil society receiving donations from governments that cooperate with Mozambique, bilateral and multilateral agencies, or international organisations and foundations. Law 8/91 (Boletim da República 2006), establishes that civil society is not for profit and does not regulate accessibility to private or international resources. In addition, the “patronage law”, Law 4/94 (Boletim da República 1994), establishes the donation model as a potential funding source.

However, barriers start with access to public resources, where legislation gives scope for subjective decisions and policies. Article 11 of Law 8/91 gives access to public resources to organisations that meet requirements for public utility and cooperate with "public administration in providing services centrally or locally, and that present all the evidence needed to demonstrate their claim."<sup>56</sup> Article 1 of decree 37/2000 requires that organisations draw up contracts where cooperation is “shown” to prove “its existence”.<sup>57</sup> The result is that the organisations with greater access to public resources are the cultural and youth socio-professional groups that were created at the time of the single party, deeply connected to FRELIMO.<sup>58</sup>

Even faced with the politicisation of access to public resources, a chain of thought in civil society argues that the state should finance these organisations.<sup>59</sup> This could be seen as dangerous, as it can lead to neutralisation. It discusses the possibility of seeking

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<sup>56</sup> See Boletim da República (2006)

<sup>57</sup> This takes place as set out in Chapter 3, which shows how the Mozambican State has become the high organisational power; see Boletim da República (2000b)

<sup>58</sup> One of these organisations is the AEMO (Francisco 2015:34)

<sup>59</sup> Francisco (2015); NGO worker interview, Maputo, 15 May 2015

funding from the private sector. Many multi-national corporations run social projects, but there is still no regulation over this type of funding or any guarantees of the inexistence of politicisation. Francisco highlights politicisation as characterised by “informality”. For him, “personal relationships” with anyone taking a decision about the structure of donation agencies facilitates access to resources (2015:32).

For Community Based Organisations (CBOs), access to donations is even more complicated. Law 8/91 sets out which organisations have mechanisms for internal governance such as AGMs, fiscal boards and executive direction. At least ten people are required to set up an organisation - although it is rare that all of them need to be fully involved.<sup>60</sup> The obstacles start with the list of documents required - such as an identification report and a certificate of criminal records for each individual. All districts lack legally trained staff to facilitate analysis and processing of these documents. The registration process costs US\$440.00, plus the fee for publication in the Republic’s Official Gazette, which charges according to the number of pages (Ibid: 18). This is a challenge to CBOs, as Mozambique is a relatively low-income nation.<sup>61</sup> Many donors consider state recognition of organisations as a condition for transfers, and this can also hinder access to resources (Ibid: 32).

These pre-requisites and ensuing bureaucracy create delays in registration (Topsøe-Jensen *et al.* 2015). However, these delays may also be down to political reasons. Lambda is a NGO that works with gender issues and freedom of sexual orientation. It has been waiting since 2007 for its registration.<sup>62</sup> All the necessary pre-requisites have been met, but there has still been no confirmation. A similar case is that of the Muzo Community Association in Zambezia, which stands for interests counter to those of the local authorities in Maganja da Costa. The registration took three years and was only finally granted after the district administrator had been replaced. The authorities had economic interests and blocked the forest demarcation lines in favour of ACODEMUZO.<sup>63</sup>

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<sup>60</sup> Research by EUROSIS (2016) found that organisations tend to start with an individual (or sometimes two or three) who decide to work on a theme. “The other 6 to 8 people are typically family members, co-workers, neighbours, who often are not fully committed to the organisation they are helping to establish” (2016:5).

<sup>61</sup> For further economic data on Mozambique cf. [data.world.bank.org](http://data.world.bank.org)

<sup>62</sup> NGO worker interview, Maputo, 22 April 2015.

<sup>63</sup> CBO memeber interview, Zambezia, 4 May 2015

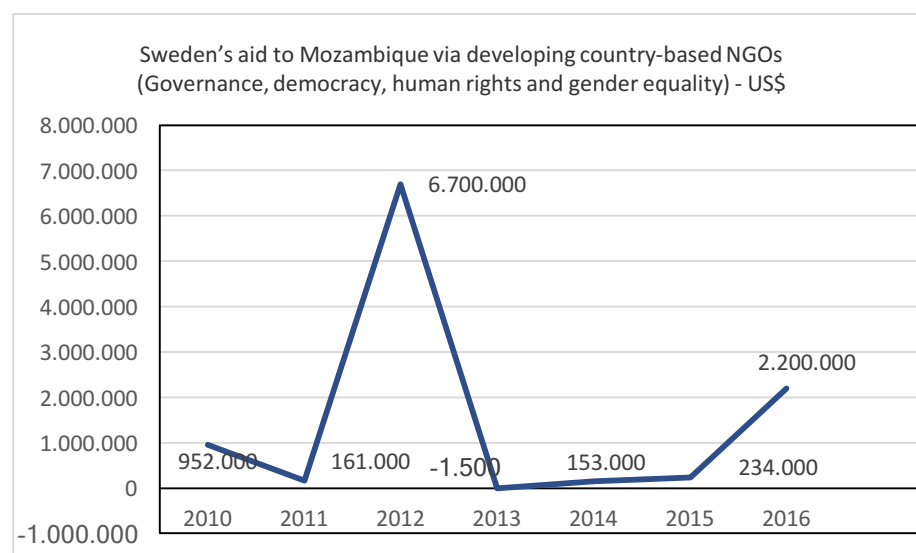
## 4.2.2 Implementation of the AGIR project

In the first half of the 2010s, fiscal intermediary organisations came to have considerable influence through administering thematic projects and demanding “efficient and democratic” management from civil society. In the words of one intermediary organisation’s representative:

*‘In the long term, we would hope that our presence is no longer needed. Currently, civil society is relatively young and still faces many challenges. We hope that they will genuinely represent their members, and that reports will be fully approved through a strategic plan that reflects their aims. That members will continue to be able to perform this democratic exercise and that the board will consist of staff well-trained in liaising with the board of direction’.*<sup>64</sup>

An example of the involvement of fiscal intermediaries is the AGIR project, led by Sweden, which began to require stricter upward accountability models, to refuse expense sheets, and to introduce audits and retain transfers (see Fig.4.1). Since 2013, indigenous-exogenous NGOs working with human rights and governance have experienced unprecedented difficulties.

**Graph 4.1 Sweden’s development aid donations to civil society (2010-2016)**



Source: Openaid 2016

<sup>64</sup> Intermediary worker interview, Maputo, 14 November 2014

In certain organisations, the conflict between these NGOs and intermediaries has been damaging - with interminable, unproductive meetings, lowered management morale, diplomatic interventions, internal conflicts, dismissals and unpaid salaries. Embassy staff admit off the record that there is no way to “work with organisations in Mozambique” and that the basic values of good professional conduct have been forgotten. Organisations’ assets have been sold to pay off debts due to a lack of donations as set out in strategic plans.

The moral, material and human resource liabilities are incalculable. There are also several organisations going through bankruptcy proceedings and accumulating employment costs.<sup>65</sup> The LDH, for instance, had accumulated debts of more than half a million US dollars by the end of 2015.<sup>66</sup> In the NGO Youth-Parliament, work to create a civil society news-agency was shut down and research projects were cancelled.<sup>67</sup> At the FORCOM, successive budgetary cuts reached 20 per cent between 2011 and 2015, meaning that numerous projects were held back and entailing a review of the strategic plan. Community television is now a seemingly unreachable dream. Financial support for radio stations plummeted just as the network peaked at 50 stations. The stations with the most support received MT30,000 (UD\$430) in 2015.<sup>68</sup> The financial block led to the closure of the smaller organisations (Francisco 2015:33).

According to Oliver, organisations use different strategies to escape from restrictive management practices: acquiescence, compromise, avoidance, defiance and manipulation. Chapter 8 highlights at least two of these strategies as shown in the case of LDH. Often, Mozambican organisations solve restrictive requirements through compromise. However, there are cases of avoidance, which is typified by tactics of concealment, buffering and escape (1991:152-159) from donor restrictions.

One organisation manager said that donors’ demands and transfers tended to change over the course of the contract, thereby reducing the effects of the investment. Despite this, organisations continue to insist on maintaining the size of projects through “ambition and commitment”. Because of this, they get into debt and therefore substitute payments with funds from other donors that are intended for other projects. This results in confused accounting, which is then rejected by third parties.

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<sup>65</sup> CS analyst interview, Maputo, 10 July 2015

<sup>66</sup> NGO worker interview, Bonn, 5 October 2016; NGO worker interview, Bonn, 9 October 2016

<sup>67</sup> NGO worker, Maputo, 18 November 2014

<sup>68</sup> Intermediary worker interview, Maputo, 14 May 2015; NGO worker interview, Maputo, 15 May 2015

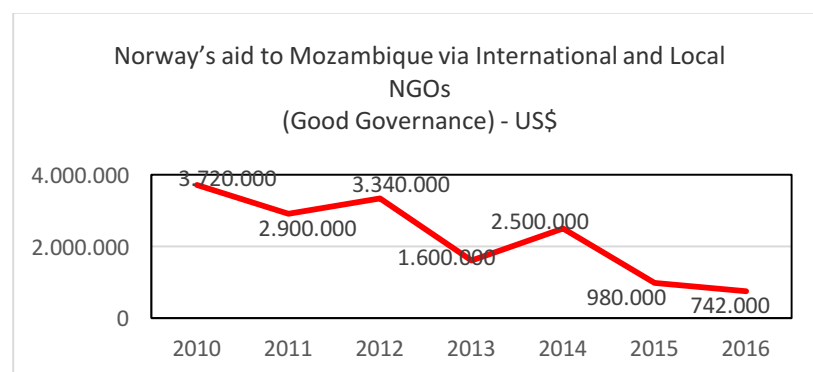
*‘It’s an adventure. Sometimes we’re able to [pay for everything], and sometimes we can’t. There are lots of organisations doing the same thing. It’s one thing to say I have x number of dollars. And so I have to work with this amount, that’s completely reasonable. We wouldn’t ask for US\$1 million if they’re only offering 300 thousand. But what we do not agree with is that this 300,000 comes with a series of caveats, such as setting aside 30 per cent for administration costs. This compromises our strategic planning arranged with the donor. It is the donor who funds the preparation of the strategic plan’.*<sup>69</sup>

The intermediaries’ strategy is interpreted as insufficiently proactive and excessively punitive. However, intermediaries seem convinced that this is the right way forwards:

*‘I don’t think that civil society is in crisis, I think it’s better than ever. Nor do I think it’s in a crisis of transparency. Perhaps though it’s suffering from growing pains, and they hurt. There are a number of things that need to be organised, such as internal governance. If you’re not open enough, you could get into trouble. Activism is great, but it also needs good internal management’.*<sup>70</sup>

Organisations that rely on funding from the Norwegian Agency for Development Cooperation (NORAD) for projects on gender issues also show an apparent “reduction of interest” from donors (see Fig.4.2). A manager of an organisation that reacted with “compromise” to donors’ restrictive measures says “they [donors] want us to receive support from the state... self-sufficiency in this country is impossible. Perhaps the only alternative is to redefine activities”.<sup>71</sup>

**Graph 4.2 Norway’s development aid donations to civil society (2010-2016)**



Source: [Norad \(2016\)](#)

<sup>69</sup> NGO worker interview, Maputo, 15 May 2015

<sup>70</sup> Intermediary worker interview, Maputo, 14 November 2014

<sup>71</sup> NGO worker interview, Maputo, 24 November 2014

### 4.3 The Cognitive Dimension

Breaking bonds imposed by power dimensions (Lukes 1974; Gaventa 2006a) is one of the challenges to breaking the quiescence of powerlessness. It is clear even now, that activists and professionals from civil society subjugate themselves to a set of rules that underpin power. Even if they show a contentious impetus - one that moves them to leave their homes and travel to more remote regions to work together with communities - activists and professionals are still overshadowed by a hidden power. It is common to hear phrases like: “before even setting foot in the community, you have to contact the local area secretary to explain your work”.<sup>72</sup> Fear of reprisal, persecution, boycotts and the absence of citizenship are detrimental to participation. CBOs especially are still limited by a lack of understanding of rights and duties, and of knowledge of legal frameworks and the functioning of governmental institutions (ITAD and COWI 2012:35).

Even the more intellectualised or demanding sectors face “hidden barriers” to translate and position themselves. On 7 March 2015, a core group of students from Eduardo Mondlane University organised a demonstration in tribute to Professor Gilles Cistac, who had been assassinated the previous week. Other civil society organisations and social sciences students took part in the demonstration and raised other issues, asking for “protection of freedom of expression, academic freedom and justice”. But the law students rejected the defiant discourse, even though they admitted that the crime was political; as one student said:

*‘We are reluctant to say it was an attack on freedom of expression, but for someone of average intelligence, considering what happened and the days leading up to the murder, one can only reach this conclusion. Some of the professor’s comments sparked hatred in a certain group of people. One could arrive at this conclusion by drawing causal links. However, as students, we cannot be hasty.’<sup>73</sup>*

The Cistac case united indigenous-exogenous groups with different ideologies in non-violent action. It is important to remember that Mozambique does not often see heterogeneous groups of people occupying public spaces to complain about the same thing. Chapter 7 raises issues surrounding the middle class that contribute towards understanding it was not only a demonstration of solidarity but also a process of defiance

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<sup>72</sup> Fieldwork notes

<sup>73</sup> Students interviews, Maputo, 27 March and 5 April 2015

with other subsequent and interconnected non-violent actions. However, supposed connections between the civil liberties in question and moral economy among middle class perceptions are not clear - and considerable research is required to be able to proffer proof. What is crucial at this point of the study is to note that hesitations like this derive also from invisible and hidden barriers that contribute to the cooling off of the contestation environment. ITAD and COWI noted that some students believe their opinions will not be “taken seriously” in the context of local governance and that they “may be persecuted” for expressing them. “As most are in need of public employment”, “being an activist” is not really to be recommended. The same survey interviewed officials from districts that are reluctant to share public budgetary information with the civil society provincial forum, and who argue that this information “could be misused” (2012:35).

Another example is that of Lambda. It considers the importation of lubricants as a public health issue and acceptance in some invited spaces as achievements. In mid-2014, Lambda tried to import 20,000 tubes of lubricant gel from South Africa, but they were confiscated at customs. The losses were estimated to be around US\$2.500. After extensive negotiations with the Health Department, the product is now included among other imported health care products and is tax exempt. An interviewee commented: “We lost US\$2.500 dollars, but we won the war”. Lambda is not recognized by the state and is not registered, but it participates in Health Department meetings. The NGO is not able to hold public demonstrations for the rights of the LGBT community; however, it does take part in protests for women’s rights. When trying to decide the organisation’s name, explicit alternatives like the “Association of gays, lesbians, transgender and bisexual people in Mozambique” were discounted through fear of prejudice within civil society and the state.<sup>74</sup> According to an activist, this is how the name Lambda came to be chosen,<sup>75</sup> “We didn’t want to have to fight two battles”.<sup>76</sup> Even the organisation’s headquarters in Maputo, are anonymous and unmarked. In other words, although it is a hidden and silent struggle, it is still a struggle nonetheless.

As James Scott argues, in cases like this “ideological resistance is disguised, muted, and veiled for safety’s sake”. The positive side of cryptic and opaque actions is that they keep the organisation active and alive. Or rather, “for good reasons nothing is

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<sup>74</sup> NGO worker interview, Maputo, 22 April 2015.

<sup>75</sup> The Greek letter Lambda was used for the first time as a symbol for the New York Gay Activists Alliance in the 1970s.

<sup>76</sup> NGO worker interview, Maputo, 22 April 2015.

straightforward here” (1990:137). On the other hand, Lambda does not manage to take its main issue - which is equality for the LGBT population - to a contestation environment. Lambda tackles the effects invisible power inside the LGBT community with subtle awareness campaigns about prejudice, health matters, self-acceptance, self-confidence and mutual support, but, despite the fact that the real issue is no longer in latency, it has stalled in a limbo between *identification* and *intervention* stages – neither following defiance or co-construction.<sup>77</sup>

Some progress in terms of gender equality have been achieved by the Women’s movement in Mozambique. These advances have contributed positively to the LGBT population, but it has not fully met its needs. An alternative strategy would be to set up a consistent coalition able to embody LGBT issues through processes of co-construction and/or defiance. However, this approach is still a challenge within Mozambican civil society because of the resistance that Lambda faces among the media and other organisations. This reflects expressions of invisible power at work beyond the state elite. Gender discrimination hinders the LGBT community from finding employment, and Lambda expect responses from the state “because sexual expression should not be a barrier to meeting basic needs”.<sup>78</sup>

#### **4.4 The Transgressive Dimension**

This section will show how transgression from Party/State statutory norms can potentially influence not only processes of defiance, but also of co-construction. In the case of defiance, the inhibition takes place through restrictions in the political playing field; in the case of co-construction, by choosing the invited spaces that work.

##### **4.4.1 The anomalies of invited spaces**

There are moments when civil society is welcome. In certain invited spaces - such as the National Assembly, the Budgetary Monitoring Forum and the Planning and Budgetary Commission - organisations are able to discuss public health, education and budgetary policies. However, there are also times when they may be “seen as a threat”.<sup>79</sup>

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<sup>77</sup> See Powercube/IDS (2011)

<sup>78</sup> NGO worker interview, Maputo, 22 April 2015

<sup>79</sup> Francisco (2015:51-52); NGO worker interview, Maputo, 17 April 2015; NGO worker, Maputo, 20 April 2015; NGO worker interview, Maputo, 24 November 2014



In areas with natural resources and human rights, invited spaces operate in an anomalous fashion due to the dynamics with hidden power in the contestation environment.<sup>80</sup> That is to say, despite these spaces, there are still issues that are neither discussed in-depth, nor even touched on.

Some invited spaces are not seen as a priority. The OD (*Observatório do Desenvolvimento*, Development Observatory) is a national and provincial space that meets twice a year, where the PARPA (*Plano de Acção para a Redução da Pobreza Absoluta*, Action Plan for the Reduction of Absolute Poverty) and the PES (*Plano Económico e Social*, Economic and Social Plan) are evaluated. The OD encompasses members of the government, civil society, the private sector and also international partners. A civil society platform called G20 coordinates the involvement of the organisations. ODs have to rely on the availability of government representatives in order to proceed. Sessions are often postponed and are frequently cancelled.<sup>81</sup>

Some invited spaces became gradually co-opted and less effective (ITAD and COWI 2012:39). For example, the “Land Consultation Forum”, drawn up under decree 42/2010 (Boletim da República 2010), was organised by the government through the National Land and Forestry Office in annual meetings. In 2015, the government commemorated its eighth event, as opposed to the civil-society organisation having held only two.<sup>82</sup> “There were just two; the first was very controversial because it was the first time that a civil society and government had discussed the theme so openly. The second was considered “muted and silent. Now, organisations are being blocked”, explains an environmentalist.<sup>83</sup> In this case, the transgressive dimension dynamics meant that the forum had to meet several times - more than had been planned for - but selected participants.

Certain invited spaces are neutralised. One example is the CNAM (*Conselho Nacional para o Avanço da Mulher*, National Council for Women’s Advancement). The activists manage to speak their minds, but there are no established clear plans or concrete actions to resolve major issues. Another similar space that is open to civil society is the CNDH (*Comissão Nacional dos Direitos Humanos*, National Commission of Human Rights), which has limited influence over the Party/State regarding significant advances.

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<sup>80</sup> At provincial and local level, the rules of this participation are supported by decree 11/2005 using mechanisms and consultation forums that are upheld by the government, Portal do Governo (2015).

<sup>81</sup> Francisco (2015:46); NGO worker interview, Maputo, 17 April 2015; NGO worker interview, Maputo, 20 April 2015

<sup>82</sup> Jornal Notícias (2015a)

<sup>83</sup> NGO worker, Maputo, 20 April 2015

Both CNAM and CNDH can play important roles in co-construction processes as, despite their inefficiency in advancing different issues, some members do manage to break the silence and raise debates in the media, Parliament or international bodies.<sup>84</sup>

However, in Mozambique, organisations manage to advance by influencing closed spaces and using strategies to deal with hidden power. “When needed, we will use party channels. We have contacts with ministers there”, declares an activist who is part of the 8 March Generation.<sup>85</sup> The organisations have members belonging to FRELIMO, who also create channels within government using “hidden forms of action”. The adoption of the Law Against Domestic Violence counted on strategies to challenge visible and hidden power: through non-violent actions (occupation of the parliament) and by influencing closed spaces with a kind of hidden lobby.<sup>86</sup>

#### 4.4.2 Reduction in the political playing field

Despite the constitutional guarantee of freedom of expression, group meetings and demonstrations, these rights are under threat.<sup>87</sup> There have been several cases of peaceful demonstrations that have been affected. In April 2013, a demonstration by the Army Veterans’ Forum was suppressed by the FIR (*Forças de Intervenção Rápida da Polícia*, Police’s Rapid Response Squad), who used water cannons to disperse the group.<sup>88</sup> In November, the march for peace and against kidnapping was prohibited on the eve of the event - while demonstrations need to be communicated, organisations do not need any government authorisation.<sup>89</sup> Figures from the 8 March Generation in civil society were threatened, but defied the authorities for the event to proceed,<sup>90</sup> “I was scared for the first time since 1974”.<sup>91</sup>

In rural areas it is common for local authorities to consider that organisations should act in accordance with the government and be fully accountable (Topsøe-Jensen *et al.* 2015:42). There are reports of demands from public agents, both locally and at a

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<sup>84</sup> Parliament consults with the President of the CNDH, who also stands up for certain positions, however, it is unable to influence change particularly because other representatives only appear infrequently (Sapo 2016)

<sup>85</sup> NGO worker interview, Maputo, 24 November 2014

<sup>86</sup> It is about promoting change within the state (Gaventa 2010)

<sup>87</sup> Articles 49, 51 and 52 of Chapter II of the Mozambican constitution provide that all citizens have the right to freedom of expression, freedom and communication, as well as the right to information. Article 51 states that every citizen has the right to freedom of assembly and expression under the law. Finally, Article 52 states that the citizens should have freedom of association, and that social associations and associations have the right to pursue their purposes and have assets for the conduct of its activities (CRM 2004)

<sup>88</sup> See Ilal, Kleibl and Munck (2014); Verdade (2013d)

<sup>89</sup> Francisco 2015; 9/91 (Boletim da República 1991).

<sup>90</sup> NGO worker interview, Maputo, 19 April 2015

<sup>91</sup> NGO worker interview, Maputo, 24 November 2014

regional level, requesting that organisations report their activities.<sup>92</sup> The state monitors citizens and organisations and restricts press freedom aggressively, with arrests, seizure of journalists' equipment, death threats, and the closure of community radios (Chichava and Pohlmann 2010; CIP 2015; Pessôa *et al.* 2014).

As we will see in Chapters 5 and 6, land issues have set off significant processes of defiance in Mozambique in recent years. However, a series of episodes related to the political and military conflict, organised crime and the elections upset the internal political context and this was reflected in the contestation environment of land and human rights.

On 5 September 2014, President Armando Guebuza signed a peace agreement with the RENAMO leader Afonso Dhlakama after 66 rounds of negotiation to try to resolve the political and military conflict. The agreement ensured the integration of those from RENAMO who were unhappy in the Army and the police forces. In addition, it was a foundation for the economic and social reintegration of RENAMO ex-combatants. It also guaranteed that the presidential elections could take place securely. In October and November, Mozambique saw a highly controversial election campaign marked by political violence, public finance scandals, ballot paper theft, data falsification and lack of transparency (Pessôa *et al.* 2014). RENAMO contested the legitimacy of the election and did not accept the result. It threatened to separate the northern region of the country, which is the centre of extractive industry projects and agricultural programmes such as ProSAVANA. During the months of December, January and February 2015, Dhlakama promoted rallies in the Northern and Central regions. While he had previously defended the interests of RENAMO ex-combatants, now Dhlakama started to talk about the poor management of the country's natural resources at the expense of the poorest members of society. His suggestion of "political and economic autonomy" drew attention.<sup>93</sup>

Respected academics engaged in the debate, including the constitutionalist Gilles Cistac. Cistac argued that the constitution allows for the creation of "autonomous provinces", provided the parliament gives its approval. "My opinion is public, and I believe that RENAMO negotiators are listening. I can't stop them from using it in their discourse. (...) It could even be a good solution in any critical political-military crisis".<sup>94</sup> The fact Cistac is a white immigrant critic and academic led to nationalist and racist rants

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<sup>92</sup> NGO worker interview, Nampula, 1 May 2015

<sup>93</sup> DW Africa (2015b)

<sup>94</sup> DW Africa (2015a)

from FRELIMO supporters in the mainstream press and on social media. The UEM (Eduardo Mondlane University) lecturer complained to the Attorney-General's Office that he had received death threats. He was murdered on 3 March, gunned down as he left a café in the centre of Maputo.

Cistac's assassination was not an isolated event. Since 2013, the attacks on critical voices and the space given to organised crime have startled society. In 2014, after the wave of abductions – which will be discussed further in Chapter 7 - the judge Diniz Silica was shot in his car at a busy intersection in one of the city's central districts. Millions of meticaís were found in the judge's car. The following year, Cistac and the journalist Paulo Machava were also shot in busy areas in central Maputo. In 2016, the RENAMO representative at the Defence and Security Council, José Manuel, was assassinated, and the state prosecutor Marcelino Vilanculos was gunned down in front of his home in Matola, near the capital. The same year, the academic José Jaime Macuane was shot in the legs. Macuane was a political commentator on Mozambican TV and the attack against him provoked protests from other commentators: "The goal is to silence people so they can't express themselves. For me, this is where to attack. Where are the authorities?"<sup>95</sup> There was an increase in the number of executions and assassination attempts by RENAMO local and national leaders. SISE (*Serviço de Informações e Segurança do Estado*, State's Intelligence Service) and the elite police squad have been suspected of planning and carrying out crimes, and being part of what the media has dubbed as "death squads". In return, FRELIMO leaders in the provinces also began to be targets.<sup>96</sup>

These attacks fired-up political debate and were extremely uncomfortable for the Party/State. They also drew attention to the paralysis and delays of the police. Some activists kept quiet as they understood that - in the eyes of the *frelimistas* - they were considered "unpatriotic opponents" working for foreign interests.<sup>97</sup> What happened with Cistac and other critical voices suppressed the defiance processes. Before Cistac's assassination for example, the "defiant wing" of UNAC - which plays a key role in this study and will be discussed further in Chapter 5 - had had to face a series of intimidating actions. After the assassination, activists avoided giving interviews, either by simply not answering the phone, or by claiming they had prior commitments.<sup>98</sup>

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<sup>95</sup> STV (2016d); NGO worker interview, Maputo, 19 April 2015

<sup>96</sup> The "death squads" were revealed in the press in 2016 through an alleged witness report by Mozambican police officer (Verdade 2016b)

<sup>97</sup> A *frelimista* here is understood as someone affiliated to, working with or activist of FRELIMO.

<sup>98</sup> NGO worker interview, Brighton, 1 December 2015; NGO worker interview, Aracaju, 12 November 2015

#### 4.4.3 The transgressive arm of the state

In the first half of 2013, strikes affected public services in Mozambique. Police officers, teachers, nurses and doctors introduced important dynamics to the contestation environment. The movement *Médicos Unidos pela Saúde* [United Doctors for Health] held two protests. The first was in January, when an agreement with the government established three points: 1) there would be no retaliation regarding any strike action, 2) public sector reform and adoption of the doctors' statute and 3) the creation of a space for ongoing dialogue with an array of concrete actions and deadlines. The second was in May, due to non-compliance with these requirements. It had a national reach with discussions on Facebook, protests in Maputo and public gatherings that were disrupted by the police. The President of the AMM (*Associação Médica de Moçambique*, Medical Association of Mozambique), Jorge Arroz, became nationally recognised.<sup>99</sup> He was held under arrest for several hours and accused of sedition, i.e., defiance.<sup>100</sup> His eventual release was due to pressure from social networks, popular demonstrations, strikers, and civil society members.<sup>101</sup>

After 27 days of strike action, an opportunity for dialogue between the government and the AMM was finally set up mid-June. Arroz implied that the end of the strike was “due to the suffering of the people” and pointed out that the lack of “colleagues was justified” regarding the strike.<sup>102</sup> In August, he then complained about the “retaliation” against strikers.<sup>103</sup> However, Arroz gradually reduced the defiant discourse. Not only did he retire from active involvement, but he also campaigned in Tete for the FRELIMO candidate in municipal elections.<sup>104</sup> A representative of civil society admitted: “We think Arroz became *xima*”.<sup>105</sup> Information shared by members of “historic FRELIMO” is that the SISE was spying on the movement.<sup>106</sup>

The activity of SISE triggers several dynamics in the transgressive dimension. Co-opting is common, but is not used on its own. The process of neutralisation demonstrates a repertoire of intimidation.<sup>107</sup> One method is the violent harassment through familial

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<sup>99</sup> Blog Moçambique Terra Queimada (2013)

<sup>100</sup> Sedition implies revolt or rebellion against established authority, and crime against national security.

<sup>101</sup> Verdade (2013a)

<sup>102</sup> Verdade (2013c)

<sup>103</sup> VOA (2013a)

<sup>104</sup> Jornal Notícias (2013)

<sup>105</sup> The word arroz means rice, in English. “Xima” is an African traditional white corn starch foodstuff appreciated in other African countries with different names as sadza (Zimbabwe), Nsima (Malawi) and Ugali (Kenya).

<sup>106</sup> Anonymous interview

<sup>107</sup> Intermediary worker, Maputo, 13 May 2015; NGO worker, Maputo, 20 November 2014.

kidnapping and physical threats to activists. Alongside this, advantages may be offered such as well-paid positions in public or private entities linked to the Party/State. Although their family may be under threat, activists can improve their financial situation.<sup>108</sup>

A further example is the *madjerman* - the group of Mozambican workers who migrated to the Democratic Republic of Germany in the 1970s and 1980s for training purposes and temporary employment opportunities. This group has accused the government of confiscating the financial transfers they made from Germany. Based on documents from 1990, the *madjerman* are claiming back approximately US\$20.000 per head. They have demonstrated in Maputo since 1999. In 2015, the press reported that a foreign ambassador had suggested that the *madjerman* hold a demonstration in favour of administrative decentralisation - a subject that led to Professor Gilles Cistac's assassination. After they asked the press to correct the information, the leaders were arrested. They spent a week in prison and were released only after an international outcry. "I was arrested five times, and kidnapped. In 2005, they tempted our leaders with our own money".<sup>109</sup>

#### **4.5 The state power of neutralisation**

This chapter showed exogenous factors that produced physical dynamics of neutralisation when civil society needed be strong in order to cope with increasing human rights violations arising from political and military tension, election campaigns and controversies such as that over ProSAVANA and the Cistac case. In addition, it showed how expressions of hidden and invisible power have hindered activism in some sectors of civil society due to dynamics in the cognitive dimension of the contestation environment. At the end of the chapter, one is able to perceive how a competitive authoritarian regime works in the transgressive dimension to neutralise issues through dynamics of visible and hidden power and reducing the scope of the political playing field. The next chapter offers an in-depth look at real, peripheral and non-issues in the case of the land rights movement. It will also focus on the complexity of the contestation environment, present the factors that provoke the transition from co-construction to defiance, and the result of the clash between processes of defiance and neutralisation.

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<sup>108</sup> NGO worker interview, Nampula, 1 May 2015; NGO worker, Maputo, 20 April 2015; NGO worker, Quelimane, 7 May 2015; Intermediary worker, Maputo, 13 May 2015; NGO worker, Maputo, 18 November 2014.

<sup>109</sup> Independent activist interview, Maputo, 28 June 2015

## **5 Co-construction, defiance and neutralisation at a national level**

The historical relationship between the Mozambican state and civil society has been affected by the contestation environments that came with the emergence of diverse issues in the public sphere. It is also clear that this relationship took on new nuances with the configuration of Western leverage and linkage, neoliberal policies, a multi-party system, a Party/State model, and the proliferation of civil societal organisations. This chapter will move on to look at defiance surrounding security in land tenure. To try to explain this development from a national perspective, it looks at the progression of activists from two civil society organisations involved in the Mozambican land debate from the start of political and economic openness.

The following chapter looks at how the most controversial confrontation on land matters between civil society and state, ProSAVANA, was handled locally by giving an ethnographic description of a public consultation process. Chapter 5 examines events and episodes that show that peripheral issues can become non-issues and do not necessarily bring concrete or positive changes for communities. Analysis of the Party/State repositioning surrounding land issues over the last 25 years shows that the growing approximation to an evolutionary paradigm for land tenure began with reforms to the legal framework. However, these lacked the institutional strengthening of state structures in the area. This scenario put pressure on land ownership and triggered the transition from co-construction towards defiance.

### **5.1 The communitarian paradigm of land issues**

The land laws of 1979 and 1997 are linked, despite the fact that the first was part of a centrally planned economy and the second was a part of a market economy. Both set out that the land is state property, “belongs to the people” and cannot be privatised (ORAM 2006:7). However, Samora Machel applied the 1979 Land Law to collectivise land tenure, silencing traditional authorities, and forcibly recruiting and dislocating workers.<sup>110</sup> This had an effect on the traditional community character in the

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<sup>110</sup> Privatisation moves full ownership rights - mainly power to sell, lease or bequeath from state. Collectivisation moves farm management and usufruct from household, individual or company to state or collective (Lipton 2009:203).

countryside.<sup>111</sup> “Traditions, lifestyles, (...) social identities and group behaviours” began to collapse during the regime (Marková 1997:5-6). For example, many communal villages coalesced and “settlements that were by nature dispersed were reconfigured” (Temudo 2005:33).

On the other hand, the 1997 Land Law came out of the increased post-civil war sense of community - demonstrated by the return of millions of people to their places of origin. This migrational reflux led to conflicts between state and common legitimacy (ORAM 2006). The 19/97 Law was introduced to mitigate these conflicts. It was the result of a broad democratic participatory exercise that was “unlikely to take place in the North, let alone the South” (Tanner 2002:32). It respected common values, and upheld the concept of community. Not only the construction of the law, which was finalised at the 1996 National Land Conference (CNT), but the final text identified that political and economic developments had introduced a communitarianist approach to land tenure security.<sup>112</sup> Cabral and Norfolk point out that it allows both communities and individuals to provide proof of land rights via verbal statements, thereby eliminating surveying, registration and titling obstacles, and facilitating the rights of the poorest in the community to land rights. “Thus, people are not forced to have formal DUATs<sup>113</sup> [Land usage and exploitation rights], but they have the right to legally recognised and protected DUATs” (2016:13).

The CNT was not only the high point of the creation of Law 19/97, it was the consecration of a symbolic contract, a sealed commitment between the government, farmers’ associations, women’s associations, national and international NGOs, departments, and FRELIMO parliament members and politicians. This history shows a process of co-construction evolving in stages: (1) identification, (2) intervention, (3) agreement and (4) maintenance.

With the promulgation of the land law, the co-construction process of the issue of land tenure security concluded the intervention and agreement stages. Despite the land

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<sup>111</sup> The regime was behind forced mass displacements in rural areas to gather workers and for punishment. Communal villages, new settlements, production operations for rural cooperatives, the operação limpeza, and the re-education camps were all designed to meet these requirements (Thomaz 2008).

<sup>112</sup> Here, I understand communitarianism as a sociological and political-philosophical movement that identifies a lessening of societal solidarity and values and a crisis of legitimacy, identity and purpose. One of the reasons behind this is that neoliberal ideology promotes individualism and the distancing of community sensibility and values (Rieger 2002a:483). Schmidt (2011) identifies the core ideology of communitarianist authors’ community vision as: the ontological condition of human kind, opposition to individualism and collectivism, opposition to state gigantism, primacy of people over market values, subsidiarity, localised power, associativism and self-management, brotherhood, equality and freedom (Schmidt 2011). The meaning here is close to Etzioni’s responsive communitarianism (1998), which is aimed at responding to the people, and being sensitive to people’s needs and clarifying its difference from communists as well as East Asian authoritarian, State and collective regimes (Schmidt ORAM 2011:103).

<sup>113</sup> DUAT: the right of individuals, collectives or communities to land, Article 1, Land Law 19/97 (Mader 2004)



still being state property, the communitarian bias of the new law and the stakeholders gave the sensation and expectation of security over its use, because the stakeholders had managed to convert a biological need (Marcuse 1967) into a legally supported right. In this sense, land tenure, which is a peripheral issue, was created and was in favour of peasant communities, offering them security for the real issue: subsistence. The next steps would be (1) to implement the communitarian “tacit contract”, symbolised by the land law, and (2) to initiate the maintenance stage of co-construction. The issue here was that this implementation did not actually generate greater tenure security - due to the disengagement of the CNT agreed collective action.<sup>114</sup> The next sections posit three reasons for this, which are directly linked to the behaviour of the most powerful stakeholder, the Party/State.

## 5.2 The rise of evolutionism in land issues

At the end of Joaquim Chissano’s tenure as president (1986-2005), the Party/State relied on Foreign Direct Investment (FDI) in an attempt to stimulate the economy. FDI represented 46 per cent of investment in Mozambique between 2000 and 2008, compared with just 3 per cent of National Direct Investment (Castel-Branco 2010:53). In 2004, the Brazilian company Vale won the contract to exploit one of the largest coal reserves in the world, in a project worth US\$ 1.5 billion.<sup>115</sup> This was the start of the mega-projects cycle - an ambitious FDI strategy that enabled massive investments to exploit natural resources.<sup>116</sup> Armando Guebuza (2006-2014) continued with this drive, and turned Mozambique into one of the three most attractive sub-Saharan African countries to FDI in terms of mining and infrastructure - with an economic growth of 8.5 per cent per year.<sup>117</sup> However, at the same time, land conflicts continued to rage (Cambaza 2010; Selemene 2010; Lillywhite *et al.* 2015).

The Mining Law 14/2002 (*Boletim da República*, 2002) is one of the milestones of the initiation of Party/State relations with a commercially based approach to issues of land ownership and its consequential shift from communitarian approaches. It gave

<sup>114</sup> I refer to Booth and Cammack (2013), who argue the need for all stakeholders to join in resolving the issue through collective action and discipline between citizens, authorities and civil society.

<sup>115</sup> The Mining Law gave DUATs to 700 companies every year from 2002 to 2006 (Cambaza 2010:219).

<sup>116</sup> Kogut and Zander (1993) identify the relationships between the FDIs with the evolutionary paradigm, and suggest “the notion of the firm as specializing in the transfer and recombination of knowledge is the foundation to an evolutionary theory of the multinational Corporation” (1993:625). The companies are viewed as a technology transfer vehicle rather than a nexus for contracts. This kind of argument is commonly used by ProSAVANA. For example, Nelson and Pack (1999) suggest that accelerated economic growth requires technology and the ability to manage and articulate within the productive sphere.

<sup>117</sup> See AFDB (2015) - all cf links and accessed dates in the bibliographical references.

government the ability to grant mining titles to projects it considered to be of “superior social economic benefit, giving priority to extraction over other land uses” (n.2, art.43, Mining Law). To enable this, the law provides for the payment of “fair and reasonable” damages to those holders with prior rights. The DUAT is automatically renewed together with the mining concession (n4, art.43, Mining Law).

The Evolutionary Theory of Land Rights (ETLR) states that the pressure generated by the scarcity of land leads to agreements and practices aimed at increasing the individualisation of tenure rights and increased land sales (Platteau 1996:32). In Mozambique, although land sales are prohibited, there are obvious informal “rental and sales” transactions (Mosca and Dadá 2014:24). Possession is founded on informal commitments, paternalistic and commercial relationships, derisory indemnifications and reallocations that disregard the existence of basic services, and historic and sociological issues (Mosca 2012:12). This scenario helps to understand why, after 2002, there was a clear clash between the evolutionary and communitarian paradigms of land use.

The following section will show that the system of governance until 2008 was unable to introduce reforms to streamline DUATs or to prepare the country for the evolutionary paradigm. For example, the ETLR holds that economic efficiency comes through the use of land as a freely tradable commodity and through land titles in the form of individual private property (Barnes and Child 2014). However, at the time the mega-projects were being promoted, the 2004 Constitution ratified the nationalisation of land and prohibited its sale (CRM2004 art. 109).

This means that without a proper legal framework and efficient monitoring, disagreements cannot be formally settled. The consequences are the growth of an informal land market, which leads to the “malfunction” of the evolutionary model (Platteau 1996:73). On the other hand, delays in granting DUATs to the rural population, which the next section will demonstrate, doomed the communitarian model to failure. The clash of these two approaches, which were managed so inefficiently, generated pressure, and in turn considerably undermined land tenure security.

### **5.2.1 Party/State dualism**

While a radical and sudden rupture with communitarianism did not take place, the Party/State repositioned itself at global and national levels. It became dualist by creating communitarian invited spaces at a national level, but then also emphasised evolutionary

measures that were shaped in closed spaces with national and international economic and political actors, as Chapter 6 will show. This dualism undermined the communitarian collective action that had been built on claiming invited spaces nationally.

In 2006, the Party/State, donors and civil society, drew together in a collective action on land ownership regularisation in rural communities.<sup>118</sup> For example, the Initiative for Community Land – the iTC (an NGO with partnerships with the Ministry of Agriculture, UNAC, the Confederation of Mozambican Economic Associations and Fórum Mulher) was introduced at this time. It receives funding from the British DFID, the Swiss SDC, the embassies of Norway and Sweden, as well as OSISA (Open Society Initiative of Southern Africa) – with the aim of supporting the “government’s efforts to ensure community rights on land and natural resources, through delineating the land”.<sup>119</sup>

A report from Edgroup points out that the iTC asked the government in Manica, Zambezia and Cabo Delgado for 390 delimitation certificates and DUATs up to the end of 2012 - enabling it to meet its target of 454 by the end of 2013 (2014:26). However, the Provincial Geography and Registration Service (SPGC) was still processing 202 of these requests at the end of 2012. “Backlogs in processing application certificates of delimitation and DUATs for demarcation are significant in all eight provincial SPCGs”. The report cites the case of ORAM, which fulfilled the same iTC procedures, regulating 262 communities from 1999 to 2006 in Zambezia, and from 2003 to 2009 in Niassa and Nampula, however, “SPGC certificates were never issued in many of these cases” (2014:27).

On the other hand, Terra Firma suggests that requests for DUATs for mining, gas, forestry and biofuels rose markedly between 2004 and 2009. Contracts for 2.5 million hectares were granted, of which 1 million acres were to foreign investors. Applications for DUATs for areas over 10,000 hectares were the highest on record for the period, with 73 per cent for forests and 13 per cent for biofuels and sugar (2013:8). Mosca suggests that delays and leniency by administrators is selective. “There are great disparities in the length of time it takes to obtain a DUAT depending on the applicant, investment amount, political connections” (Mosca 2015:12). Up to 2015, there were 3.9 million agricultural holdings. Small and medium-sized holdings accounted for more than 99.5 per cent - of which only 2 per cent had DUATs (OMR 2014).<sup>120</sup>

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<sup>118</sup> For more about key stakeholders and their roles in implementing DUATs see Cabral and Norfolk (2016).

<sup>119</sup> See iTC (2015)

<sup>120</sup> For more on DUAT emission targets, see Jornal Noticias (2015c) - Programa Terra Segura: Five million DUATs will have been issued by 2019.

In 2007 and 2008, the Party/State launched new legal instruments that favoured large-scale agricultural projects. For example, articles 81 and 83 of the Land Law Management Law are similar to the concepts of superior relative social economic benefit and fair and reasonable compensation provided for in the Mining Law when it refers to expropriation in the furthering of public interest, necessity or utility (Boletim da República 2007). Resolution 70/2008 of the Investment Guidelines, adopted the following year, sets out that DUAT applications for areas between 1,000 and 10,000 hectares should be submitted to the Ministry of Agriculture and Fisheries and that DUAT applications that go beyond the jurisdiction of the Ministry of Agriculture and Fisheries must be authorised by the Council of Ministers. “The legal framework for expropriation, compulsory acquisitions and resettlement is scattered across a number of laws and instruments (...) making it complex and prone to multiple interpretations” (Cabral and Norfolk 2016:17).

By privileging the evolutionary approach, the Party/State had decided to naturally consider the mercantilisation of land more important than its moral subsistence purpose (Scott 1976). The mercantilisation of land involved more vulnerable groups being coerced to lend or sell land as an answer to low wages and the lack of social protection (Lavigne-Delville and Durand-Lasserve 2009:44). In Mozambique, this mercantilisation can be seen in economic expansionism, population growth, economic and social insecurity, and major investments in extraction and agribusiness. Even though land transactions take place in a parallel market characterised by informal labour relations (Mosca and Dada 2014), the consolidation of mercantilisation also has formal bases. The Land Law permits land exploitation contracts, which are a form of sub-lease for a particular piece of land. This kind of process needs prior approval from the state and must be ratified through a public deed. The conversion of the value of land use (improvement) to the exchange value also turns land into a “transactional asset” (Mandamule 2015:18). Cabral and Norfolk (2016) note that DUATs are at the centre of the country’s tenure system, and emphasize that they can be easily transferred in the corporate structure of DUAT holding entities.

Platteau argues that perhaps the most illusory of ETLR’s ideas is that “land titling can be expect to increase land security for all customary rights holders” (1996:76). This means that when the Party/State moves towards the evolutionary paradigm, the community’s safeguards of rights and sovereignty regarding the land law are weakened. In the clash between the legal framework that favours large investments and the legal

foundations that protect communities, what could make the difference would be a state with the institutional robustness to mediate between interests, and this is not the case of Mozambique. “Inadequate performance is related to the institutional weakness of land administration operators but also, and crucially, to the lack of incentives to tackle operational problems, address legal gaps and ambiguities and improve legal compliance” (Cabral and Norfolk 2016:23). Because of this, there are difficulties in proving rural land possession, particularly at times of investor pressure and when there is a lack of assistance to farmers to interpret the rights - which require considerable technical and operational effort.

Thus, the move from a communitarianist to an evolutionary paradigm resulted in far greater pressure on land via a weak land operational structure. In practice, the 1997 Land Law was an important outcome of the intervention and agreement stages of co-construction, however, over the years it weakened, and became unable to guarantee the *real issue of subsistence security*. The law aimed to allow, “The best trading and compensation conditions for cases of resettlement or usurpation attempts” (Mandamule 2015:15), but in practice, rural communities merely gained tools to cope with issues without actually solving them, and this generated uncertainty.<sup>121</sup>

How has the change in attitude of the Party/State, been able to minimise the importance of the Land Law so significantly? It is because of the comfortable position the Party/State finds itself in. As we saw in Chapter 3, after the year 2000, the state increased its organisational power - expanding its presence in rural communities, involving traditional chiefs, embracing community structures, and managing to keep its land ownership. Additionally, DUATs are granted by the Party/State and land exploitation through private capital has to be approved by the communities in consultations coordinated by community structures, which in turn are coordinated by the Party/State. Thus, as Chapter 6 will demonstrate, while the Party/State kept a propositive position at all levels of power (Gaventa 2006a), civil society was merely reactive, with no vigilance, particularly at an international level.

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<sup>121</sup> Three community members interviews, Maputo, 21 April 2015.

### **5.3 Civil society and co-construction**

The previous sections showed how over 15 years the communitarianist paradigm gave way to a more evolutionary stance on land tenure in Mozambique. This section describes the trajectories of two organisations to try to understand the reasons why civil society seemed dormant, with no reaction to the weakening of the CNT collective action. The National Peasants' Union (UNAC) and the Rural Association for Mutual Aid (ORAM) are two organisations working in the same sector – that of land rights. However, they are distinct identities: UNAC claims to represent peasants, while ORAM is a rural assistance NGO.

#### **5.3.1 Political-ideological factors during the co-construction**

From a political perspective, UNAC was never far from the Party/State. Created after the Structural Adjustment Programme was introduced in 1987, the organisation came out of the union of socialist agricultural cooperatives affected by the uncertainties of the market economy. At its inaugural meeting in 1994, it presented itself as an “umbrella organisation whose role was to promote the grouping of peasants into cooperatives or associations in order to defend their interests” (Shankland *et al.* 2016:26).

ORAM started with the idea of escaping the tentacles of FRELIMO, which had been occupied by decades-old mass organisations. It ended up becoming more separate from the Party/State than UNAC. It started out in 1992 in the southern part of the country, and was legalised in 1994, as was UNAC. It was well accepted not only because the country was opening up politically and economically, but also due to the fragility of a state that was unable to cope with the numerous agricultural issues post-war. From this perspective, its proactive approach was welcome. Its ties with the Party/State became stronger over the years. Greater numbers of national leaders and provincial coordinators were identified with FRELIMO.

Both ORAM and UNAC have active members from the so-called 8 March Generation. The brother of former president Joaquim Chissano has held positions on ORAM's Board of Directors. A member of FRELIMO at the Public Assembly was also the organisation's vice-president. “They enable the interface between rural locations and the government, share information, and are in contact with state intelligence services”.

Activists from the new generation of these organisations accuse older ones of facilitating FRELIMO members' access to land.<sup>122</sup>

*'These ideological differences [in support of and against FRELIMO] are not convincing because the "challengers" think they are wrong. The lack of a sense of defiance leads to diversionary behaviours and a lack of internal aims. It is necessary to criticise things the government gets wrong. While the party struggle for power, I am fighting for development'.<sup>123</sup>*

The first six years of the 1990s were spent pressurising for the legalisation of land tenure, with millions of displaced persons returning to their communities. ORAM was a beacon during the identification and intervention stages of the co-construction, playing key roles in created and invited spaces. Today, many of its members are proud to have protected rural communities from outsiders, and to have facilitated the establishment of created and invited spaces.<sup>124</sup> It was a confused period, with even members of Portuguese families arriving to reclaim land from the colonial period.<sup>125</sup> "People went to state departments, showed their interest, received the coordinates and got their deeds. This led to a series of conflicts over land that was already occupied".<sup>126</sup>

In the midst of this political opportunity structure, FRELIMO faced political uncertainty in rural areas. Traditional leaders who had been humiliated by Machel and who had been on the side of RENAMO in the 1980s, supported the multi-party opposition - a fact that was clear in the 1994 and 1999 elections (Lourenço 2009). Decree-Law No.15 - which incorporates and remunerates traditional leaders, as we saw in Chapter 3 - and UNAC's activities, come together with the Party/State efforts to increase its influence in rural areas.<sup>127</sup>

Excessive polarisation could have been costly to FRELIMO in an election scenario and with the emergence of political opponents. In this context, legal agricultural reforms would have to harmonise "current political and economic interests" (Mandamule 2015:6). With all stakeholders in harmony, political links facilitated dialogue during the communitarian consensus. UNAC could emphasise its alignment with peasants on discussions around the Land Law.<sup>128</sup> The legal movement brought the organisation closer

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<sup>122</sup> Independent Activist interview, Nampula, 30 April 2015.

<sup>123</sup> NGO worker interview, Quelimane, 7 May 2015.

<sup>124</sup> An FAO study that underscores the influence of ORAM at the time, acting in the Mutange-Murrua and Mulemba-Arpe cases (see FAO 2002)

<sup>125</sup> COB member interview, Zambezia, 4 May 2015

<sup>126</sup> NGO worker interview, Quelimane, 7 May 2015

<sup>127</sup> NGO worker interview, Aracaju, 12 November 2015

<sup>128</sup> NGO worker interview, Aracaju, 12 November 2015

to base and strengthened relationships with national and international organisations, development cooperation organisations, parliamentarians, academics and other pro-peasant institutions (Shankland *et al.* 2016:26).

The Land Law was therefore a co-constructed national product taken further by civil society and government in invited and created spaces where, at the intervention and agreement stages, the stakeholders worked under a communitarian paradigm, defending the interests of rural communities.

### **5.3.2 Economic vulnerability and the collapse of co-construction**

As discussed at the start of this chapter, over the first decade of the 21<sup>st</sup> century the Party/State adopted evolutionary commercial measures that threatened land tenure security and consequently, subsistence security. The question is why did civil society not immediately react to this? The next section of this chapter will show that it seems clear that UNAC and ORAM's ties to the Party/State hampered the easy constitution of a defiance process. Modest advances achieved through the process of co-construction, such as the concession of DUATs through civil society mechanisms like the iTC may also have hindered resistance to the paradigmatic shift of Party/State. However, there is evidence of another area of mercantilisation in rural areas that influenced civil society and that casts light on this silence: that of NGOisation (Lewis 2010; Banks and Hulme 2012; Helliker 2014). This was a distraction from UNAC and ORAM's focus.

In the early 2000s, UNAC's strategic plan called to strengthen peasant organisations, food sovereignty and expand the political voice.<sup>129</sup> However, the opinion of Shankland *et.al* (2016) is that over time, UNAC began to act more like an NGO than a social movement or union. This is due to the fact that the organisation has taken on a diverse range of activities, whether providing technical assistance to farmers or participating in post-war and post-natural-disaster reconstruction activities.

ORAM meanwhile stuck to farmers' assistance projects, however, it also got involved in projects that offered good business opportunities. An interesting case was in the Nante region of Zambezia in the second half of the 2000s, when after helping communities to set up associations, cooperatives and a rice trading company, ORAM became a player on the rice market, which then led to internal conflicts. The NGO's

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<sup>129</sup> Interview with Luís Muchanga in Shankland *et.al* (2016).



members set up the Commercial Agricultural Promotion Association (APAC) to institutionally distance ORAM from commerce as its members realised that they were starting to look at “prices, look for fuel, sell rice... There was no more land [or associative] issues to be resolved in the region”.<sup>130</sup>

APAC was a service provider for the rice cooperatives and was funded by the European Union, Oxfam and the Dutch Embassy (Vellema et.al. 2011:4). It became a shareholder of the company responsible for selling the rice produced by farmers in the region EOZ (*Empresa Orizicola da Zambesia*, the Rice Company of Zambesia) which had funding from GAPI (*Gabinete de Apoio e Consultoria a Pequenas Indústrias*, Advisory and Support Agency for Small-scale Industry).<sup>131</sup> The project was attractive in 2011 due to its potential in a region covering 23,700 hectares with 33,000 small producers (Ibid). APAC closed in 2012 after alleged misappropriation of funds.<sup>132</sup> Now GAPI is the intermediary for rice sales with the same tools and structure that EOZ had previously. It manages sales for farmers’ production so that it can recover the money invested. “The connection has been carried on; however, it passes on less money to producers than EOZ did. There had to be a party interested in bringing together the four communities involved to help us tackle this process”, according to a community leader.

The image of ORAM is associated with its activities in Nante, as the organisation provided machinery and structures that had been acquired with donations for the farmers and it now still holds these materials:

*‘ORAM rehabilitated the threshing building in the association’s name and using our workforce. When it was completed, ORAM forced us to hand back the association’s headquarters. ORAM gave us tractors, mills and refurbished everything, but then kept everything. We do not agree with this. The materials were donated and we cannot understand why they have to keep everything’.*<sup>133</sup>

However, according to the organisation’s representatives, ORAM donated equipment but APAC did not. “Perhaps the farmers have misunderstood this (...). I should remind you of Nante, where there are two tractors, a building and a security guard,”

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<sup>130</sup> NGO worker interview, Quelimane, 7 May 2015

<sup>131</sup> GAPI was “founded in 1990 as a limited company, (Gapi, Lda) by the Friedrich Ebert Foundation and the Banco Popular de Desenvolvimento, which became a Limited Company in 1999 (GAPI.SA) and was registered in 2007 as a credit institution regulated by the Bank of Mozambique as an Investment Company (GAPI-SI.SA). In 2013 the shareholder structure changed to become a partnership between public and private investors: State (30 per cent), Private Investors (55 per cent) and Civil Society (15 per cent)” (GAPI 2015), 24 September 2015.

<sup>132</sup> NGO worker, Quelimane, 7 May 2015 and COB memeber interview, Zambesia, 4 May 20152

<sup>133</sup> COB memeber interview, Zambesia, 4 May 20152.

counters an ORAM representative.<sup>134</sup> There is similar confusion in Muzo, where ORAM wants to take back machinery that had been given to the community's woodworks. The Muzo Community Association (ACODEMUZO) asked ORAM to officially deliver the goods, but until now, this has not happened. "They gave us the materials purchased with donations. There is no point in their asking us to pay when the company [woodworks and carpentry] is up and running". The ACODEMUZO woodworks project is a long way from being realised, due to a lack of initial investment to resolve basic issues such as electricity, transport and further equipment.<sup>135</sup>

ORAM was thus accused of exploring the farmers, losing its social compromise, and abandoning the farmers when business was no longer going well and peasants still needed its support. ORAM is also a victim of Mozambique's project market. In the context of the iTC, ORAM was a project service provider for several regions in the country - including Manica, Cabo Delgado, and Gaza (KPMG 2010). The organisation only participated twice in the initiative in Zambezia, between 2010 and 2012.<sup>136</sup> In the latter, "when the second contract was signed, an employee [of the iTC] asked for 15 per cent of the value [of the contract]. ORAM refused to pay and has not won an iTC contract since then".<sup>137</sup>

### 5.3.3 Political vulnerability and rural advocacy

To reduce political vulnerability, it is necessary to change power relations.<sup>138</sup> UNAC and ORAM are distinct entities, but are very close when the theme is that of advocacy. ORAM has always claimed to speak up for rural dwellers, and has sought to encourage land and natural resource related policies (Topsøe-Jensen *et al.* 2015:102). UNAC speaks of a "peasants' organisation to produce and defend their interests through participating in public and political discussion and decision-making".<sup>139</sup> Although proximity to the Party/State hinders more robust positions, some individuals in organisations can defy political ties, and seek balance and minimal independence to enable advocacy to flow.

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<sup>134</sup> NGO worker, Quelimane, 7 May 2015

<sup>135</sup> CBO members interview, Zambezia, 5 May 2015; Logger entrepreneur interview, Quelimane, 7 May 2015

<sup>136</sup> See iTC (2015)

<sup>137</sup> NGO worker, Quelimane, 7 May 2015

<sup>138</sup> See Gaventa (2010b)

<sup>139</sup> NGO worker interview, Aracaju, 12 November 2015

Even as the 1997 Land Law was being set up, UNAC made connections with the Brazilian Landless Workers' Movement (MST) and became an affiliate of *La Via Campesina*.<sup>140</sup> This was a milestone for the organisation. The setting up of the *La Via Campesina* regional office in Maputo shortly before the 5<sup>th</sup> International Peasants' Organisation Conference in 2008 marked the start of UNAC members' flirtation with a kind of defiant mode. This was due to Via Campesina's pro-peasant stream of contention in several countries. UNAC affiliated provincial unions and others with lesser connections to the Party/State also flourished at the end of 2000s.<sup>141</sup> This link with Via Campesina intensified resistance to the idea of a market in land and led to a distancing between the two organisations' internal philosophies on defiance, as will be shown in 5.4.

Over the 2000s, the organisations developed their advocacy processes through coalitions, forums and discussion spaces. Advocacy through coalition protects organisations with strong bonds with the Party/State.<sup>142</sup> An example is the Food Sovereignty Civil Society Organisation Network (ROSA), a coalition of 20 organisations created by Association for Biodiversity and Sustainable Development (ABIODES), UNAC and ActionAid in 2003 with the goal of "filling the lack of communication between acting civil society organisations" in the food security sector. ROSA helped ORAM and UNAC to consolidate themselves even further and to be involved in the planning, coordination and monitoring of food sovereignty and security programmes together with other national and international organisations, the government and the private sector (ROSA 2013:5). The motto is "management of land, water, seeds and biodiversity in the service of Communities" (Vunjanhe and Adriano 2015:65).

#### 5.4 UNAC and ORAM in defiance

This section identifies the changeable nature of defiant civil society. It shows the struggle to reclaim the communitarian paradigm, reinforcing tenure security again so as to increase subsistence security, as the communitarian land law had set out years before. Political and economic vulnerabilities mean organisations move in and out of the

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<sup>140</sup> Via Campesina is an international movement encompassing millions of peasants, small and medium producers, landless workers, indigenous people, migrants and farm workers. It advocates small-scale sustainable agriculture to "promote social justice and dignity. It is opposed to agribusiness and multinationals" (see Via Campesina 1993)

<sup>141</sup> NGO worker interview, Aracaju, 12 November 2015

<sup>142</sup> NGO worker interview, Maputo, 14 November 2014; NGO worker interview, Aracaju, 12 November 2015

contestation environment. The following section uses theories of power and contentious politics to show how this happens.

Mandamule (2015) believes that land mercantilisation sparked debates and positions based on collectivist, neo-institutionalist and evolutionary paradigms. Considering the local and international political and economic context, rather than a collectivist approach, I believe that what has emerged in Mozambique is best characterised as a responsive communitarianist approach (Etzioni 1998). However, a neo-institutionalist paradigm has developed in the ProSAVANA debate. In the face of mercantilisation, the neo-institutionalists stand up for the constitution of land rules that are legitimate in the eyes of the people and also state recognised (Lavigne-Delville and Karsenty 1998). They do not oppose lease transactions providing they meet the law. Some people support the lease of land - which is a balance between the legalisation and non-legalisation of land markets.<sup>143</sup> This would mean that tenants would “pay taxes to the state and rent to the legal landowners” (Mandamule 2015:19).

I understand that the process of defiance as of the end of the 2000s aimed to reclaim the sense of security in land tenure, as the land was state-owned and the *peasant DUAT* was undermined in relation to the *mining-agrarian DUAT*. It was a contestation that became more noticeable when ProSAVANA was identified as the “enemy” after 2012. Nevertheless, the first outcomes of the process can be identified even before ProSAVANA became a civil society focus.

Officially, ProSAVANA is planned and implemented in a triangular cooperative model between Mozambique, Japan and Brazil. It covers the savannah region of the Nacala Corridor, with an area of 14 million hectares and a population of millions of subsistence farmers and their families. It was inspired by Prodecer, a project introduced to the Brazilian Cerrado region between 1979 and 2001.<sup>144</sup> Over a period of 20 years, ProSAVANA aims “to improve the livelihood of the inhabitants of the Nacala Corridor through inclusive and sustainable agricultural and regional development”.<sup>145</sup> The program has three components: ProSAVANA-PI: aims to improve research and technology transfer research, with an initial budget of US\$13.4 million (ProSAVANA - Project I 2010). ProSAVANA-PD: the component responsible for the Master Plan for

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<sup>143</sup> Proposal considered by the Land Consultations Forum (quoted in Cabral and Norfolk 2016:26).

<sup>144</sup> The alleged similarity between the cerrado and the Nacala Corridor “has been the core justification of ProSAVANA, and many Brazilians and Japanese have been surprised to discover it is not true. The cerrado had extremely high acidity and aluminium concentration and few nutrients in the soil, and thus was suitable for various high-tech solutions. It also meant there were relatively few farmers living there, and they could easily be forced to move by the then military government. In contrast, the Nacala Corridor has good soils, high population density, and land laws that make it difficult to move people” (Hanlon and Smart 2014, Chapter 7).

<sup>145</sup> See ProSAVANA (2014)

agricultural development in the Nacala Corridor. This initially had a budget of US\$7.7 million, and was the responsibility of the Brazilian Getúlio Vargas Foundation GV Agro, the Japanese Consultants Oriental Consulting and NTC International, and the Mozambican Ministry of Agriculture (MOA) (Fingermann 2014). ProSAVANA-PEM: the component responsible for creating community development models to improve agricultural extension services, with a budget of US\$15 million (Nogueira and Ollinaho 2013).

Cabral and Norfolk (2016) highlight the advocacy work of watchdogs and more stringent checks on investors in reducing the average size of DUATs approved at the time in comparison with the mid-2000s.<sup>146</sup> The challenge against ProSAVANA became much stronger after the NGO Environmental Justice (JA) and UNAC's stance in 2011 and 2012. The organisations criticised the project's lack of transparency and the separation of vast areas for multinational companies.<sup>147</sup>

In 2013, both UNAC and ORAM set up permanent discussion forums on farmers' main concerns. These kinds of claimed spaces were to treat issues beyond ProSAVANA. They produced the documentary *A face oculta do ProSAVANA* [The hidden face of ProSAVANA], in 2012, to warn against the risks of land-grabbing. In September, the number of debates on the programme reached a record in Nampula. The Provincial Platform of the Civil Society of Nampula (PPOSC-N) agricultural network organised eleven meetings involving other themed networks on the platform, and the presence of academics and technicians from local, provincial and national organisations - including those from Brazil and Japan. The idea was to "discuss communities' fears".<sup>148</sup>

Despite suggesting shared platform at conferences, relationship difficulties between UNAC and ORAM began to emerge. "We even disagreed with the conference slogans. ORAM advocated peaceful coexistence between agribusinesses and family farming models. However, after seeing what happened in Brazil, we can't accept this" according to one UNAC member.<sup>149</sup> From this point, there are two "oscillation standards" for civil society paradigms regarding ProSAVANA: the neo-institutionalist–evolutionary and communitarian–neo-institutionalist. These standards represent institutional positions, but they are also seen from inter-organisational perspectives. In other words, it is possible

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<sup>146</sup> Di Matteo and Schoneveld (2016) consider that the fall in the price of raw materials and consequently, the reduced investment incentives, also played an important role in this phenomenon.

<sup>147</sup> See DW Africa (2012b)

<sup>148</sup> Platform member interview, Nampula, 24 April 2015

<sup>149</sup> NGO worker interview, Brighton, 1 December 2015

to find activists or groups of activists going against their organisation's institutional position.

From an institutional point of view, this first standard led to what I call the *coexistence tendency*, headed by ORAM working together with intermediary organisations like Oxfam, as well as influential members of the PPOSC-N and several academics - the last of which was predominantly evolutionary.<sup>150</sup> The group had an audacious economic approach, and saw the creation of partnership models with all parties benefiting. For example, ORAM members thought that the greatest challenge for ProSAVANA was to ensure that smallholders' land was able to hold a foot in the market. "We are convinced that rural development is not created just via the state, but also via the community. We now have to treat those who were our enemies [investors and business people], differently and with respect. It's rather humiliating".<sup>151</sup>

The second standard led to the *resistance tendency*, led by UNAC with support from Women's Forum, the Human Rights League, ADECRU and JA. It argues that ProSAVANA facilitates multinational interests, and thereby weakens farmers' rights. The neo-institutionalists from this group would be prepared to accept the programme, if it were able to ensure ownership, freedom and economic and environmental sustainability for farmers, but are sceptical about this as they distrust the Party/State's efficacy and bureaucracy.<sup>152</sup> They could not envision a framework of business partnerships and models in which all stakeholders could win, as the framework for partnerships in the agricultural sector is undeveloped and private sector agreements have had limited success (Hanlon and Smart 2014). They could see the fragility of organisational structures in a context where there are still no legal mechanisms for representing the community as a joint rights holder entity. Therefore, the conviction that ProSAVANA may leave communities exposed to the vagaries of the governance system actually ended up further consolidating the resistance tendency.

From here on, I will focus on the resistance tendency, as it dictates the tone of defiance up until the end of 2015. For example, the No to ProSAVANA campaign, which began on 2 June 2014, is the most impactful of the project's approaches. Organisations including UNAC, Livaningo, the Mozambican Human Rights League, Women Forum, Kulima, JA, ActionAid Mozambique, the AAAJC and ADECRU launched the initiative.

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<sup>150</sup> Platform member interview, Nampula, 24 April 2015; interview in Mandamule (2015:17).

<sup>151</sup> NGO worker, Quelimane, 7 May 2015

<sup>152</sup> Field work notes in Malema detailed in Chapter 6.

Activists claim that No to ProSAVANA is the result of a movement that began its activities in late 2012, and was the start of the crystallisation stage. Since independence, this is the first non-violent campaign of protest against a Party/State policy that has lasted for more than three years.

#### **5.4.1 Why was UNAC a defiance leader?**

In the first years of defiance, UNAC recovered its social movement vocation as the leader of an informal coalition of urban organisations and peasants' associations for land rights. The umbrella organisation claimed to act as peasants' political representative. We will see how UNAC dealt with the political and economic vulnerability that had previously undermined it during the collapse of co-construction.

While some observers consider UNAC "twice adjusted its position in relation to ProSAVANA", I believe that the peasant organisation adjusted it at least three times over the still ongoing process.<sup>153</sup> The first was in October 2012, when it embraced the "search for information", as the programme evolved in closed spaces under hidden power dynamics.<sup>154</sup> The second of the institution's programmes was the "stop and think" introduced on 28 May 2013, when it signed an open letter with organisations in Brazil, Japan and Mozambique. The document - addressed to the governments of all three countries - outlined its concerns and proposed freezing the programme and promoting wider discussion. This position was based on a lack of information and dialogue, and on the results of a similar programme in Brazil.<sup>155</sup> More than 40 foreign organisations signed "stop and think". It marked one moment when the national social movement built an international created space. The third position came with the campaign No to ProSAVANA and it marked a stance of complete rejection, with an informal alliance of social movement organisations.

In the resistance tendency, between 2012 and 2014, UNAC took an approach that was more communitarianist than neo-institutionalist. This metamorphosis is seen through the constant action of young activists who completed their university courses in the 2000s, reclaimed their peasant backgrounds and joined the UNAC advocacy process at the time.<sup>156</sup> This generation sees FRELIMO as not merely a key agent in the battle for

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<sup>153</sup> NGO worker interview, Brighton, 1 December 2015

<sup>154</sup> UNAC (2012)

<sup>155</sup> Verdade (2013b)

<sup>156</sup> NGO worker interview, Maputo, 13 November 2014; NGO worker interview, Brighton, 1 December 2015

liberation, but also as a political party after the end of the colonial period.<sup>157</sup> According to one member of ORAM, both UNAC and ORAM leave an internal space open for contest, and this justifies donors' investments. "These are the areas of advocacy from which ideas about confrontation arise, but it's actually just a quiet uproar".<sup>158</sup> However, for UNAC, at least this time, the uproar was not muted. While for ORAM, only one person is mentioned as potentially defiant among the organisation's national leaders, UNAC had a defiant group that brought in endogenous sectors and even the president of the union.

This group was responsible for the UNAC leadership in the defiance process. "We are aware that we cannot say No to ProSAVANA without also saying no to FRELIMO", according to one group member.<sup>159</sup> They believe that being a coherent activist within Mozambican civil society means risking being considered an enemy of the state. "When we say No to ProSAVANA, we are also saying no to strong economic interests, supported by people who are familiar with military intelligence. We have our own protection and security network", said another party.<sup>160</sup>

I will describe this group as UNAC's *defiant wing*. These are activists known as "powerful advocacy guys", who are either feared, hated or admired due to their youth, audacity, vitality or activism.<sup>161</sup> They have been mentioned on numerous occasions from Niassa province to Maputo because of disagreements at peasant awareness raising events on land usurpation, protests, sponsorship meetings, or official government events.

The defiant wing increased its influence through its advocacy, coordination, cooperation and communication with other organisations. UNAC's advocacy department produced most of the main resistance tendency activities.<sup>162</sup> This group's work has led to debates between peasants and public officials at local, district and national levels since 2013, examples of which are the People's Triangular Conferences of 8th August 2013 and 24th July 2014, Regional Conferences about Land and Seeds in Northern, Central and Southern regions during 2013 and 2014, and The International Conference on Land which has been held since 2012. These forums enabled peasants to build their demands and defence strategies, to ask for guarantees against land-grabbing, and to criticise ProSAVANA based on their experiences. In addition, they also deepened their

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<sup>157</sup> Blog ADECRU (2014)

<sup>158</sup> Independent Activist interview, Quelimane, 15 May 2016

<sup>159</sup> NGO worker interview, Brighton, 1 December 2015

<sup>160</sup> NGO worker interview, Aracaju, 12 November 2015

<sup>161</sup> Intermediary worker, Maputo, 13 May 2015

<sup>162</sup> NGO worker interview, Aracaju, 12 November 2015.



understanding of the reasons for land conflicts that UNAC and other organisations claimed could happen in years to come because of ProSAVANA.<sup>163</sup>

The defiant wing's audacity and persistence influenced power at different levels, spaces and forms, as will be shown in Chapter 6, and also over the course of this chapter. At some point in 2014, communitarianist and neo-institutionalist paradigms collided at UNAC's headquarters in Maputo. This conflict resulted in one organisation within the other. The defiant wing started to feel more comfortable with the Provincial Peasants' Unions (UPCs), District Peasants' Unions (UDCs) and grassroots communities. It began to pass the peasants' demands on to UNAC's agenda. It became the beating heart of the umbrella organisation, interacting with 86,000 members, nine UPCs, 83 UDCs and 2,200 peasant associations (ROSA 2013:22). It moved throughout the endogenous sectors. Its members claim that the mobilisation promoted by the campaign was made possible due to the engagement of the communities directly affected by land usurpation attempts. "It wasn't because of UNAC's structures in Maputo".<sup>164</sup>

According to these activists, UNAC's general leadership supported them and also was politically able to accommodate the organisation's environment and approach to the communitarianist issue. The then leader was President Augusto Mafigo, who led UNAC from 2010 until his sudden death on 5 August 2015, aged 58. According to reports from Quelimane Central Hospital, Mafigo had suffered a stroke. He had travelled to Nampula for a meeting with UPC members to discuss internal disagreements and increasing governmental pressure.<sup>165</sup> He had stopped off in the capital of Zambezia for the night.<sup>166</sup> There has been no criminal investigation into the case.<sup>167</sup> In September 2013, Mafigo said he could not discount the radicalisation of the peasant movement if the usurpation of land and large monoculture plantations continued in the North. According to him, "We [UNAC] have partnerships with Via Campesina and the Brazilian MST, so we know their pressurising tactics and can use them well".<sup>168</sup>

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<sup>163</sup> NGO worker interview, Brighton, 1 December 2015; NGO worker interview, Aracaju, 12 November 2015.

<sup>164</sup> NGO worker interview, Aracaju, 12 November 2015.

<sup>165</sup> Intermediary worker, Maputo, 13 May 2015

<sup>166</sup> UNAC (2015)

<sup>167</sup> NGO worker interview, Aracaju, 12 November 2015.

<sup>168</sup> DW Brasil (2013)

**Table 5.1: Stages of defiance in subsistence security from the end of the 2000s (Chapter 5)**

Stages of Defiance	Episodes	Approaches	Effects
<b>The rupture of co-construction</b>	<ul style="list-style-type: none"> <li>- Mobilisations against the VALE project</li> <li>- The mining DUAT vs. the peasant DUAT</li> </ul>	<ul style="list-style-type: none"> <li>- Non-violent actions: manifestations, legal petitions, statements, open letters</li> <li>- The readiness of Party/State at international, national and local levels</li> </ul>	<ul style="list-style-type: none"> <li>- Affirmation of defiant organisations (LDH, JA, CTV, UNAC and peasant associations)</li> <li>- Mutations</li> </ul>
<b>Oscillation of defiant civil society (DCS)</b>	<ul style="list-style-type: none"> <li>- Open letter asking for information</li> <li>- Open letter to deter and reflect</li> <li>- Change in the funding models imposed by fiscal intermediaries</li> </ul>	<ul style="list-style-type: none"> <li>- Bilateral dialogue between civil society and trilateral cooperative representatives.</li> <li>- Reinforcement of civil society platforms.</li> <li>- Readiness of Party/State at international, national and local levels</li> <li>- Readiness of DCS at international, national and local levels</li> <li>- Non-violent actions</li> </ul>	<ul style="list-style-type: none"> <li>- Involvement of foreign players</li> <li>- Constant media coverage of land issues</li> <li>- Invited spaces</li> <li>- Created spaces for peasants and DCS</li> <li>- Exploitation of vulnerability for neutralisation</li> <li>- Mutations</li> <li>- Non-linear systems in DCS</li> </ul>
- The <b>crystallisation</b> of defiant civil society (DCS)	<ul style="list-style-type: none"> <li>- No to ProSAVANA campaign</li> <li>- Crisis Defiant Civil Society vs. Fiscal intermediaries</li> </ul>	<ul style="list-style-type: none"> <li>- Readiness of DCS at international, national and local levels</li> <li>- Readiness of the Party/State</li> <li>- Non-violent actions</li> </ul>	<ul style="list-style-type: none"> <li>- Currents in DCS</li> <li>- Funding crisis</li> <li>- Invited spaces</li> <li>- Created peasant spaces</li> <li>- Intense exploitation of vulnerability for neutralisation</li> <li>- Mutations</li> </ul>

## 5.5 The process of neutralisation

From the moment defiance matured, the Party/State started to react to the growing contention, and to operate within the contestation environment. This section analyses how the dynamics of neutralisation occurred. It shows that while the process of co-construction predicts relative collaboration, sharing of information and self-control, defiance has unpredictable political repercussions.

Between the second half of 2014 and April 2015, discussions on ProSAVANA cooled somewhat. The theme only returned to the debate for the public through hearings on the Master Plan. Even so, there remain many with the impression that the new debates proposed by the government ignored the prior contributions made by civil society.<sup>169</sup> UNAC and the NGO GRAIN surprised people when on 19 February 2015 - in the midst of the political whirlwind outlined in Chapter 4 and together with the new government haunted by Guebuza (a grey eminence in the first months of Filipe Nyusi's

<sup>169</sup> Platform member interview, Nampula, 24 April 2015

administration) and Dhlakama mutual threats - published a scathing report: *The land usurpers from the Nacala corridor - a new era of struggle against colonial plantations in Northern Mozambique* (GRAIN 2015). UNAC only published the report because they had committed themselves to the international funding organisation, if not, they would have remained in silence for the reason that we will see in the next sections. This convincing discourse seemed to signal that UNAC was about to lead a new offensive against ProSAVANA in 2015. However, the following months showed quite the opposite, it was hard for UNAC to position itself with the newly elected president Nyusi. The following looks at how the organisation became more vulnerable within the contestation environment.

### **5.5.1 Offensives in the contestation environment**

Almost three years of unprecedented peasant dispute had an impact on the Party/State. After the launch of the No to ProSAVANA campaign, Daniel Clemente, the Permanent Secretary of the Ministry of Agriculture, called on “relevant organisations” from civil society to start up an invited space, a kind of dialogue platform. To the surprise of many, both the Brazilian ambassador and the Japanese Foreign Attaché participated.<sup>170</sup> The stated reason for the debate was the Land Law, a theme that attracted neo-institutionalist groups from both the coexistence and the resistance tendency.<sup>171</sup> Representatives of organisations like Women Forum, Action Aid Mozambique, Livangingo, ORAM, CTV and Care attended the event.

UNAC declined the invitation through its defiant wing. Ministry representatives questioned the other organisations about UNAC’s reasons for not attending. In response, they heard strategy explanations and justifications for the “radicalisation” of the peasant movement - as well as the list of names of key defiant activists from UNAC and other organisations.<sup>172</sup>

A few weeks later, on 16 and 17 December 2014, the annual meeting of UNAC’s technical body was held in Maputo. Difficult discussions led to tensions between the technical coordination and the defiant wing. Members of the Executive Board claimed that the government, its partners and other organisations considered UNAC as “radical”

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<sup>170</sup> NGO worker interview, Brighton, 1 December 2015; For more see Brasemb (2014)

<sup>171</sup> Discussing the Land Law implies discussing DUAT, the tool that is part of the neo-institutionalist approach to land in Mozambique (Mandamule, 2015:19).

<sup>172</sup> NGO worker interview, Brighton, 1 December 2015

and that in the short term this would isolate the organisation. After heated retorts and exchanges at the meeting, UNAC stated internally that 2015 was going to be the “lobby year” and it would reject “confrontations”. Executive Board members believed that with this they would be able to stand against any alleged “radicalisation”.<sup>173</sup>

This led UNAC to enter a new phase. From 2012 to December 2014, the organisation was part of the resistance tendency, with a more communitarian than neo-institutionalist stance. After 17 December, UNAC started to lean more towards neo-institutionalism. This is reflected in the contestation environment. As we will see in Chapter 6, the motto “lobby year” was not adopted by the organisation as a whole - it was actually ignored in the Northern provinces, where UPCs continued to be communitarianist, but were unfunded and unsupported by the UNAC headquarters in Maputo.

The internal impact of this phenomenon was the freezing of the group that represented the heart of the contestation. UDCs, UPCs and the defiant wing wanted to carry on the campaign, but they were unable to stand up to internal or external power disputes.<sup>174</sup> The effect was UNAC’s institutional lack of interest in critical discussions on ProSAVANA in 2015, and the solo work of members of the defiant wing, who, for example, went to the public hearings in April but did not actually represent the organisation. The external impact was a lowering of influence of the campaign, because UNAC’s advocacy department, which was directly responsible for articulating and communicating with the other organisations, had been taken apart. At the end of 2015, the meeting of the resistance tendency about the campaign remained unresolved and the future of No to ProSAVANA was uncertain.

### **5.5.2 Exploring political vulnerability for neutralisation**

After the UNAC technical team’s annual meeting, one of the defiant wing members was removed from the organisation. He had stated his opposition to the lobby year proposal and was asked to leave for alleged expenditure discrepancies. This decision by the Executive Board was interpreted as intimidating. “If they could, they would have

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<sup>173</sup> NGO worker interview, Brighton, 1 December 2015

<sup>174</sup> NGO worker interview, Nampula, 20 April 2015

dismissed us all. It was a symbolic warning: “If you continue like this, others of you will go”, according to one member.<sup>175</sup>

UNAC’s council had decided the activist could return in January, but he was only called by the organisation’s technical team in June, after the master plan public hearings. Another member of the group also decided to leave UNAC’s Executive Board in October 2015 alleging political differences.<sup>176</sup> At the end of 2015, the defiant wing had lost its voice at the technical team meetings. The group managed funding and partnerships, and was therefore well informed about UNAC’s financial situation and resources at the time. For the defiant wing, the dismissal of its most prominent activist was unjustifiable. It meant either retaliation or an attempt to soften the organisation’s discourse. The defiant leadership’s stance remained vague. ADECRU and the Nampula Diocesan Commission both issued an open letter demanding the immediate cancellation of public hearings for the ProSAVANA master plan on 12 May 2015, alleging several irregularities.<sup>177</sup> UNAC did not sign the letter. It was the first time the organisation had not sided with ADECRU on ProSAVANA.

### **5.5.3 Exploring economic vulnerability for neutralisation**

The Party/State introduced a new approach to the resistance tendency: direct dialogue and co-opting. Leaders of organisations like UNAC, JA and CTV met ministers shortly after the Presidential inauguration and this seems to have persuaded some sectors of civil society: “they never did this before”.<sup>178</sup> More sceptical activists think that this approach “created a contradiction that hindered the pace of the [No to ProSAVANA] campaign”.<sup>179</sup>

In parallel to this, the government invited representatives from civil society to take on senior ministerial positions - a way of co-opting and also of reducing civil society’s firepower. For example, an influential representative of Women Forum for the *No to ProSAVANA* campaign started working for the Land, Environment and Rural Development Ministry. Carlos Serra, who worked at Living Earth Centre and is co-

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<sup>175</sup> NGO worker interview, Aracaju, 12 November 2015

<sup>176</sup> NGO worker interview, Aracaju, 12 November 2015; NGO worker interview, Brighton, 1 December 2015

<sup>177</sup> See Blog ADECRU (2015a)

<sup>178</sup> NGO worker, Maputo, 20 April 2015.

<sup>179</sup> NGO worker interview, Brighton, 1 December 2015

founder of the NGO Environmental Justice, began working as coordinator of the Environmental Justice Department's legal sector.<sup>180</sup>

Staff from sponsoring agencies call attention to the co-opting of experts and high-level leaders from the resistance tendency.<sup>181</sup> They say that - alongside the dissolution and weakening processes of the defiant wing - there was co-opting of UNAC's technical team members.<sup>182</sup> "This is clearly something that influenced the campaign dynamics".<sup>183</sup> There is a personal relationship between FRELIMO's Central Committee members and UNAC leaders. One of the organisation's technical and political ringleaders, for example, worked for a long time at the FRELIMO Central Committee. He is currently a "much-admired" UNAC member, and after the organisation's governing body elections in November 2015, the organisation's new president publicly paid tribute to him. Central Committee members and UNAC leaders are part of the 8 March Generation and this gives the Party/State a certain invasive power within the organisation. It is a kind of "palatial coexistence" that takes place behind closed doors, in cafes and restaurants.<sup>184</sup>

Neo-institutionalism in the resistance tendency has created organisational micro-groups and coalition micro-platforms. This dynamic has been exploited by the Party/State, which has turned neo-institutionalism into a common idiom as defined by the Clemente's dialogue platform. According to activists, the Party/State would also have suggested to the members of this invited space - mainly NGOs - that they offer consultancy services. "Consultants needed to identify the main social demands of the Nacala Corridor peasants and should look closely at the profiles of organisations and those involved in the ProSAVANA debate in Mozambique".<sup>185</sup>

The platform proposed a co-production tone – when services would be provided with no guarantee of their effect on the real issue. As Chapter 6 will explain in greater depth, the tone was only noted within civil society seven months after hearings on the Master Plan in Maputo, which had neither credibility nor legitimacy because of the irregularities in the public audiences three months earlier.<sup>186</sup> This means that the primary effect of the neutralisation dynamics during the defiance process was to have cooled the No to ProSAVANA campaign by the end of 2015. As a result, UPCs and UDPs have

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<sup>180</sup> Jornal Notícias (2015b)

<sup>181</sup> NGO worker, Maputo, 13 May 2015, Intermediary worker, Maputo, 13 May 2015

<sup>182</sup> Intermediary worker, Maputo, 13 May 2015

<sup>183</sup> Intermediary worker, Maputo, 13 May 2015; NGO worker interview, Aracaju, 12 November 2015

<sup>184</sup> NGO worker interview, Aracaju, 12 November 2015

<sup>185</sup> Recorded in an anonymous interview.

<sup>186</sup> NGO worker interview, Aracaju, 12 November 2015; NGO worker interview, Maputo, 13 May 2015

been isolated in defiance and donors began to invest in capacity building, seeking talents in advocacy amongst the grassroots to continue defiance.<sup>187</sup>

### **5.6 Non-issues vs peripheral issues**

This chapter has argued that dealing with peripheral issues (land tenure) in co-construction can convert biological needs into rights, and consequently represents significant progress in the real issue (subsistence security). In this case, stakeholders had to shift the economic land paradigm from collectivism to communitarianism. It has also described the collapse of co-construction due to a new and changing paradigm that undermined the “peasant DUAT’s” value by amending it in “communitarian” land law. The evolutionary paradigm led to land pressure and mercantilisation, and became consolidated in Mozambique as the Party/State disengaged from the communitarian collective action. This can be seen in (1) legal framework reforms in favour of large-scale agricultural projects, (2) FDI’s facilitations and (3) “mining/agribusiness DUAT” prioritisation to the detriment of “peasant DUAT”.

In turn, civil society lost its vigilance and focus during the process of co-construction, and this exacerbated its political and economic vulnerability. It did not understand that the model of land tenure in co-construction had become a non-issue after the emergence of the evolutionary approach. Years later, the recovery of vigilance and focus again triggered defiance, and this was carried forward by a social movement. The process of defiance arose due to a reduced sense of ownership and consequently, an increase in the sense of subsistence insecurity. The chapter concluded by showing how the process of neutralisation developed at a national level. The following chapter will elucidate how defiance and neutralisation took place at a local level.

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<sup>187</sup> Intermediary worker, Maputo, 13 May 2015

## **6 Defiance, neutralisation, outcomes and power on the frontline**

Chapter 5 showed the stages of the process of co-construction on land issues in Mozambique, and the emergence of defiance in the midst of clashes between communitarianist and evolutionary approaches to land rights. It described the formation of groups and alliances within civil society and also the politically and economically vulnerable organisations that initiated defiance nationally. This chapter will draw on power theory (Gaventa 2006a) to analyse the participation spaces created for ProSAVANA, and contentious politics theory (Tilly and Tarrow 2015) to examine events and episodes in the development of the process of defiance in the framework of ProSAVANA. It will look at the emergence of defiance at a local level through an ethnographic description of one of ProSAVANA's Master Plan hearings in the first half of 2015, and will include the narratives and behaviour of members of civil society organisations, peasants and Party/State agents. Peripheral issues and non-issues related to the real issue of subsistence security formed the stream of contention as defiance crystallised on the frontline, with the meeting of these three groups to discuss the Draft Zero Master Plan. To conclude the chapter, the analytical framework on the contestation environment will be used to enable a deeper analysis of defiance at a local level.

### **6.1 ProSAVANA's prospects**

ProSAVANA covers the savannah region of the Nacala Corridor, with an area of 14 million hectares. It is linked with the Nacala Corridor Economic Development Strategies Project (PEDEC), a bilateral initiative by the Mozambican government and the Japanese Official Development Assistance. PEDEC has increased ProSAVANA's reach by integrating a network of infrastructural improvements and thus making it more attractive to private investors. In this context, it includes the construction of a railway that spans Malawito connect mining production in Tete with the Port of Nacala.<sup>188</sup> In 2014, the Japanese government announced they would be investing US\$680 million in the Nacala Corridor (Chichava and Duran, 2016:10). Although there have been many cooperation programmes between the two countries focussing on this area, the Japanese

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<sup>188</sup> The mining plan in Tete expects significant production increases from 12 million tonnes in 2013, to 53 million tonnes in 2017, and then up to 60 million tonnes in 2022. (Eight-Japan Engineering Consultants *et.al* 2014:4-13) "Therefore it is crucial that certain concerns, such as those raised around land, be addressed not only in ProSAVANA but through PEDEC as well" (Classen, Watanabe and Akimoto 2014:5).



Agency for International Cooperation (JICA) also has economic development and infrastructure projects in several other areas of Mozambique.<sup>189</sup>

Public and private Brazilian institutions began to engage with Mozambique under the terms of Presidents Lula da Silva and Armando Guebuza as part of South-South Cooperation. Brazilian business involvement in Africa over Lula's two terms and Dilma Rousseff's first term grew from US\$6 billion in 2013 to US\$26 billion in 2012.<sup>190</sup> For Mozambique, this reached US\$146 million (Ibid: 2). In 2011, Brazilian government resources allocated for Mozambique reached US\$32 million, of which US\$22 million were dedicated to bilateral cooperation and almost US\$10 million to trilateral cooperation.<sup>191</sup> Over the same period, Getúlio Vargas Foundation projects (a subsidiary of Getulio Vargas Agro) set up the Nacala Fund, which aimed to attract US\$2 billion in Brazilian and Japanese investment to the region, with an aim of getting a return of between 18 per cent and 23 per cent per year.<sup>192</sup> The regional intention to "build industries to process agricultural products and expand transport and storage infrastructure" was reported in 2012.<sup>193</sup>

However, Brazil's commercial presence on the continent declined dramatically after the global recession and after the country's economic and political crisis.<sup>194</sup> At one point, the Getúlio Vargas Foundation had 60 projects in seven countries, with a value of over US\$3 billion. However, in 2015, it had just two projects in Mozambique and Angola, both with limited budgets. In the context of ProSAVANA, financial difficulties halted building on the Lichinga soil laboratory, which had started with an initial budget of US\$1.5 million from Brazil. Since Rousseff's impeachment in August 2016, the trend has been for cooperation projects to be seen with greater caution, and this is not only due to the political and economic crisis. The *Lava Jato* [Car Wash] scandal - which continues to investigate corruption schemes involving state and private enterprises and politicians from several political parties, has affected 25 projects with a total budget of US\$7 billion. The National Development Bank has suspended the payment of US\$4.7 billion, including loans for engineering service exports to construction companies.<sup>195</sup> This has had knock on effects on projects in central and northern Mozambique, including in the Nacala Corridor. It is clear that both public and private Brazilian business efforts in Mozambique

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<sup>189</sup> For more on Japan's and Mozambique's cooperation over ProSAVANA see Chichava and Duran (2016)

<sup>190</sup> BBCBrasil (2015) - all of links and accessed dates in the bibliographical references.

<sup>191</sup> ABC (2013)

<sup>192</sup> Revista Dinheiro Rural (2012)

<sup>193</sup> Agroanalysis (2012)

<sup>194</sup> Folha de São Paulo (2015).

<sup>195</sup> Agência Brasil (2016).

are in crisis. However, at the time of the field work for this study, the full effects of this crisis had not yet been felt.

## **6.2 Changes to ProSAVANA over defiance**

As seen in Chapter 5, the paradigm shift in land rights took some time for civil society to detect. At the same time, the Party/State had to make reforms to withstand the international food, fuel and financial crises of the late 2000s. Together with local elites, and in the midst of the evolutionary approach, it supported foreign investment in agricultural projects in the Nacala Corridor. As we saw in Chapter 5, there were increased DUAT concessions for foreigners over this period, as well as increasing fear of land grabbing (Shankland and Gonçalves 2016:36).

This was the context for the first ProSAVANA agreements between Mozambique, Japan and Brazil, which were signed in 2009. As time passed, the “lack of information on the project” and the increased pressure surrounding land issues led to fears for the future of affected peasant communities.<sup>196</sup> Hanlon and Smart (2014) note three issues that have led to suspicions that ProSAVANA was created to facilitate land grabbing. The first is the bias of Prodecer’s large-scale commercial agriculture. Prodecer inspired ProSAVANA and, from 1979 to 1999, involved a “high level of mechanization yet there were few advances in poverty reduction” (Deininger and Bayerlee, 2011:702). The second is the intense campaign that was undertaken to attract investment by large-scale Brazilian soya producers. The third is the pressure on Nampula authorities to provide land that is close to railway lines for major foreign investors.

The issue that further mobilised stakeholders to engage in defiance was the Internet leak of the ProSAVANA draft Master Plan on 29 April 2013.<sup>197</sup> This document suggested that increased large-scale investment in every province was one of the programme’s top priorities. In addition to this, it also accepted the involuntary resettlement of peasants. At the same time, the Strategic Plan for Agrarian Sector Development (PEDSA) prioritised the so-called Development Corridors, one of which was the Nacala Corridor. Shankland and Gonçalves point out that despite PEDSA’s aim to facilitate family farming in these corridors, its operations relied on the “agribusiness-friendly National Agriculture and Food Security Investment Plan”, which was seen by

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<sup>196</sup> NGO Worker, Nampula, 28 April 2015; NGO worker interview, Brighton, 1 December 2015

<sup>197</sup> See GRAIN (2016)

the Mozambican political elite as a “powerful alternative agricultural development approach” (2016:37).

This leak led to divisions as far up as Ministry of Agriculture (MINAG), which questioned the theme’s alleged secrecy (Hanlon and Smart 2014). In May the same year, 23 Mozambican organisations and 43 foreign organisations sent an open letter to the leaders of Mozambique, Japan and Brazil, protesting the lack of transparency and public debate surrounding the impacts of ProSAVANA.<sup>198</sup> In September 2013, the government published the *Nota Conceitual* [Concept Note], which continued to uphold large-scale investments for “industrial agriculture”. However, this was limited to only certain districts. The note set out that community boundaries should be defined in order to “identify the areas most suitable for investment” (ProSAVANA-PD 2013:13-14). It accepted there are land conflicts in fertile areas, and that there is a severe risk of water conflict (Ibid: 11-12). It suggested solving low productivity by offering peasants help with the cost of agricultural products and machinery, and by encouraging farmers’ associations and modern cooperative models to make the market more accessible to peasants (Ibid:16). Although ProSAVANA did say the Concept Note “was designed to be discussed” (Ibid: 2) by stakeholders, civil society organisations officially rejected it, and recommended that it “should be more participatory”, by consulting peasants, civil society and experts.<sup>199</sup>

In June 2014, nine Mozambican DCS organisations started the No to ProSAVANA campaign and set up a public agenda to block the project. ADECRU publicly declared that it says “No to ProSAVANA” because of the “detrimental and devastating impact” it would have on millions of peasant families in the Nacala Corridor.<sup>200</sup> Representatives from both UNAC and ADECRU believe that ProSAVANA does not safeguard peasants’ interests and lands. In December, these organisations published an open letter to the Minister of Agriculture saying that the ProSAVANA Master Plan Zero Draft had been approved and delivered to MINAG while ignoring civil society in the process.<sup>201</sup>

In March 2015, in the midst of the post-electoral political instability discussed in Chapter 4, the Party/State surprised everyone by setting up public hearings to discuss and listen to suggestions for the ProSAVANA Master Plan Zero Draft. The pressure from the

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<sup>198</sup> UNAC (2013)

<sup>199</sup> PPOSC communication (2014)

<sup>200</sup> Blog ADECRU (2014)

<sup>201</sup> Mosca e Bruna (2015), citing letter to the MINAG.

civil society organisations' international coalition seemed to have had an effect.<sup>202</sup> The new version, presented at public hearings from April 2015 was received with scepticism. It was different from the version leaked in 2013, holding the line that beneficiaries would be small-scale farmers - divided into categories - emerging, typical small-scale and vulnerable (MINAG 2015:3-4-3-5). "But it does not specify the volume of financial resources or inputs for each category... [and it is] agrarist and technocratic. [It remains attractive to private investment, offering a scenario that] ...prioritises emerging producers at the expense of typical small-scale producers..., [and a strengthening of] land reform extensions to streamline production, productivity and market access" (Mosca and Bruna 2015:33). It cites the adoption of Principles for Responsible Agricultural Investment to "ensure the protection of the rights of communities" in a context where DUATs have lost security of tenure from evolutionary pressure, as seen in Chapter 5 (MINAG 2015:3-14).

The presentation of a new version of the Master Plan appears to be a response to defiance. An official document from the Japanese Ministry of Foreign Affairs explained that the ProSAVANA-PD budget had been renewed seven times so as to be able to continue the "careful dialogue with Mozambican civil society", and had grown by US\$6.5 million (Mosca and Bruna 2015:12). On the other hand, it remains uncertain whether the entire production process of the text and public consultation was not just a rhetoric performance to soften the opposition to the plan. The impression was that the new version of the text was still lacking in transparency. For example, it provided no information about the Fundo Nacala, which gave the impression that it no longer existed. The fund had to be negotiated directly with the Mozambican government (Amorim 2014:12).

Therefore, after the process of defiance - instigated by the immense pressure on land issues from the more evolutionary Party/State approach, as seen in Chapter 5 - ProSAVANA changed. Authors see the Zero Draft Master Plan as the "component for family agriculture in a wider strategy for the Nacala Corridor", which has made the role of international capital "less visible" (Mosca and Bruna 2015:30; Shankland and Gonçalves 2016:37).

Table 9 shows the events that marked the trajectory of DCS and action at different levels, dealing with different forms of power to open participation spaces. Activists collaborate with local, national and international political actors to open up spaces that were previously closed to them.

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<sup>202</sup> Platform member interview, Nampula, 24 April 2015

**Table 6.1: Escalation of Defiance in the controversy on ProSAVANA**

<b>Events and Episodes</b>	<b>Power (level, forms and spaces)</b>
<b>2009-2012</b> - First government agreement; Nacala Fund; Investment campaign to include Brazilian farmers; Plan to install industries for agricultural processing and transport and storage infrastructure sites. Pressure on Nampula authorities to provide land near railways for foreign investors.	Impact at an international and national level; <u>closed spaces</u> result in a lack of public information and approval of projects on ProSAVANA; visible and hidden power expressions.
<b>April 2013-May 2013</b> - ProSAVANA Master Plan draft leak on the internet. Open letter to Japanese, Mozambican and Brazilian leaders protesting against the lack of transparency. Seminars and forums with endogenous and Indigenous-exogenous civil society groups.	Impact at international and national level; <u>claimed spaces</u> ; strategies to challenge <b>hidden</b> and <b>visible power</b> expressions at a national level.
<b>May 2013-September 2013</b> – Forums with experts, government, civil society and academic members to discuss the “communities’ fears”.	Impact at national level; <u>invited spaces</u> ; strategies to challenge <b>hidden</b> and <b>visible power</b> expressions at a national level.
<b>September 2013</b> – Conceptual Note that defended large scale projects for industrial agriculture.	Impact at national level; <u>closed spaces</u> produces lack of public debate about ProSAVANA; <b>hidden</b> power expressions.
<b>October 2013-December 2014</b> - Civil society rejected Conceptual Note recommending participatory consultations before any plan. No to ProSAVANA campaign; Open letter to MINAG: Draft Zero Master Plan had no input from civil society.	Impact at national level; <u>claimed spaces</u> ; strategies to tackle <b>hidden</b> and <b>visible power</b> expressions.
<b>April 2015</b> Party/State public consultations on the Zero Draft Master Plan	Impact at national level; <u>invited space</u> ; <b>visible</b> and <b>invisible power</b> expressions and strategies to tackle them.

The next section will show how defiance became crystallised in the public hearings for the Master Plan Zero Draft. It looks at the frontline of the process of defiance.

### **6.3 Defiance and neutralisation on the frontline**

The public hearings began in April 2015, when UNAC's defiant wing suffered a crackdown and the No to ProSAVANA campaign was the target of the dynamics of neutralisation, as seen in Chapter 5. These were the 100 days of Filipe Nysui's government, when the conflict with RENAMO saw new tensions, and political crimes were affecting civil society organisations, as seen in Chapter 4.

Although the defiant wing was virtually dissolved, some of its members stayed with ADECRU and the peasants' provincial unions throughout some of the public hearings. They had access to these organisations because some of them were members of ADECRU and were close to the UPCs through their work with the UNAC.

We will look at the days before two very different public hearings that took place in Nampula Province. The first was in Vila Sede de Mutuali, and was the high point of frontline defiance. We will then look at the public hearing in Ribáuè, where there were no confrontations between either party. There was no one from the defiant wing of UNAC at the hearing in Mutuali. Even so, the dynamics of frontline defiance and the real issue are very clear.

#### **6.3.1 Neutralisation via limited resources**

My negotiations to accompany UPC-Nampula at the public hearings were complicated by the organisation's tight budget.<sup>203</sup> As we saw in Chapter 4, the first half of 2015 was particularly difficult, as civil society experienced an economic crisis caused by the interventions of fiscal intermediary organisations. Despite its ability to find financing independently from UNAC, UPC-Nampula also experienced difficulties, particularly because of its distance from the umbrella organisation, which had been neutralised.

Before my arrival in Nampula, I had not had the opportunity to talk to UPC representatives; however, members of the defiant wing had encouraged me to seek them out. When I arrived at the organisation's offices, I had to convince the receptionist that I did not work for the Brazilian Government, and also that I was not a SISE agent. "I'm sorry sir, but I hope you realise that this subject is sensitive", in the words of the

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<sup>203</sup> UPC-Nampula is one of the provincial unions affiliated with UNAC.

receptionist sat behind a beaten up wooden desk in a room with peeling walls.<sup>204</sup> I asked him to print the consultant credentials I had emailed; however, he had neither Internet access nor toner in the printer. He explained to me that the UPC-Nampula high representatives would not be there that Friday, but that they would be at the office on the following day when I could meet them.

On Saturday 25 April, two days before the next public hearing, I explained to the UPC representatives why I wanted to observe the hearings. They set out their conditions for me, and asked for some “financial support”. They asked me to pay an unspecified sum, as well as to pay for two full tanks of fuel. Including accommodation and food, I estimated the expenses at around US\$120 (MT8,600) over three days in four districts.

A local activist once told me: “according to their [the local population] view, you have the right skin colour for money. This is why people here always expect you to pay for everything, including their own bills”.<sup>205</sup> In this context, it was practically impossible to convince anyone that I had a tight budget, that I had already spent much more than I had planned, and that I still had one more trip to Zambezia, where I was going to have to rent a car to visit the forest communities.<sup>206</sup>

However, on Sunday 26, the secretary of the UPC - with whom I was negotiating - called me to say that I had been “well recommended” by a representative of the Norwegian People’s Aid (NPA) and that the UPC would be more than happy to take me to the hearings for free. People from the defiant wing had also told him I was a “very welcoming comrade”. I would just have to cover my own expenses. The conversation was peculiar yet logical, as I had already worked with someone from the NPA. In addition, this same person had given me contact details for defiant wing representatives in Maputo and I had once talked to one of them on the phone.

The main reason for the “free travel service” came to light on Tuesday 27 in the early morning, when I was picked up from the NGO where I was staying. There were two people in the vehicle whom I’d not expected: an ADECRU representative and a researcher from the Japan International Volunteer Centre (JIVC). It was the latter who paid for the fuel and other expenses, and she asked for receipts at every petrol pump and hotel. She had been researching land-grabbing cases involving ProSAVANA among other mismanagement issues in the tripartite committee project.

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<sup>204</sup> Days later, UPC-Nampula representative confirmed that he was afraid of the government intelligence service espionage.

<sup>205</sup> NGO worker interview, Nampula, 1 May 2015

<sup>206</sup> A NGO official in Nampula kindly offered me the organisation’s facilities as accommodation during my stay in the region because I’d spent 6 months over two separate years working with them. They know me pretty well.

Another reason for the free travel service was that the UPC was expecting a commission from the Norwegian Embassy to negotiate funding on 29 April. Under such circumstances, charging an undisclosed extra amount from a “very well recommended comrade” with a good relationship with the NPA could have been somewhat counter-productive for negotiations with the main donor. They were unclear about the relationship between the NPA representative and myself, and possibly decided it was prudent not to ask. In the end though, I was allowed to participate.

The crisis of the fiscal intermediaries, which we saw in Chapter 4 and will look again at more closely in Chapter 8, caused difficulties for everyone and left national organisations out of the public hearings.<sup>207</sup> The coalition that supported the No to ProSAVANA campaign didn’t manage to have even one representative at the hearings. JIVC had virtually had to invite UPC members to follow it.<sup>208</sup> The Japanese activist had paid for two tanks of fuel, plus food and accommodation for four people for three days - at a cost of at least US\$260. UNAC’s absence was due to the organisation’s political vulnerability, which also stifled the defiant wing. The umbrella organisation did not provide financial support to UPC, as an effect of the “lobby year” seen in Chapter 5.

For the members of civil society organisations, reaching the frontline of defiance was not easy. This was not only due to lack of resources, but also to physical accessibility. The condition of the dirt roads for the last forty kilometres to Vila Sede de Mutuali was precarious. These were tracks similar to those north of Tete or the Nacala Corridor region itself - where it was impossible or extremely difficult to travel during the rainy season.<sup>209</sup> We bumped up and down in the vehicle’s small back seat for over an hour. The bonus was that we were able to enjoy the lush mountainous landscape west of Nampula - known for its fertile beauty. We had not provided for the lack of accommodation and infrastructure in the region because financial resources had increased only at the last minute, so we improvised. Because the details of such an important event had not actually been circulated to the communities, I had several doubts. Would there be enough participants? Would the peasants be inhibited by the presence of outsiders or by government staff using unfamiliar jargon?

Despite so many doubts, the beautiful mild sunny autumn day created a pleasant atmosphere. We arrived in the district of Malema at about 11 am, watched over by a group

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<sup>207</sup> NGO worker interview, Nampula, 1 May 2015

<sup>208</sup> Platform member interview, Nampula, 24 April 2015; NGO worker interview, Nampula, 29 April 2015

<sup>209</sup> In rainy seasons the accessibility index was 7.8 per cent as opposed to 17.5 per cent in the dry season (Eigh-Japan Engineering et al. 2014:3-16 and 18).



of children who ran behind the truck laughing. We stopped on an unpaved road in the centre surrounded by simple brick buildings, and met two representatives from the provincial NGO *Forum Terra* (Land Forum) - an organisation that works with peasants and for forest protection. One of them confirmed the public hearing was for 1pm:

*‘There have been many cases of land grabbing close to here, in the Northwest of Zambezia Province, for example, but we have no way of helping these peasants. They are alone and migrating to this province. We can barely cover just a couple of districts of Nampula with such funds. (...) In some cases, the company [Agromoz] offered between MT3,000 to MT5.000 (US\$68 dollars) to peasants with two or even three houses on the land. There is no way of resisting, as businessmen have been used to approaching peasants with the support of state security forces’.*<sup>210</sup>

“You, guy, seem to never have seen a white person”, a boy told another in Makwa, laughing aloud, and watching us with a wide smile.<sup>211</sup> JIVC’s researcher came out of the car, arranging her *capulana* to talk with Forum Terra representatives.<sup>212</sup> We took a break at a small wooden kiosk to buy some water, and met a fragile-looking elderly woman in front of the shop who could barely talk, and who gesticulated to me for a gift and bottle of water as well. Yet again here, skin colour denotes money.

### 6.3.2 Neutralisation via asymmetry of information

Chapter 5 showed that the Party/State adopted measures to neutralise defiance at a national level. This section will explain neutralisation dynamics at a local level. These are particularly visible in the transgressive dimension of the contestation environment, connected to the landscape and the physical space where frontline defiance takes place.

We arrived at Vila Sede de Mutuali at 11:30am. The public hearing was to take place behind a brick building in a large wooden barn in front of which we parked both the trucks. The two buildings were in a central square set up for public ceremonies with galleries, masts and a paved area. On the opposite side was a school where dozens of

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<sup>210</sup> Fieldwork notes; Platform member interview, Nampula, 24 April 2015; Agromoz is an investment by the Brazilian firm Pinesso, one of the most active of the soya/cotton companies pushing into Africa), the Portuguese firm Américo Amorim and the Mozambican company Intelec, owned by the family of President Armando Guebuza (see Hanlon and Smart 2014). Many peasants were forced to accept a much lower sum than what the land was actually worth (GRAIN 2015:9).

<sup>211</sup> the language spoken by the Makwa who live throughout the region targeted by ProSAVANA.

<sup>212</sup> In Makwa culture, the *capulana* has a rich and specific history. For example, women wear *capulanas* - a long skirt so as not to show their bodies (School worker videointerview, Nampula, 2 May 2015). In Nampula, men ask women out by offering them *capulanas*. In the north of the country, it is normal for women to take a *capulana* out of their bags to put over their trousers for meetings that will include men. The use of *capulanas* symbolises respect.

children were doing martial-art exercises facing the majestic mountains on the horizon. The silence was only broken by the occasional trucks carrying stones to the Nacala Corridor along the dirt road between the square and the school.

Peasants started to arrive from the surrounding areas at around 12:30pm. We were welcomed, but very few people were willing to speak to us - the outsider NGO group that arrived from Nampula, Maputo and abroad. Representatives from community associations talked at length with representatives from Forum Terra and UPC-Nampula. “It’s all fine. I think that we’ll have an interesting discussion today”, said an enthusiastic Forum Terra member. The members of civil society organisations were worried they would be unwelcome at the meeting because they were representing the campaign No to ProSAVANA and because of arguments with the authorities in the previous week. “We didn’t have much time to warn or prepare the community [for the public hearings]. They announced everything with only fifteen days’ notice. It was impossible to mobilise everyone affected by ProSAVANA”, explained a UPC-Nampula representative.

On another bench in the square, there was a peaceful group of peasants looking on with an attitude that contrasted starkly to the outsiders’ enthusiasm. They seemed to be enjoying the shade of the large tree they were sitting under as they watched the hustle and bustle. They weren’t talking, and seemed at peace, but appeared to be there for the same reason that we were. At 1 pm, over 40 people were waiting for the meeting, but there was no sign of any ProSAVANA representatives. The sense of restlessness grew at around 2 pm. Activists’ conversation and their faces showed their frustration. On the other side of the square, the peasants maintained their composed front. A UPC representative asked for information about the public hearing at the district headquarters in a brick house a few metres away, but no one could tell him why the meeting was an hour late. Representatives from other organisations such as ORAM and Livaningo also thought the delay was strange.<sup>213</sup> Everyone called people they knew and employees from local government, but the situation did not become any clearer.

Suddenly, a car stopped in the shade on the dirt road in front of the central square. Slowly, a large man in dark glasses and a purple t-shirt tucked into his trousers crossed the road to come and talk to us. He was a representative from the local administration, and was immediately met by one of the Forum Terra activists, who clearly knew him. The public hearing “won’t be happening today, but it will take place tomorrow at the

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<sup>213</sup> Livaningo is another national NGO for environmental protection and environmental education.

*Clube Ferroviário de Mutuali*. We'll even be taking those chairs so everyone will have a seat", he said without looking at anyone and pointing to the plastic chairs stacked on the back of his truck. The activist complained about no one being told earlier, and pointed to the peasants who had been waiting for the event. The man replied in Makwa, both laughed together and, while they shook hands, the activist continued to talk to him in Makwa.

The news created a suppressed sense of indignation amongst civil society representatives and provoked clear reactions on the representatives' faces and in their words. Meanwhile, on the other bench, the peasants continued serenely underneath the trees. One or other slowly got up to leave. In the midst of this frustration, a question remained: as there had not been a public hearing, what was ProSAVANA doing?

That evening, we met up with a local who was able to clarify the issue. He'd spent the afternoon at a public hearing somewhere else - in Vila de Malema, at the same time that we had been waiting in Vila Sede de Mutuali. We had planned to take part in both hearings, as the first in Vila Malema had been scheduled for the following day - Tuesday, 28 April at 1 pm - but this had been brought forwards. The peasants told us that the community authorities had sent out invitations on Friday, informing people that the Vila de Malema hearing had changed date. He described the meeting with the ProSAVANA representatives, and said there had been no difficult questions or negative debate. While members of community associations had been present, there had been no outsiders. There was a seemingly general acceptance of the programme, but he himself was suspicious, "I am sceptical because, in other projects, they promised the same support for us, but at the end of the day nothing happened".

The audience's expectation in Vila de Malema and the postponed hearing in Vila Sede de Mutuali had spoiled our plans as it meant that both hearings had been planned at the same time. We had already missed Vila de Malema, and we were going to have to miss Vila Sede de Mutuali and Lalaua-Sede, which had been scheduled for the Tuesday morning. We had left with the aim of attending three hearings, but managed to only attend one. Distributing invitations was not usual practice for public hearings, however, neither was it unheard of. UPC and ADECRU representatives had witnessed the same approach in Niassa Province.<sup>214</sup> "Someone was about to be expelled for not having an invitation, but managed to stay at the meeting after UNAC [defiant wing] representatives intervened", they commented in their conversation with the farmer over a meal consisting

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<sup>214</sup> Platform member interview, Nampula, 24 April 2015; NGO Worker, Nampula, 29 April 2015;

of the usual chicken, salad and xima.

The next morning, I left the hotel to take in the view of the surrounding mountains and the clear early morning skies, and pondered the reasons behind why the information about the changed schedule had not reached us. The UPC representative agreed with an ADECRU member who had joined us first thing:

*‘They were aware that we had been strongly questioning ProSAVANA’s commission at all of the hearings, and how we had been introducing critical issues to the debate. The local organisers in Mutuali and Malema wanted to avoid that. That’s why they wanted to foil us’.*<sup>215</sup>

I had previously heard the rumours of a strategy to keep any defiant civil society away from public hearings. A representative from the Nampula Civil Society Platform confided that he happened to know that there were going to be some public hearings through paralegals in Vila de Malema, and had heard this through the UPC. “Public hearings are going to be held here and the local government hasn’t said anything? I asked the paralegals in surprise,” he explained. He avoided any suggestion that the technique was deliberate sabotage, but he was clear that activists from civil society organisations were not welcome at the meetings. In Meconta-Sede the previous week, he had witnessed the Provincial Director of Agriculture saying “organisations that are against development are hindering ProSAVANA teams at public hearings”.<sup>216</sup> At this meeting, an armed police officer arrived.<sup>217</sup>

Now we were all aware of the tactics to block outsiders from public hearings, our goal was to avoid any further delays. At around 9 am, three trucks of activists and peasants crossed the extensive Malema countryside, covered by trees, plantations and narrow dirt tracks. The aim was to find the Clube Ferroviário, in Vila Sede de Mutuali. With information provided by local peasants, we arrived at a wooden thatched structure with Clube Ferroviário written on the outside wall. We talked to people there and they confirmed that it was indeed the right place, but they hadn’t heard about any public hearing being scheduled there. We returned to the Vila Sede de Mutuali central square, where there were around 50 farmers who had been waiting in front of the wooden barn

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<sup>215</sup> NGO Worker, Maputo, 13 May 2015 (recorded days after, recovering the information of that day)

<sup>216</sup> NGO Worker, Nampula, 28 April 2015

<sup>217</sup> NGO Worker, Nampula, 28 April 2015; International NGO Worker, Nampula, 28 April 2015; NGO worker interview, Brighton, 1 December 2015

since 7 am. These peasants had been told the hearing was going to take place then, and this differed from the information that external activists had been given the previous day.

It was almost 10:30 am by the time the ProSAVANA team arrived. Around 70 people were sat on the chairs inside the barn. Almost all the women - who were in the minority - were sat on the floor, behind the chairs that were occupied by the men. There didn't seem to be tensions, but the neighbourhood chief then started shouting in Makwa at a group inside the barn. It caught my attention and I found only a few hours later that they had in fact been arguing. The community leader was shouting about how "he didn't know there were people from the opposition in the community".

It was this leader who had introduced the official opening to the public hearing in Vila Sede de Mutuali with FRELIMO's anthem of independence, sung in Makwa. "Who freed us? FRELIMO!" is the anthem's reprise, according to an activist of *Forum Terra*, who kindly translated for me. The neighbourhood chief sang: "Who freed us?", and the peasants sang in response: "FRELIMO!"<sup>218</sup> It was as if the power of the Party/State was slowly affecting everyone's minds, hearts and souls.

## **6.4 Discourses and performances on the frontline**

### **6.4.1 Party/State conciliatory discourse**

Ana Maria Costa, an agronomist with ProSAVANA, gave a 25-minute presentation of the draft of the master plan to farmers, local authorities and civil society organisation representatives. The tone of the explanation was conciliatory and polite. A peasant offered to interpret what was said at the meeting from Portuguese into Makwa.

The engineer said the Master Plan wasn't complete and that the government had plans and wanted to hear communities' opinions. Given the complexity of the issue, she spoke slowly and tried to be clear, articulate and concise - using simple Portuguese. She tried to give illustrative examples: "Just as in my own house I have plans and projects, and I sometimes ask my brothers for help, the government is asking its brothers and partners for help", referring to the cooperation with the Japanese and Brazilian governments.

She also pointed out that new models of agrarian development were going to be

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<sup>218</sup> Public audience audio, Mutuali, 28 April 2015. One of the members of Forum Terra translated the Makua phrases for me.

introduced, taking into consideration cultural, social and economic aspects and seeking "market-oriented regional developments" with "competitive advantages":

*'The [government] dreams of sustainability and competitiveness in an agrarian industry that is able to respond to the challenges of food security and reach other markets. The government's vision is for the private sector and partners to work together to strengthen family farming (...) to contribute to the farmers' income streams and to gender equality'.<sup>219</sup>*

While on the one hand, concepts such as sustainability, competitiveness, productivity, equality and values in the production chain sometimes made the explanation a little inaccessible; on the other, it showed that the government's team was interested in more complex themes and appeared to want to hear suggestions. She said the programme also focuses on developing research capacity and technology transfers. "We will leave no small farmers out, we will not exclude anyone. Here in Malema [district] you grow potatoes and corn. The programme can help you to work with these products as best as possible", she said.

She also added that maize, cassava, beans and peanuts were the main crops chosen by the programme, as well as commercial crops like soya beans, potatoes, cotton, tobacco and fruit, and other products like sesame, sunflower and tea. "We are not going to tell farmers to stop producing what they are already producing. No. The support of the government will go to these selected crops. It will also work on developing livestock farming", she commented, further adding that the programme promised to improve production by supporting individual and group production. "The government believes it needs to offer technical support, access to markets, irrigation and credit so as to improve productivity. Access to markets is the pillar, and the strategy is to increase and add value to products". During the explanation, the agronomist talked about managing natural resources, strengthening the Land Law, bringing together private capital and local communities, a desire for conflict resolution and continued dialogue between "representatives of producers, civil society, NGOs and other partners".

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<sup>219</sup> Public audience audio, Mutuali, 28 April 2015

#### **6.4.2 Peripheral issues in the multi-thematic stream of contention**

After the ProSAVANA team's introduction, one of the journalists who has most followed the subject in Mozambique - with links to civil society, introduced up the activists' tone of contempt to the public hearing. He accused the agronomist of falsely aligning ProSAVANA with the peasants. He recalled the Maputo Summit in 2003, which agreed that African governments would invest 10 per cent of the state budget in agriculture. "And we looked to the unsustainable agrarian sector in Mozambique. Does ProSAVANA have a way of changing this?" He queried the assertion that it is an exclusive programme: "We need to re-position ourselves: is it true that the tri-partite cooperation has failed? If it's not true, why aren't the Brazilians and Japanese here?" he asked. This speech provoked loud applause, but then the enthusiasm was suddenly interrupted: "We need order!" The intervention led to discussion and jeers from assembled peasants. "You have to respect the rules. You were told there would be a meeting, you're getting the information – you must show some respect", announced the head of the province's Agricultural Service, Joaquim Tomas, which led to a generalised silence.

Tomas had taken on the role of host and moderator for the hearing. "But when the proposal is valid, we should applaud!" commented a UPC member. "But who was it who said this proposal was valid? What we are saying is that the applause should happen at the end. Please, we are asking for respect. That's enough!" the moderator ordered.

The meeting carried on with interventions from organisation members and peasants. One of the Forum Terra representatives criticised the agronomist's language during the presentation: "Even the translator found it hard to make out what she was saying. Next time, please try to find more accessible words to avoid today's situation". They pointed to the agronomist's explanation of ProSAVANA's roots in government policies. "There is a general question here: does anyone here in this room know anything about the government's policies?" "No!" was the group answer to the questions and he repeated: "Has the government disclosed these documents? If so, they have to implement them, but we as citizens have the right to know what's behind them don't we?" "Yes!"

The activist said that he'd taken part in another public hearing in Rapale and had noted that ProSAVANA's presentation had not even touched on the subject of environmental management. When talking about environmental management he is also referring to land ownership:

*'I think it's a good idea - someone can own a plot of land and have a document to prove it. It means that anyone can instigate cooperation using these documents as the land belongs to the state and everyone can take advantage of it. But is it true that environmental management within ProSAVANA only considers land? We are facing issues of climate change that are not reflected in ProSAVANA's approach. I started to read the summary document, but I couldn't get through the full 200 pages. I didn't find anything about environmental management (...). ProSAVANA also uses pesticides intensively. What is the programme's policy to reverse these products' damaging effects?'*

The Forum Terra activist went on to identify lacunae in conflict resolution provision, the viability of input supplies and in machine costs accessible to producers and the research-extension-farmer triangle. "How can this link be implemented? So far, no one appears to be able answer. There's no joined up thinking". Forum Terra had applause, catcalls and enthusiastic laughter from the audience. Those calm farmers who had been sat in front of the barn hours before the hearing had turned into an enthusiastic audience. "We have three hours. We were late, but we only have a limited amount of time. We can't stay here all day. When the time comes we'll tell you we have to leave", Tomas tried to halt public reaction.

None of the outsiders appeared to be inhibited by what Tomas said. Another Forum Terra representative stated that he wanted to see ProSAVANA cover "concrete action" on environmental issues. Tomas challenged him to offer a concrete proposal: "This poison is not only consumed in *machamba* [farming], but reaches the communities as well. People are constantly coughing. So, what kind of health assistance does ProSAVANA provide?"

After being interrupted and responding promptly, the activist set out what he called "concrete actions", for example, the inclusion of local agriculture schools and faculties as "receivers" in the ProSAVANA technology transfer process. He reminded the audience that the ProSAVANA project foresees contract farming and stated that he would like to hear the agronomist Ana Maria talking about conflict resolution in cases of contract farming. The second segment of Forum Terra highlighted that there are already conflicts between tobacco companies and communities around contract farming and proposed that ProSAVANA's team should be learning from these existing conflicts. He asked for safeguards and assistance for the communities when undertaking negotiations with the private sector. "Sometimes people say 'yes' but don't have the power or ability



to measure what this actually means. I also suggest a set of rules for the private sector, drawn up together with peasants”. The activist finished by suggesting that the government should respect DUATs, and stop allowing companies to transfer concessions. In addition, he suggested they should no longer ignore the involvement of civil society in conflict resolution. The latter was warmly received.

The ADECRU representative suggested the ProSAVANA team apologise for being late. “I was disgusted to hear that although you know you were late, you don’t have any more time and when the time’s up you have to leave. I think you should apologise to the people who have been waiting for you since 7am”. He stressed how important the meeting was:

*‘I think everyone is aware that we are here to discuss the Mozambican people’s future. Moreover, for me it is a nonsense to discuss a complex document that has reached the hands of only a few of us. I got it, but what about everyone else?’*

He thought it absurd to be forcing people to contribute ideas after a “simplistic 10-minute presentation” on a very complex project, and that used ‘opaque’ language on several occasions. “I’m aware that before the meeting you distributed formal invitations. You should also have handed out a summary of what was presented here today”. The activist complained that Brazilian and Japanese interests in ProSAVANA were unclear. “I think it would be good to explain our brothers’ interests to the “mamas and papas”. Is it pure solidarity? Are they doing it “*mahala*” [without anything in return]?” He accused the state elite of being an interested party in the programme and labelled the whole process as “*uma fantochada*” [a puppet show].

#### **6.4.3 The real issue: peasants’ mono-thematic confrontational discourse**

As mentioned in Chapter 5, in 2012, UNAC and ORAM produced the documentary *The Hidden Face of ProSAVANA*, which shows a land grabbing case experienced by Brazilian peasants under the Prodecet programme - the Japanese-Brazilian initiative that initially inspired ProSAVANA.<sup>220</sup> Months before the meeting in Vila Sede de Mutuali, advocacy agents from UPC-Nampula showed the movie to raise awareness of ProSAVANA. These agents convinced each community to buy one litre of

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<sup>220</sup> UNAC and ORAM (2013)

fuel for an electrical generator, which enabled them to screen the film. This documentary was often mentioned by peasants during the public audience. It worked as a mobilisation tool for the activists, who explored similarities between the two cases (Shankland and Gonçalves 2015).

The Agromoz case was another that they repeatedly raised. At the public meeting, the traditional leader of “Mutuali 5” - a community in the district of Malema, showed the adverse impact of Agromoz’s activities on communities, highlighting that many peasants had migrated to Mutuali. He said that a traditional leader in Guruè had agreed to sell 500 acres. He went on to say that the villagers watched their houses being literally blown up and had lost banana, orange, lemon and mango trees. “Now we’ve realised that ProSAVANA has arrived in Nampula and suddenly I’ve realised that those people from Zambezia are with us now, here [in Nampula province]. If the same thing happens to us, what will we do?” he asked.<sup>221</sup>

A peasant reminded those at the meeting that some people had only heard of ProSAVANA for the first time in 2012. He said the idea of ProSAVANA had initially sounded interesting, but that a few months’ later farmers had seen the film [The Hidden Face of ProSAVANA] that showed what had happened to small-scale farmers in Brazil in a similar situation. “The images show the theft committed against people who are now in a very bad position. They were expelled from their land and moved to the hills. That is why we are concerned now”. The peasant said that the same process had almost happened in another village, but that “people knew how to defend themselves”: “In [the village of] Anameli they are also scared (...). What is going on with our government? Policy and ideas are different things. We are asking for an explanation here!” he said. Tomas replied: “We see there are only questions here. It is easier to criticise than to present suggestions. Please, we also ask you for suggestions”.<sup>222</sup>

Another peasant told the meeting that there are a number of companies that have appeared in the last few years in the region between Zambezia and Nampula. Their owners promised development with communities, but nothing happened. He complained about the lack of assistance for small-scale farmers. “What happened in Agromoz is disturbing. If they call us to work and we don’t want to go, what will happen? A poor man like me can’t say anything against a rich entrepreneur because of the danger of

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<sup>221</sup> Public audience audio, Mutuali, 28 April 2015.

<sup>222</sup> Ibid

retaliation”.<sup>223</sup>

Another farmer welcomed the ProSAVANA team and said that peasants wanted to know more about increasing production for small-scale farmers and about the benefits of ProSAVANA for the target population. Due to an alleged misunderstanding between the groups at the public meeting, he asked for clarity and emphasised:

*‘You won’t find people proposals here today. You will hear people saying: “You’re mafiosos” (gangsters), your project is nonsense and there are companies that have already fooled us and expelled us from our lands”. This, you will find here today. (...) However, if Mr Tomas brings us an agricultural tractor, for example, he will be welcome. Motivation is needed. ProSAVANA’s team cannot be insensitive to people’s needs’.*<sup>224</sup>

After the two-hour long meeting, it was clear that this was not a hearing to co-create the project; rather, it was a debate, and a platform to air questions and opposition. Nina Manganhelas, the MINAG representative, said that it seemed that people didn’t want the programme in the community, saying: “We need to get a conclusion and I don’t want to hear it from civil society. I want to hear it from the people that live here. Those who have already spoken, please let the land owners say something...” but she was then interrupted by a voice from the audience: “The main conclusion will be that people don’t need the Brazilians or Japanese here. They are all “*mafiosos*” [gangsters] and that’s that.” The same idea of “legitimacy” that was ‘suitable’ for the state officials was also used by Manganhelas to question civil society’s presence there. Manganhelas wanted to stop civil society’s “scene”, undermining activists’ legitimacy and giving another chance for the land owners to speak for themselves. Manganhelas’ words seemed to indirectly suggest that Mutuali could carry on without the benefits offered. This reinforced the thesis that the hearings were aimed not only at collecting opinions, but also at communities endorsing ProSAVANA.

Among the women sitting behind the group of men on the chairs in the audience, one asked to speak for the first time. In *Makwa*, she said she was tired of her community being hungry. “We don’t want ProSAVANA because we end up doing the planting, and then what we produce leaves the country”, – and this is a common impression of Agromoz. Another man added: “The company produces things with machines, while we suffer. We are not against the government; we just want to know how ProSAVANA can

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<sup>223</sup> Ibid

<sup>224</sup> Public audience audio, Mutuali, 28 April 2015

help us”.

After this declaration, the peasants said they were tired and left, leaving the civil society outsiders and ProSAVANA members to argue. In Mozambique, a public meeting is expected to have an official start and close. According to a UPC member, “It’s part of our tradition”. That particular hearing in Mutuali had no official closure.

The tone of the Mutuali hearing was very different from the one in Iapala-Sede, in Ribáuè, near Malema, where 50 people gathered to discuss the ProSAVANA master plan on 29 April. The Party/State were over-represented at the meeting; there were only a few outsiders. There were 12 traditional leaders wearing FRELIMO colours, several public officials from the district’s administration, education and health sectors, and members of parties with links to youth associations. Only a minority identified themselves as representatives of peasant associations or small rural producers. Community leaders, authorities and personalities were invited to sit at the air-conditioned, great hall’s central table, with a projector, large screen and Power Point. After the meeting, sandwiches and refreshments were served.

The public hearing lasted about 90 minutes and ProSAVANA staff clearly set out their ideas as they had done in Mutuali. After the power point presentation, twelve people gave their opinions on ProSAVANA - four of whom supported the project, five of whom were neutral, one of whom contested the programme, and another who made an uncontextualised statement. The ProSAVANA team patiently answered the group’s questions, and the programme was “approved” by the community. Unlike the Mutuali event, the hearing opened and closed to applause.

## **6.5 Reflections on frontline power**

### **6.5.1 The hidden reason for the public hearing**

It was officially declared that public hearings were open to peasant input because ProSAVANA’s Master Plan Draft Zero “was still incomplete”.<sup>225</sup> However, in practice, this did not happen. Whether they were following orders is not known, however, local authorities attempted to skew the system so that communities would endorse the new version of the Master Plan.

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<sup>225</sup> Public audience audio, Mutuali, 28 April 2015

A section of the public received invitations, there were some arbitrary changes to schedules and there were avoidance tactics. This meant that local authorities formed invited spaces composed of audiences who were largely sympathetic to the official proposal. All the frontline's neutralisation mechanisms (resource limitation and asymmetry of information) and the above-mentioned tactics put the credibility of the process at risk. Ten days after the Mutuali hearing, representatives from the Peasants' Association were threatened because the community had not endorsed ProSAVANA at the hearing. The Administrative head wanted to know who had invited so many people, as the government had only sent 25 invitations. The community authority had asked representatives of the peasant's associations in the towns of Iapaca and Mulicana to convince farmers to change their stance.<sup>226</sup>

In Mutuali, they sought endorsement through imposing their power, but they then faced resistance. This form of imposition was clear, and the threats were repeated. At one particularly heated point in the debate for example, Tomas said: "This is a public consultation. We will make a report. Then, it's your turn to respond..." At another point, it was suggested that if a community requires technical assistance but does not accept it, it may lose out and other areas may benefit from the project, as one peasant responded after the MINAG representative asked them:

*'I'd like to have a sense of consensus. Because wherever I've been, I've not seen a reaction like this. Are [you] saying, take the contributions, do the group study project, or are you saying ProSAVANA's not wanted here?' 'No. You can't say Mutuali doesn't want ProSAVANA, on the contrary, we're really disappointed'.<sup>227</sup>*

Endorsement through imposition of power was also clear when the Mutuali chief sung FRELIMO's independence anthem. The song served to set the tone, and drew attention to the fact that even though everyone was in opposition and resentful, and were full of questions, the freedom fighting FRELIMO was a representative of the state. The anthem and Tomas' rigid approach was also intimidating and served as a reminder to the peasants of who they are and where they were. Decades before, this was a field in which FRELIMO had - in addition to freedom fighting - implemented violent coercion measures after the liberation war and during the civil war, and had kept retaliation methods alive for those contesting the party in rural areas (Seibert 2003).

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<sup>226</sup> Blog ADECRU (2015b)

<sup>227</sup> Public audience audio, Mutuali, 28 April 2015

### 6.5.2 Deconstructing power for defiance

This local level defiance reveals components of visible, hidden and invisible power emerging in narratives, and performance. Frontline defiance crystallises when peasants seek to align themselves as closely as possible to those allegedly responsible for putting their subsistence security at risk. This encounter produces dynamics that trigger moral demands based on the collective sense that a symbolic contract has not been fulfilled, causing breaches of “mutual expectations” (Siméant 2015:68). The components of defiance are visible through these dynamics.

Among the peasants in Nampula, there is a narrative about a “secret policy” behind ProSAVANA.<sup>228</sup> This collective story argues that the political elite is conniving with foreign companies for land-grabbing purposes. As seen in Chapter 3, the alliance between the colonial political elite and foreign companies for over 100 years is part of the historical narrative about fallacies and moral contradictions that resulted in defiance around issues of moral economy and civil liberties. This historical narrative emerged with the Mozambican associativist movement, was rescued and adapted to the anti-colonial movement during Pan-Africanism, and was backed up by the independentist movements during the 1960s and 1970s. Even under the socialist regime of the 1980s, it was present, and it did not disappear with the political and economic expansion in the 1990s.<sup>229</sup> With mercantilist and evolutionary policies on land management in Mozambique, globalisation gave a quite different appearance to this historical narrative.

In this context, ProSAVANA presents itself as a product of alliances between outsiders and the local political elite. The decisive difference now is that the current political elite also works with liberating Africanist and rural nationalist images, symbols and values.

Field work research data shows that peasants can break configurations of power and initiate defiant processes at a local level. The question is how can this cognitive structure be crystallised? One view is that peasants set up what Scott sees as a “stubborn moral dissent” from an elite-created social order, which is a “symbolic refuge” that “represents an alternative moral universe” (1976:239). This alternative moral universe derives from the resurgence of the historical narrative in the context of the new land-grabbing cases such as ProSAVANA. That is to say that using the historical narrative,

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<sup>228</sup> Film *Daqui à nada* (Santarelli, Nabuco e Mariano 2015).

<sup>229</sup> For more about social memory, see French (1995)

they set up the alternative moral universe that permits a “cognitive liberation” (Della Porta and Diani 2006, section 1.1.4, citing McAdam 1986) and legitimate defiance.

Peasants’ discourse in the public meeting in Mutuali, for example, evinced their fear of being driven out of their land, but also showed that they were not against ProSAVANA allegedly supporting production. The question here is whether they identified ProSAVANA’s proposals as potentially fallacious because their historical narrative has taught them that lies and moral contradiction are part of the contexts involving the political elite and outsiders.

In the case of ProSAVANA, there are narratives that reinforce peasants’ scepticism and these were exposed during the public audience in Mutuali. While ProSAVANA promised support and a positive relationship between family and market, peasants highlighted that ProSAVANA’s “brother program” in Brazil, Prodecer, encouraged land-grabbing cases and led to displacement and loss of subsistence. In addition, they exposed that they had witnessed land-grabbing cases in neighbouring areas. In other words, for them, it was clear that ProSAVANA could facilitate land-grabbing in regions where peasants were already losing their lands. Therefore, the combination between recent visible elements and the historical narrative made the ProSAVANA agreement - proposed by the government’s technical staff in the frontline – at best tenuous in the peasants’ eyes, and at worst a threat to both land tenure security (peripheral issue) and, consequently, subsistence security (real issue). For the peasants, ProSAVANA’s promises are the new version of an old moral contradiction seen over the past century. In Mutuali, the public audience ended with the peasants walking out, something that is not normal in Mozambique.<sup>230</sup>

Prior to the Mutuali event, defiance was generated in two ways, and in what I call a “generating component”. The first was the documentary *The hidden face of ProSAVANA* – which brought the land-grabbing cases of Prodecer in Brazil to the notice of peasant communities and deconstructed the idea that ProSAVANA would not affect subsistence security. The strategy addressed the hidden power by focusing on strengthening awareness.<sup>231</sup> On several occasions, peasants cited the video when confronting the technical team about land-grabbing. The second was the evidence of actual threats to subsistence security in Guruè, a neighbouring district. In this case, land tenure insecurity had become very visible to the peasants as the victims of the land-

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<sup>230</sup> International NGO Worker, Nampula, 28 April 2015; NGO worker interview, Maputo, 13 May 2015

<sup>231</sup> See Powercube/IDS (2011)

grabbing had sought refuge in Mutuali, and this was brought up by the peasants. This connected the documentary with land-grabbing cases in the region and upheld the discourse of peasant resistance.

At Mutuali, two “performative components” also helped to challenge the invisible and hidden power in the invited space. The first was the forceful discourse of activists, represented by members of regional and national organisations. Indigenous-exogenous civil society activists used the first minutes in the audience to “suggest” a contentious performance that was reproduced by peasants during the audience, questioning alleged contradictions in ProSAVANA. While their discourse was multi-thematic and hard for the peasants to take in as it intermingled environmental concepts with those of governance and gender equality – it served to technically challenge the Party/State representatives and their hidden power expressions. They also deconstructed the authority of Party/State agents by challenging dominant stereotypes and discourses. This forceful discourse by the activists showed they understood the complexities of speaking publicly in such places, and how to break hidden and invisible barriers in such invited spaces. The fact that the ProSAVANA technicians repeatedly asked for more respect is clear proof of this. The second component encompassed the “cryptic and opaque” actions (Scott 1990:137). The peasants’ content was mono-thematic, focused on fear of subsistence insecurity. They had their own way of dealing with their “subaltern” condition and exposing their feelings in the invited space through play-like interventions with a behavioural component of cryptic and opaque actions. The playfulness proposed by the peasants in the public audience seemed to reduce the confrontational tone to a level of amusing performances and humorous provocations.<sup>232</sup> Such actions express defiance and deconstruct invisible power in the frontline during stakeholders’ meetings by using a communication tactic that challenges “dominant stereotypes and discourses”.<sup>233</sup> In the case of Mutuali, such actions are represented in the ironic, but critical discourse related to ProSAVANA, the form whereby peasants created scenarios and made their peers and even the technical staff laugh.

In the public audiences of April 2015, in which Mutuali was included, the distribution of invitations, places and dates, and the rescheduling of public audiences

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<sup>232</sup> In the western region of Nampula province and other areas of the country, catholic missions have encouraged community empowerment through using “role play” simulating theatrically their realities since the 1980s. Many local leaders emerged from these cultural activities in communities which tackled local issues (NGO worker interview, Maputo, 7 December 2014; NGO Worker, Nampula, 28 April 2015 and NGO Worker, Nampula, 30 April 2015)

<sup>233</sup> Powercube/IDS website



played a role in selecting the audience participants. In Mutuali, the mobilisation to show the peasants' opinion of ProSAVANA challenged the visible power expressions that ended up affecting the quality of the public audience.

These transgressive actions of Party/State agents generated reactions from defiant civil society that condemned the transformation of invited spaces into closed spaces, and demanded their cancellation. The official complaints from organisations from Mozambique and Japan about these irregularities in the public hearings and the peasants' position against ProSAVANA in Mutuali became internationally known. This is why JICA suggested a new public consultation. The public hearings of 2015 were disregarded, and new public meetings were rescheduled for 2017. One can observe that the process of defiance at a local level also produced elements with consequences at a national and international level. It served not only for the Mutuali community to show its resistance to the agrarian program, but also had the potential to improve the quality of invited spaces in the future.

## **6.6 Power in the contestation environment**

Defiance at a local level is subject to the same dynamics of neutralisation as at national level. Chapter 6 has demonstrated how the crisis of fiscal intermediary organisations has had an effect on local level defiance, especially on a physical dimension, triggering changes in the contestation environment as a whole.

Two facts were evidence of this: (1) There were a minority of (or no) peasant or activists at some public hearings. Activists and sceptical peasants performances were crucial in challenging forms of dominant power and, consequently, in promoting the non-violent action of walking out on the public audience. (2) Mutuali's case led to the following supposition: the more human and material resources targeted at the public hearings, the fewer the chances of activists and peasants being targeted by an asymmetry of information, which in turn led to the neutralisation of some public hearings.

We have seen that performative and generating components of defiance deconstructed power on the frontline. Such components influence as well as are affected by dynamics in the contestation environment. On the frontline, the Party/State used conciliatory discourse and a narrative of advantages that ProSAVANA could bring to peasants. Activists presented multi-thematic confrontational narratives that met issues raised by the peasants' discourses. Indigenous-exogenous and endogenous civil society

members recovered historical narratives based on unfulfilled expectations and powerful parties' moral contradictions and fallacies. These narratives stoked up defiance both at the beginning of the 20<sup>th</sup> century and on the frontline in Mutuali in the 2010s. The next chapter will present cases of defiance that enforces the connective logic between peripheral and real issues.

## **7 Defiance, and peripheral and real issues**

Chapters 5 and 6 have shown the connection between defiance and the moral economy, as well as the Party/State's neutralisation efforts. This chapter will look more closely at real issues to show that it is possible to work with these strategically, and it will examine human rights issues and the moral economy through two case studies.

The case of the work of the Human Rights League (LDH) within the prison system shows that while advocacy can generate defiance and co-construction, there are also ordinary factors that hinder them. For example, normative and multi-thematic approaches in the prison system led the LDH to certain types of contestation activities that delayed the emergence of real issue in the stage of intervention (see Fig. 2.2), from which it only emerged 16 years later.

The second case, the historic march against the political-military conflict and kidnappings on the 31 October 2013, was the high point of a process of defiance of indigenous-exogenous sectors within civil society. In this case, organisations and individuals had an identity without a need for awareness to reach out; everyone spoke the same defiant language. In this chapter, the theory of contentious politics helps to analyse the disputes, and the theory of moral economy allows one to observe the processes of real and peripheral issues through the cycles of defiance and co-construction.

### **7.1 Co-construction in transforming the prison system**

The League was founded in 1993, as part of a trend within which Mozambicans began to stand up nationally for human rights. Just a few years prior to the organisation's establishment there were still firing squads, corporal punishment and forced work and displacement for those people the regime considered dissidents and unproductive.<sup>234</sup> In the 1990s, reports from international organisations denounced expired pre-trial detentions, overcrowded prisons, lack of food and medical supplies. Prisoners regularly reported police beatings, rapes, deaths and demands of money in exchange for visits, freedom or food (HRW 1996, 1998, 2000).

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<sup>234</sup> The 1990 constitution abolished the death penalty. Between 1979 and 1990, Mozambicans became used to firing squads selected by the Revolutionary Military Court. One of the members of this court returned to the presidency of the Mozambican Constitutional Council in July 2016 (Verdade 2016a, CRM 2004).

Even in the 2000s, the obstacles to a dignified sentence were immense, as the Party/State only reluctantly included human rights in its agenda.<sup>235</sup> A former LDH employee recalls what she saw at the start of the 2000s:

*'It was common to see prisoners with scabies, malnourished, in overcrowded cells, sleeping in shifts, in unhygienic conditions and with no access to daylight. I accompanied members of the African Human Rights Commission who were reduced to tears when visiting Mozambican prisons'.*<sup>236</sup>

The following sections show how the LDH collaborated on important outcomes, and how it became stuck at the intervention stage for 16 years, advancing neither defiance nor co-construction.

### **7.1.1 Intervention, due vigilance, focus and resilience**

The LDH helped prisons to become more transparent through their monitoring of eleven provincial jails and numerous local prisons and police stations - the so-called *cadeias das esquadras* [police lock-ups]. After the 1990 Constitution, the League was the first to take up a tone of confrontation with the state. There were civic and professional organisations that acted in cases where the state had violated human rights, but its normative confrontational approach marked the League and enabled the organisation to lead the debate on the Mozambican prison system.<sup>237</sup>

The League developed a contentious repertoire based on statements at ambassadorial, civil societal, organisational and academic events, to secure media coverage.<sup>238</sup> Despite the LDH not allying with endogenous sectors in defiance of Party/State policy in prison issues, it assisted tens of thousands of prisoners and families over the years (Pessôa *et al.* 2014). Until 2009, civil society had had no direct access to prisons, unless it provided the authorities with inspection time lines, information on those involved, locations and dates. Even where this was done, it was prevented from meeting

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<sup>235</sup> NGO worker interview, Maputo, 30 October 2016; HRW 1996, 1998, 2000.

<sup>236</sup> NGO worker interview, Maputo, 4 December 2014

<sup>237</sup> HRW 1997, 1998, 2000; NGO worker interview, Maputo, 24 November 2014; NGO worker interview, Maputo, 30 October 2016; NGO worker interview, Maputo, 4 December 2014; HRW reports (2000), for example, says that in the end of 1990s, the Association of Human Rights and Development (DHD) called for "concerted action" between the government and civil society to focus on checking the abuse of power in the prisons, bribery in public institutions, sexual abuses and forced marriages.

<sup>238</sup> NGO worker interview, Maputo, 30 October 2016; NGO worker interview, Maputo, 4 December 2014; NGO worker interview, Maputo, 19 April 2015; NGO worker interview, Maputo, 7 December 2014; NGO worker interview, Nampula, 1 May 2015

prisoners on numerous occasions.<sup>239</sup> The League gradually set up provincial units to share information, and started issuing reports to the public. Throughout the 2000s, one of its main publications was the Annual Report on Human Rights, with analysis by lawyers and paralegals on the state of the prison system and public security agent practices. “Sometimes I was scared about everything we were reporting, but we had a fearless leader behind us who inspired confidence”, said a former employee speaking about the NGO’s sole president in its 25 years.<sup>240</sup>

The LDH consolidated its credibility at national and international level through intervention via its reports that served as a basis for Western non-governmental and governmental organisations to grade human rights violations in Mozambique.<sup>241</sup> The Party/State - which in the 1990s and early 2000s had not “referred to human rights in its reports” - started to invite the League’s technical staff to bilateral meetings, and to respond to allegations. “While previously, the authorities had ignored the issue, thinking it was up to organisations to raise funds, after the League’s involvement, they then began to cooperate”.<sup>242</sup>

In 2008, Benvinda Levy was appointed Minister of Justice and started to open the doors of the prisons to the media, civil society and researchers. The new policy led to the signature of a memorandum of understanding with the League in 2009. It established mutual obligation agreements and engagement in the UNDP Programme for strengthening national capacity and support to legal reform in the prison sector for sustainable implementation.<sup>243</sup> The Party/State gave the organisation access to the prisons and acknowledged its expertise in the field. At the start of Guebuza’s second term, the constellation of issues left open for more than 15 years finally entered a process of co-construction.

The agreement stipulated that the League would make recommendations and the government would meet these within a certain deadline. If it did not do so, the LDH could report it.<sup>244</sup> This established a communication channel between the Party/State and civil society where the government could respond and explain why on certain occasions it was unable to comply with recommendations.<sup>245</sup> This sealed the basis of co-construction for

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<sup>239</sup> NGO worker interview, Maputo, 30 October 2016; NGO worker interview, Maputo, 4 December 2014

<sup>240</sup> NGO worker interview, Maputo, 4 December 2014

<sup>241</sup> NGO worker interview, Maputo, 30 October 2016; HRW reports (1997, 1998, 2000); Lorizzo (2012); see U.S.D.S (2010)

<sup>242</sup> NGO worker interview, Maputo, 30 October 2016

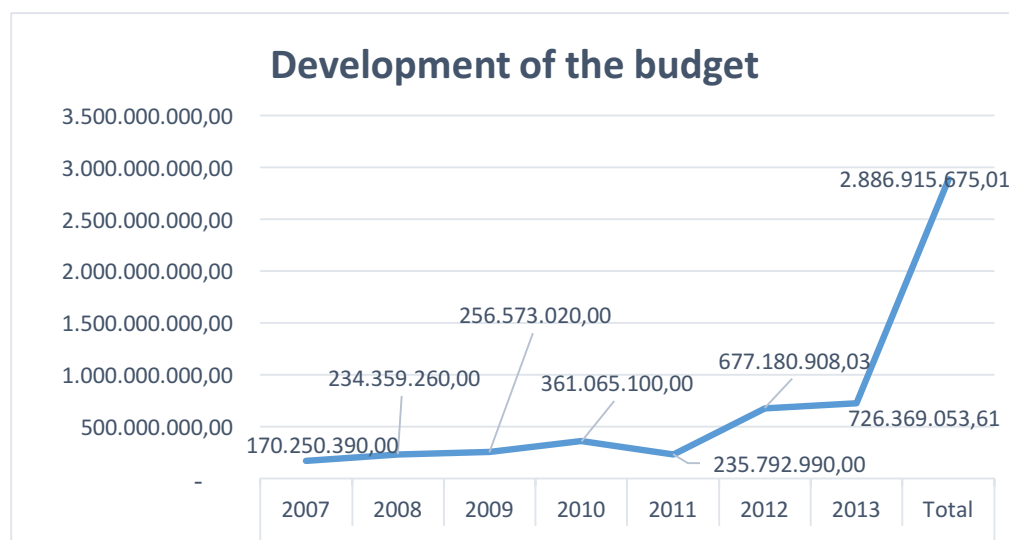
<sup>243</sup> See U.S.D.S (2010); ODAMOZ (2011) - all cf links and accessed dates in the bibliographical references.

<sup>244</sup> NGO worker interview, Maputo, 30 October 2016;

<sup>245</sup> NGO worker interview, Maputo, 4 December 2014; NGO worker interview, Maputo, 30 October 2016

this issue, and contributed to increasing the prison system budget 11-fold over four years (see graph 7.1).

**Graph 7.1 Evolution of the Prison services budget during the co-construction (in Meticaís)**



**Source: CDH and LDH (2015)**

However, the Mozambican prison system continued to be underfunded due to wider issues in the management of the state legal system. For example, overcrowding (see table 7.1) is not only related to prisoner numbers, but also to the number of delays in pre-trial detentions, arbitrary arrests and lack of alternative sentences (CDH and LDH 2015). According to SERNAP, in 2017 the system had space for 8,200 inmates, but the total number of inmates had reached 11,800, with 6,200 in pre-trial detention.<sup>246</sup> For the period up to 2014, the LDH reported cases of mistreatment in custody, and an average of one case of torture every ten days (Pessôa *et al.* 2014).

Even within this complex scenario, after 20 years “the old militaristic and secretive world of prisons has been opened up to the public and to academic research” (Lorizzo 2012:36). The changes are clear not only in the infrastructure, but also in the awareness of those working in the sector.<sup>247</sup> These are the outcomes of the processes of co-construction acknowledged by some workers in the organisation:

*‘We have succeeded where many African countries have not: focussing attention on human rights in prisons. Prison guards’ attitudes have changed. Before, they saw us as government enemies and they were shut off to everything. They tried to cover things up.*

<sup>246</sup> Diário de Notícias (2017)

<sup>247</sup> DW Africa (2014b)

*That is why we used to have to give advance notice for our visits. But now the Ministry of Justice and the LDH have a memorandum of understanding’.*<sup>248</sup>

### **7.1.2 Official delaying vs. Resilience**

Two episodes marked efforts to neutralise contestation in the prison system up to 2009. Both were characterised by the official delaying mechanisms of neutralisation, as described in Chapter 5. In 1996, the LDH and the Mozambican government signed a memorandum to train police officers in human rights practices. Six months later, Ministry officials changed their minds and the Criminal Investigation Police Studies’ office “held a training seminar for its officers in human rights, technical and legal development but without the formal help of the LDH”.<sup>249</sup> The project with the LDH was only implemented 15 years later. International organisations funded the new version of the course, which included a training for prison guards.<sup>250</sup> In 2006, Mozambique created a body in charge of the management and administration of prisons, SERNAP, that was designed to “oversee prisons, management, supervision and the promotion of labour and work opportunities for prisoners”, (...) however, it faced a “shortage of funds and trained human resources” (Lorizzo 2012:31).

Co-construction extended the dialogue between the League and the Party/State to other subjects of human rights, nevertheless, the delaying mechanisms continue to be used to neutralise a diverse range of open questions. For example, the National Human Rights Commission (CNDH) was formally established in 2009 after a six-year campaign by the LDH. The League’s former employees consider this as another outcome of the co-construction relations between the organisation and Party/State. In addition to playing an important role in setting up the Commission, the League also enabled civil society to choose its representatives within this invited space. The CNDH started operations in 2011 and now works with 10 members appointed by the government, civil society and the bar association. Because of the League’s institutional crisis after 2013, it lost ground in the CNDH. The delaying mechanisms exploit the economic and political vulnerability of this invited space.

The CNDH is not currently fully functional due to a lack of human and financial resources, internal conflicts caused by party politics, and links between certain members

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<sup>248</sup> NGO worker interview, Maputo, 4 December 2014

<sup>249</sup> See HRW (1996)

<sup>250</sup> NGO worker interview, Nampula, 1 May 2015

and FRELIMO. This will be looked at further in Chapter 8, but it complicates power relations within this invited space. This is just one of the factors that leads many to question why the Commission is still ineffective, despite successfully promoting itself to the population and government. At challenging periods that require votes on sensitive issues such as political assassinations, members who feel the need to uphold personal interests can obstruct developments. According to one interviewee, “there are still many who are unwilling to uphold the commission’s interests, despite being recommended by their party’s selection institutions”.<sup>251</sup>

A good example of the challenges faced by the CNDH is the Cistac case discussed in Chapter 4. As academic bodies, institutional approaches have to reach a consensus, and this is something that can be hard to achieve. There are internal disagreements on the Cistac case, and due to a lack of funding and human resources, it appears impossible to properly investigate the case. All the CNDH has done is to ask the Attorney General’s Office to instigate legal proceedings, and with all the disagreements in internal policy, “even if a parallel investigation had been conducted at the time, once the final report was submitted there would have been problems due to the lack of consensus on the content of the report”.<sup>252</sup>

Civil society organisations’ struggle for better conditions in prisons was always normative, and was based on the Universal Declaration of Human Rights. This normative character marked it out as an exogenous contestation process. It succeeded in bringing the real issue to the attention of the public by embracing a constellation of peripheral issues and encountering echoes in the legal framework of the state. In this way, civil society managed to bring the real issue to a stage of intervention indirectly, although it was not able to push it to defiance. This was because (1) normative language is too exogenous to find echoes within endogenous groups of the *prisoner community* – family and inmates; (2) NGOs saw endogenous groups as clients not as partners, and this increased identity barriers to defiance; (3) endogenous organisations in this field had historically had difficulties to set up coalitions because of political and economic vulnerabilities: many were too close to the Party/State, others wanted to increase the

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<sup>251</sup> NGO worker interview, Maputo, 30 October 2016

<sup>252</sup> The LDH strategic plan for the three-year period 2000-2003 aimed at educating the authorities to strengthen dialogue with the government through the creation of the CNDH. Being financially stronger, the organisation invited State authorities to visit African commissions that were already active - such as the South-African and Ugandan commission (NGO worker interview, Maputo, 30 October 2016)



distance but were unable to start defiance – and this then led to competition.<sup>253</sup> The following sections clarify the real and peripheral issues in this case.

### **7.1.3 The real issues in the prison system**

Chapter 2 explained that real issues are often related to issues of moral economy because they are connected to tacit pacts, mutual economic expectations (Siméant 2015) among stakeholders, and subsistence ethics (Scott 1974). Chapter 6 shows that real issues can generate defiance even when they are not directly approached. This section will demonstrate that even in such repressive environments as prisons, real issues can produce co-construction and defiance as well as connections with human rights. To do this, it is necessary (1) to understand whether prisoner communities have any tacit pact with powerful stakeholders that generates economic and moral expectations around the prison system, and (2) how these endogenous groups highlight the real issues notwithstanding any exogenous groups that could potentially assist them.

Imprisonment as punishment started in Africa in the beginning of 19<sup>th</sup> century and had connections with the transatlantic slave trade (Vansina 2003; Thomas 1999). Sarkin argues that the colonial powers did not use imprisonment for rehabilitation or reintegration, and imported it to isolate and punish political opponents, exercise racial superiority, and administer capital and corporal punishment. This practice differed from the indigenous communities' way of dealing with wrongdoing:

‘While pre-trial detention was common, wrongdoing was rectified by restitution rather than punishment. Local justice systems were victim-rather than perpetrator-centred with the end goal being compensation instead of incarceration. (...) The goal of incarceration remained to secure compensation for victims rather than to punish offenders. Imprisonment and capital punishment were viewed as last resorts within African justice systems, to be used only when perpetrators such as repeat offenders and witches posed a threat to local communities’ (Sarkin 2008:24-25).

The European system imposed brutal confinement, torture, corporal punishment and forced labour in reaction to even slight infractions. Peté and Devenish identify that torture and the death penalty were legitimised among Europeans by characterising Africans as uncivilised, infantile and savage (2005:3-21), while white prisoners “enjoyed

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<sup>253</sup> Verdade (2012a).

higher quality clothing, food and shelter as well as vocational training” (Sarkin 2008, citing Peté 1986:7). Sarkin argues that “in light of this genesis then, it is hardly a surprise that present-day African prisons fail to meet their stated goals of rehabilitation” and “persist in committing the abuses set in motion centuries ago” (Ibid:25).

However, there were crucial differences between the treatment of “offenders” and slaves, who, according to Capela (2000), in some cases even defended their status. As seen in Chapter 3, even with the loss of all natural human rights and the uprisings against banishment (Capela 2002; Thomaz 2012), freedom restrictions due to kidnappings for subsequent slavery or servitude were interpreted as imposition of submission under the condition of a subsistence guarantee and even “integration” (Capela 2000:35). Vilhena highlights a “domestic slavery”, where there were minimum and peaceful expectations among slaves and masters, and slaves expected to have access to resources to subsist (Ibid, citing Vilhena 1910:89), although in some cases their families remained abandoned.<sup>254</sup> Imprisonment presupposed brutal punishment and sub-human conditions, and also that prisoners are responsible for their own misery. This narrative continued in Mozambique until the 2000s.<sup>255</sup> Even today, the Party/State is looking for ways to pass imprisonment costs on to inmates. At the same time, it does not solve the precarious condition of the prisons and makes it extremely difficult to open a channel for dealing with mistreatment (Pessoa *et al.* 2014; Lorzio 2012).

NGOs have worked on number of normative levels to deal with prisons’ precarious conditions. Activists see the lack of physical space, the increase in crime, and the excessive number of pre-trial detentions as the main reasons for overcrowding (see table 7.1), which in turn generate an array of human rights violations. In 2012, SERNAP recorded 343 escapes from prison, 16.3 per cent up on the previous year.<sup>256</sup> The majority of cases took place in prisons in Nampula, Gaza and Tete.<sup>257</sup> Despite NGOs’ efforts, there have been no studies on prison riots, and it is impossible to know whether all prison riots are in the public domain. Most activists say that prison riots in Mozambique are “seldom events”.<sup>258</sup>

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<sup>254</sup> Ver Thomaz (2013); NGO worker interview, Maputo, 19 April 2015

<sup>255</sup> Verdade (2012a); HRW (1998)

<sup>256</sup> Sapó (2013d)

<sup>257</sup> NGO worker interview, Quelimane, 8 May 2015 and LDH and CDH 2015

<sup>258</sup> NGO worker interview, Quelimane, 8 May 2015; NGO worker interview, Maputo, 7 December 2014; NGO worker interview, Nampula, 1 May 2015; NGO worker, Maputo, 4 December 2014

**Table 7.1: Prison population vs. Physical capacity**

Prisons at provincial level	Year 2012			Year 2013			Year 2014		
	Cap.	Inmates	% Overcrowding	Cap.	Inmates	% Overcrowding	Cap.	Inmates	% Overcrowding
NIASSA	150	686	357.33	150	660	340.00	150	661	340.67
CABO DELGADO	495	934	88.69	495	834	68.48	495	791	59.80
NAMPULA	1527	2975	94.83	1527	2714	77.73	1527	2664	74.46
ZAMBÉZIA	375	1441	284.27	375	1369	265.07	375	1439	283.73
TETE	340	1046	207.65	340	1086	219.41	340	989	190.88
MANICA	985	1655	68.02	985	1406	42.74	985	1542	56.55
SOFALA	285	1329	366.32	285	1352	374.39	285	1318	362.46
INHAMBANE	350	1035	195.71	470	992	111.06	470	975	107.45
GAZA	1115	1424	27.71	1115	1264	13.36	1115	1298	16.41
MAPUTO	2182	3354	53.71	2182	3450	58.11	2182	3294	50.96
<b>TOTAL</b>	<b>7,804</b>	<b>15,879</b>	<b>103.47</b>	<b>7,924</b>	<b>15,127</b>	<b>90.90</b>	<b>7,924</b>	<b>14,971</b>	<b>88.93</b>

Source: CDH and LDH 2015

Prison deprives inmates of the ability to support themselves. In addition, imprisonment has economic impacts on prisoners' families (Pessoa *et al.* 2016).

‘While more than 90 per cent of inmates in Mozambique have some level of schooling, 7 per cent have not attended primary school, and only 2 per cent have attended university. More than half of inmates say they have no professional qualifications, and the most frequent occupations are peasants, mechanics, bricklayers, domestic servants, watchmen, students, drivers and informal traders’ (CDH and LDH 2015:57).

According to data from Muntingh and Redpath (2017), pre-trial detention, for example, contributes to the impoverishment and vulnerability of families, as 72 per cent of remand prisoners are economically active and have an average income close to the minimum wage, which is MT3,600 (US\$58.65) More than 90 per cent were supporting their children and/or other dependants, and 70 per cent were the family bread-winners before their arrest. Almost 70 per cent of families reported loss of income.

‘The detention of household members brings new, direct and unplanned costs for a household: visits are associated with costs such as transport for the visit, food, other materials (e.g. soap), clothing, medicine and so forth. Securing private legal aid – or attempting do so – or assistance from a state institution (e.g. the Human Rights Commission) may also result in costs. Finding cash for bail, borrowing money, using savings or paying a bribe are further costs associated with detention. Time is also spent on visits and not on other productive activities. Pre-trial detention is therefore not only

about losing financial and non-financial contribution, but also about incurring new and unplanned for expenses. Presumably, the longer detention continues, the higher the total of these expenses will be – until the family is forced to cease incurring these expenses in order to survive.’ (Muntingh and Redpath 2017:10)

Therefore, imprisonment is expensive for the prisoner community, but there is no data available about protests around pre-trial detentions either by families or inmates. In short: this is a NGO and academic subject connected to the human rights framework.

A 2013 study by the LDH, for example, noted that the number of expired pre-trial detainees increased by 70 per cent on the year before (Pessôa *et al.* 2014). Pre-trial detainees represented up to 35 per cent of Mozambican inmates, “a great majority of whom do not know their legal status”.<sup>259</sup> In 2014, the number of prisoners without legal aid increased to 28.1 per cent compared with 2012 (CDH and LDH 2014). According to government assessments, alternative measures and better control of pre-trial detainees could reduce the prison population by 37 per cent.<sup>260</sup>

Despite the fact that exogenous civil society sectors aim to restrict overcrowding and unlawful imprisonment, the defiance of the prisoner community has other immediate and very specific reasons for emerging. Among the 17 episodes that have come to light related to prison riots, families and/or inmate complaints and governmental or non-governmental initiatives between January 2010 and December 2016, more than half were related to food supply. There were also riots in reaction to violent prison cell checks in Maputo; unclarified mass escapes and cell depredation in Nampula, a province with two prisons – one of which is extremely precarious and the other of which is in a good state;<sup>261</sup> and episodes that involve only inmates (without their families) protesting against things such as prisoner deaths and the seizure of mobile phones.<sup>262</sup>

It seems clear that these episodes which affect inmates and families simultaneously can generate upheaval both in and out of the prison. For example, the 2010 food riot (De Brito 2014) affected the families of hundreds of prisoners, and generated protests inside and outside of a prison in Maputo. Prisoners demanded to go out to the streets where the endogenous popular upheaval was taking place.<sup>263</sup>

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<sup>259</sup> NGO worker interview, Maputo, 14 December 2014

<sup>260</sup> Jornal A Bola (2017)

<sup>261</sup> VOA (2011); Radio Moçambique (2012); OPais (2014b)

<sup>262</sup> Jornal Notícias (2016a); Infodiário (2015)

<sup>263</sup> Sapo (2010)

This precarious or non-existent food supply generates grievances, public and private initiatives, and donations for provision,<sup>264</sup> but the blockage of food from their families generates collective disobedience and protests both in and out of prison.<sup>265</sup> Overcrowding is known to complicate the quality and quantity management of food, and the Party/State is aware that it is not able (or does not want) to pay for food, considering its fixed budget and the growing number of inmates.<sup>266</sup> This is why the Party/State allows families to assist inmates.<sup>267</sup>

The blockage of food from inmates' families seems to be a highly sensitive issue that generates protests not only from prisoners but also from the families themselves. For endogenous groups, the prohibition of food entry extrapolates the limits of the mistreatment in prisons that historically characterizes punishment in Mozambican prisons. This inflammatory issue can cause protests even in penal institutions where overcrowding is not as dramatic.<sup>268</sup> While in some police lock-ups there is no food provision, many prisons offer only one poor meal per day, which does not vary or include fruits. This is why visits are necessary not only for the subsistence of the imprisoned relative, but also for other unassisted inmates who share that food.<sup>269</sup> Imprisonment takes away the possibility of independent subsistence, and this is why the prison community continues to expect visitors to ensure or complement their precarious food supply. The moral aspect of the real issue is heard in the words of this woman conversing with a relative held at the overcrowded PRM Headquarters in Maputo. She spoke to TVM (Television of Mozambique) without showing her face, and complained that families had not been allowed to bring food into the prison for days in January 2014:

*'It is very hard to accept that they are not getting the food that we've prepared [for them]. Even though they did something wrong, they [the guards] cannot take their food away. All we want is for them to get their meal. (...) The only one that is allowed to receive food is Anibalzinho... but what about the others?'<sup>270</sup> It might cause unrest there inside. What would happen if the inmates who aren't getting their meals start talking [about it] ...they won't like it. Firstly, it's not right that one person has*

<sup>264</sup> Sapo (2013c); Sapo (2013d); Comunità di Sant'Egidio (2014); CanalMoz (2014)

<sup>265</sup> NGO worker interview, Maputo, 14 December 2014; NGO worker interview, Maputo, 7 December 2014; NGO worker interview, Quelimane, 08 May 2015; Sapo (2011b); Sapo (2015); Sapo (2011a)

<sup>266</sup> NGO worker interview, Maputo, 14 December 2014;

<sup>267</sup> NGO worker interview, Maputo, 4 December 2014

<sup>268</sup> Ver Sapo (2011a; 2012a; 2012b)

<sup>269</sup> NGO worker interview, Maputo, 4 December 2014; DW Africa (2012a); CDH and LDH (2014)

<sup>270</sup> Anibalzinho is a white inmate sentenced to 30 years of prison for killing journalist Carlos Cardoso in 2001. He is a kind of star in the Mozambican prison and legal system. As discussed earlier in the chapter, whites have always had privileges in the prisons of Southern Africa (Peté 1986).

*the right to eat and the others don't. My God, where are we? Where does this take us?*<sup>271</sup>

The history of mistreatment in the restriction of freedom as punishment means that neither families nor inmates expect anything positive from the prison system. However, there is an issue of moral economy that involves the expectation that the state will permit inmates be assisted by their families as they cannot provide their own subsistence. It does not matter if prisoners are not receiving food as a disciplinary measure. When food from relatives on the outside does not reach inmates, expectations are ruptured, and the risk of protests from the prison community increases. The state does not provide, but it allows aid to come in from inmates' families, and this is a tacit deal, an undeclared pact created by indirect messages, cultural customs and societal behaviour that generates expectations from both sides.

This logic shows that while not all human rights issues are issues of moral economy, there are intersections. Better conditions for inmates is subject that can be approached through both peripheral and real issues, but there is an economic context of moral expectation. Inmates' subsistence is a real issue whose state of latency is broken either directly by the prison community or indirectly by NGOs via peripheral issues. However, in this case, there is no coordinated action between exogenous and endogenous civil society sectors for defiance. Despite the fact that NGOs have not focused on prisoners' subsistence, they have seen the causes and effects of prison overcrowding. As a result, only in 2009 did they begin to certain issues into the co-construction process, including that of food supply. It is possible that a coalition between NGOs (indigenous-exogenous and exogenous civil society) and the prisoner community (endogenous civil society) would have been more effective sooner, but the LDH traditionally sees the prisoner community as clients and not partners.

### **7.3 The LDH and defiance around war and abductions**

Torture, summary executions, arbitrary detentions, refugees and families in need: these were the terms in which the LDH denounced the political-military conflict to the UN (Pessôa *et al.* 2014). Mozambicans returned to the nightmare of war in many of the country's provinces, and found themselves again under the shadow of a destructive

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<sup>271</sup> Tim (2015)

conflict that left between 800,000 and 1 million people dead, displaced some 2 million others, and made refugees out of at least another million (Emerson 2014).

The first shots were heard on March 8, 2012, an exchange of fire between the police and RENAMO ex-combatants at the party's headquarters in Nampula. There had been scattered fighting throughout the Northern and Central regions for months. On 17 October 2012 the RENAMO leader, Afonso Dhlakama, returned to the former rebel base at Santunjira in central Mozambique. RENAMO demanded a new National Election Commission, distribution of profits from the exploitation of the country's wealth and the de-politicisation of defence and security forces. In December, negotiations between the government and RENAMO stalled and the conflict continued at a low-intensity phase, with shootings, arrests, raids on police units, and attacks on National Highway One (EN1), between the Save River Bridge and Muxúnguè.

Despite the continuing violence, the episode that had the greatest impact in almost 20 months of hostilities was the taking of Santunjira on 21 October 2013, when the army forced Dhlakama to flee. In response, RENAMO declared an end to the 1992 Peace Agreement. This was the start of the deepest political crisis in the country in 20 years. A little over a week later, civil society, which had barely reacted to the low-intensity and scale of the conflict, took to the streets of Maputo, Quelimane and Beira, in the largest non-violent urban protest of Mozambique's recent history, demanding peace. The march also demanded the end of the wave of kidnappings.<sup>272</sup> The press had started reporting on this wave of kidnappings on 26 June 2011, but the fact there had been six cases in 10 weeks - between December 2011 and February 2012 - led civil society to react against the police silence.<sup>273</sup> The first organisation to demand action was the LDH in an interview with CanalMoz on 16 February 2012, and, soon after Christian churches joined in the protests.<sup>274</sup>

The issue of abduction had entered the intervention stage with statements in the media by mid-2013. Witnesses went to the League to denounce police involvement in the kidnappings and to ask for protection.<sup>275</sup> Defiance began with the first open letter to FRELIMO's historical leaders, signed by the LDH president on 18 September 2013. In the letter, LDH President Alice Mabota demanded answers from historic FRELIMO about the escalation of the political military conflict, the wave of kidnappings of

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<sup>272</sup> DWAfrica (2014c)

<sup>273</sup> Sapo (2013a)

<sup>274</sup> See Blog Moçambique para todos (2012); VOA (2012)

<sup>275</sup> I was approached by people to help in this task.

Mozambican business owners of Asian origin, the criminality in suburban areas, and police violence. For her, the reason for the country's "alarming" situation was down to Party/State lassitude. Mabota drew attention to the country's "precarious governance" and "wealth inequality".<sup>276</sup> The content of the letter was summarised in blogs, news agencies and international sites.

There were six more kidnappings over the 30 days following the publication of this letter. Gradually, other organisations began to speak out against the escalation of violence in the country, and the kidnapping of victims of Portuguese origin and from the Mozambican elite were reported.<sup>277</sup> The League led a temporary coalition of organisations including Women's Forum, the Youth Parliament, Muslim and Indian associations and Catholic groups. On 23 October, this coalition sent a letter to President Armando Guebuza, with the title "No more war, we want peace".<sup>278</sup> Demands for security filled TV programmes, newspapers, bars, bakeries and recreational associations. The website Moz Maniacos multiplied these peace manifestations through social media using the hashtag *#MozQuerPAZ* (MozWantsPeace).

The killing of 13 year-old Ahmad Rachid, who had been kidnapped in Beira on 28 October was the final straw. The crime took place exactly a week after RENAMO had withdrawn from the 1992 Sant'Egidio peace agreement. The coalition called on the public to attend a protest march three days later. In Chapter 4 we saw how the Party/State tried to discourage participation in the demonstration, declaring it illegal.<sup>279</sup> TV stations warned the population about its illegality, and the government minimised the likelihood of a return to war on the eve of the protest: Armando Guebuza told the AFP, "It is a robust 'No' that we're going back to a state of war".<sup>280</sup>

On the morning of Thursday 31 October 2013, tens of thousands took to the streets wearing white t-shirts and carrying placards bearing the following messages: "Me today, you tomorrow. Solidarity", "We want peace", "Down with racism", "What's the use of the police?", "Mute Government!", "My livelihood is at risk", "Sack the PRM city commander". Speeches by celebrities and musicians claimed that political instability put the "country's credibility at risk" and expanded on the placards' slogans. The Muslim community, and Pakistani and Indian business owners and families denounced "racism".

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<sup>276</sup> Portal de Angola (2013); VOA (2013b)

<sup>277</sup> Público (2013)

<sup>278</sup> DW Africa (2014a).

<sup>279</sup> NGO worker interview, Maputo, 24 November 2014; NGO worker interview, Maputo, 19 April 2015

<sup>280</sup> Sapó (2013b)



They demanded to be recognised as Mozambicans, and repudiated the narrative that the “*munhês*” (as they are known) were the main players in organised crime.<sup>281</sup>

**Table 7.2: Stages of defiance and Episodes in the issues kidnappings**

Stages of defiance	Episodes
Rupture	Witnesses say that policemen are involved in the kidnappings. LDH publishes its open letter in September 2013.
Oscillation	Civil society organisations condemn the war and kidnappings. Coalition for public security is slow to progress (Women’s Forum, Youth Parliament and religious and commercial associations).
Crystallisation	Coalition signed open Letter to Armando Guebuza calling for peace. The young Ahmad Abudul Rachid is killed in captivity after alleged “disastrous police intervention”. Coalition organises historical demonstration against the war and kidnappings in Maputo, Quelimane and Beira.
Outcome	Demoralisation of security forces caused “extreme measures”, such as torture and strong suspicions of summary execution. 20 suspects were arrested in 2014, and 19 were sentenced to prison.
Neutralisation asymmetry of information	<u>Via intimidation:</u> Police accused president of LDH of inciting violence because of SMSs calling for new demonstrations against the government (January 2014). <u>Asymmetry of information:</u> Police do not release information about new kidnappings to press throughout 2014.

Following this defiance, the government and RENAMO agreed to mediation and to resume negotiations over the following months.<sup>282</sup> 2013 ended with 20 rounds of negotiation, 40 deaths and 80 injured in clashes (Pessôa *et al.* 2014). In turn, the Party/State intensified its battle against the kidnappings. A year after the protest, the LDH found evidence that the police had used excessive force - with summary executions and the torture of suspected kidnappers (Ibid). In mid-August 2014, the police announced that the kidnappings were now under control, with 20 arrests and 18 convicted.<sup>283</sup>

From 2011 to 2014, there were an estimated 110 kidnappings in Mozambique.<sup>284</sup> However, these numbers are relatively insignificant when compared with other countries.<sup>285</sup> This begs the following question: why were these kidnapping the cause of such defiance in a country with such a relatively low number of cases? The following will explain why participation in this defiance was so significant.

<sup>281</sup> On 24 November 2014, the Jornal Semanário Público ran a story entitled: “Pakistanis spread terror in Mozambique” (Semanário Público 2014a)

<sup>282</sup> DW Africa (2014a).

<sup>283</sup> See Semanário Público (2014a); Semanário Público (2014b); OPais (2014a).

<sup>284</sup> Savana (2014).

<sup>285</sup> According to Strategic Risk (2012), in 2011 alone there were 17,889 kidnappings reported in Mexico, and 15,000 in Pakistan - with 10-20 per cent being for ransom. The number of kidnappings in Venezuela in just one year was four times higher than that Mozambique over four years. In 2011, the average number of kidnappings reached two per week and each ransom resulted in between 60 and 250 thousand dollars for criminal cells. Nevertheless, the police recognise that these numbers are underestimated, as many of these cases are simply not reported (Yusuf 2012:11).

### 7.3.1 Indigenous-Exogenous defiance

Chapter 3 and Section 7.1.3 of this chapter show the connection in the Mozambican historical memory between the kidnappings and the war, and the *war-abduction binomial* with slavery and forced labour under colonial and socialist regimes (Chapel 2000, 2002; Thomaz 2012; Thomaz 2013). This connection has existed since the 19<sup>th</sup> century in the history of forced appropriation of labour, whether due to slavery or battle. This forced appropriation principally hurt victims' families as it meant there were fewer hands to help with traditional subsistence living.<sup>286</sup>

Thomaz (2013) points out that the issue is not one of numbers [of kidnappings in Mozambique], but of what a wave of kidnappings announced. Kidnappings “come before and together with wars (...) they are an involuntary way of bringing individuals into conflict” and forced labour. “For decades, people have moved from region to region fearing that their children would be abducted and used by the military as soldiers or for general labour”.<sup>287</sup> In this sense, the kidnappings still have currency in the narratives of the various endogenous and indigenous-exogenous groups. Independence elevated the status of the local indigenous-exogenous elite, but the civil war hampered the aspired for freedom - these were times of hunger, rationing and deprivation.<sup>288</sup> The end of colonialism did not lead to major change for the endogenous – “subversive” and “unproductive” citizens were forced into cleaning and production operations or were taken to re-education camps, and many were forced to move to work in communal villages (Thomaz 2008).

The stories of economic deprivation and freedom linked to the “war-abduction binomial” are therefore connected through generations of Mozambicans over Mamdani's four “historical moments of civil society” - which are the society of colons, the anticolonial struggle, the birth of a deracialized state, and the collapse of an embryonic indigenous civil society” (1996:19-21).

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<sup>286</sup> NGO worker interview, Maputo, 19 April 2015

<sup>287</sup> Thomaz (2013) - all cf links and accessed dates in the bibliographical references.

<sup>288</sup> Field work data and Sumich (2005:109)

**Table 7.3: Civil Society exogenous generations in Mozambique**

<b>Generation (Mamdani's moments)*</b>	<b>C.S expressions in Mozambique.</b>	<b>Episodes/Events</b>
<b>First Generation (1899 –1945)</b> In its original sin, civil society was first and foremost the society of the colons. Struggle of subjects was neither against customary authorities in the local state nor against racial barriers in C.S.	<ul style="list-style-type: none"> <li>- Associativism of local elite</li> <li>- Regime neutralised organisations in the New State.</li> <li>- Society of colons, subordinated local elite in a juridical limbo.</li> <li>- Endogenous population exclusion (chibalos communities).</li> </ul>	<ul style="list-style-type: none"> <li>- Labour Law</li> <li>- Colonial Monarchy and Republic</li> <li>- Nativist and Worker cycles of defiance</li> <li>- New State (Colonial Dictatorship)</li> <li>- WW2.</li> </ul>
<b>Second Generation (1946 –1970)</b> This was the moment of the anti-colonial struggle, for the anti-colonial struggle was at the same time a struggle of the embryonic middle and working classes, the indigenous strata in limbo, for entry into civil society.	<ul style="list-style-type: none"> <li>- Society of colons encouraged citizenship for Africans from 1959.</li> <li>- Indigenous-exogenous strata formed an embryonic middle and working class, and expected gradual expansion to civil society.</li> <li>- Endogenous population exclusion (chibalos communities),</li> <li>- Dissatisfaction in trade unions (white workers)</li> </ul>	<ul style="list-style-type: none"> <li>- Pro-liberation students meetings at the University of Lisbon</li> <li>- Anti colonial movements genesis</li> <li>- Liberation struggle</li> <li>- 1959 Nationality Law: local elite gradually expanded into "civil society".</li> <li>- Mondlane's death</li> <li>- Machel elected FRELIMO's president.</li> </ul>
<b>Third Generation (1959 –1977)</b> Independence tends to a deracialized state, but not C.S. Historical accumulated privileges, usually racial, were embedded and defended in affirmative actions of redistribution. State-C.S. tension diminished as the arena of tensions shifted to within C.S because colonial beneficiaries resisted.	<ul style="list-style-type: none"> <li>- C.S racialization started by the gradual expansion for the indigenous-exogenous strata.</li> <li>- Indigenous-exogenous FRELIMO's network rises to a new social status, forming a local elite.</li> <li>- Local elite vs. colonial beneficiaries.</li> <li>- Local elite grows larger, with more or lesser exogenous tendencies but most of the endogenous strata are still subaltern.</li> </ul>	<ul style="list-style-type: none"> <li>- Portugal expands concessions for citizenship.</li> <li>- Liberation war, independence and fall of new state</li> <li>- Clean-up operation.</li> <li>- Pick stage of the process of trade unions shifting from the state.</li> <li>- Marxism-Leninism in Totalitarian System</li> <li>- 3<sup>rd</sup> Congress of the FRELIMO</li> </ul>
<b>Fourth Generation (1977 –1993)</b> Marriage between technicism and nationalism, time of proliferation of state nationalism in a context where the claims of the state had a powerful resonance, particularly for the fast-expanding educated strata of society. Deracialisation of the central state was a necessary step toward its democratisation, but the two could not be equated.	<ul style="list-style-type: none"> <li>- State captured social movements and trade unions.</li> <li>- C.S based social movements became demobilised and political movements stagnated.</li> <li>- Collapse of embryonic indigenous-exogenous civil society;</li> <li>- Local elite and ex-colons frozen by the shortage of diverse products, including food.</li> <li>- Local elite grows larger, but most of the endogenous strata are still subaltern. Local leaders marginalised.</li> </ul>	<ul style="list-style-type: none"> <li>- FRELIMO's policy to trade unions control</li> <li>- 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> Congress of the FRELIMO,</li> <li>- Civil war, general shortages, high cohesion and coercive state</li> <li>- New version of forced work by punishing dissidents and the endogenous population.</li> <li>- Gradual political and economic opening up from 1989.</li> <li>- Transition to Democracy</li> <li>- New constitution</li> </ul>
<b>Fifth Generation (1994 –2015)**</b> West believed that Mozambique was now able to "walk on its own two feet" and that it was "confident" about the realisation of regular elections. Events after the year 2000 ended up increasing the reach of FRELIMO in communities and civil society.	<ul style="list-style-type: none"> <li>- NGOisation,</li> <li>- New local elite emergence. It is even larger and more exogenous. Defiance, co-construction and neutralisation processes.</li> <li>- Endogenous civil society strata are secondary in aid policies, and community leaders are neutralised.</li> </ul>	<ul style="list-style-type: none"> <li>- Competitive Authoritarianism</li> <li>- Joaquim Chissano's election</li> <li>- Multi-party system;</li> <li>- Neoliberal measures, privatisations, mega-projects, new expectations, new vital needs and new tacit agreements.</li> <li>- Donors' crisis</li> </ul>

\*Mamdani (1962:18-21) \*\*Inspired in Mamdani (1962)

While not denying that African civil society has taken its own trajectory, independent of the colon society and the colonial state (Ekeh 1975; Hyden *et al.* 2003; Kasfir 1998), one can see that Mamdani's historical moments help to understand the configuration of bourgeois civil society after the new imperialism (See table 7.3).

Inspired by Mamdani, this study introduces a fifth historical moment, which has in turn introduced a fifth civil society generation - civil society in Competitive Authoritarianism - where a privileged new local elite has new moral expectations of the Party/State. The new local elite - the Fourth Generation members and their offspring - see peace as crucial to satisfying their vital needs (Marcuse 1967), which, in turn, are morally compatible with their own time and status, as seen in Chapter 2. The expectation of this local elite is that the Party/State does not put these vital needs at risk by permitting a return to the war-abduction binomial that is associated in memory with economic hardship, and that threatens the freedom to work for the benefit of the subsistence of their own families. The following section will show why vital needs are at stake as real issues.

### **7.3.2 The indigenous-exogenous moral economy**

The new local elite is actually living a bourgeois middle class dream, but it has an undermined political transformative potential because it is unable to act autonomously from the competitive authoritarian political system, and is more likely to be hostage to the Party/State (Sumich 2016). However, the 1992 Sant'Egidio peace agreement gave the new local elite the opportunity to satisfy and refine its vital needs, and it is this that interests them. This creates an expectation by this elite in relation to state incumbents. The Party/State is accepted in its position of power, despite the fact that it may act questionably – and even rig elections. However, the new local elite refuses to accept that its vital needs may be threatened, and this is the tacit pact and the mutual economic expectation (Siméant 2015:68). Defiance therefore takes place as a matter of moral economy - when the new local elite is threatened by the war-abduction binomial this then threatens economic deprivation and lack of freedom over the control of their ability to support their families. In short, there was a sense of a “subsistence ethic” (Scott 1974:2) behind the defiance.<sup>289</sup>

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<sup>289</sup> Scott emphasize the moral content of the subsistence ethic saying that the problem of exploitation and rebellion is not just a question of calories and income but is a question of peasant conceptions of social justice, of rights and obligations, of reciprocity (Scott 1974, preface in the Kindle edition).

On the other hand, it cannot be denied that, from the perspective of the new local elite, the Sant'Egidio agreement signified the beginning of an ideal economic and political environment for it to flourish as a bourgeois middle class.<sup>290</sup> The new local elite found peace in its broadest sense - which encompassed not only the end of the deprivations of war, but also a freedom that reduced its potential subaltern status.<sup>291</sup> If one takes into account social inequality, this is why the Fifth Generation (new local elite) has distanced itself from the subaltern endogenous groups (see Sumich 2016).<sup>292</sup> This is why the Sant'Egidio agreement is such a sensitive issue for them, becoming a tacit moral agreement between a social group and the state incumbents.

Thomaz (2013) adds that the end of the war did not mean peace for more endogenous groups. His field research in Inhassunge, in the environs of an old re-education centre, joins studies by other authors such as Fry (2000) and Kleibl (2017) - who suggest the influence of the "invisible society" (Kleibl 2017:175) on the political activities of endogenous civil society. Thomaz argues that the end of the war did not allow endogenous groups to mourn the dead, and this is why the restlessness of war continues. This leads one to think that it would not make sense to protest against the political-military conflict as in actual fact the war is still not over. "These people don't talk about retaking rights. It's not only because they are scared [of the Party/State], but also because their ancestors were killed but were not given a fitting farewell". These displaced dead are considered as left lost and wandering, demanding the *post-mortem* rites they are due.<sup>293</sup>

In addition, the narrative that unites abductions and war generated an indigenous-exogenous contestation, but the endogenous groups did not mobilise as the end the war did not make any changes to their trans-generational condition of subordination. Over 20 years after the war, while little has changed for endogenous groups, indigenous-exogenous groups have experienced profound change. Seemingly only the new local elite

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<sup>290</sup> Handley (2014) and Sumich (2016) have criticised this label "middle class" as they cannot see either economic or political transformational potential in this social group, which is both a by-product and an integral part of the State/Party power structure. In turn, the State/Party cannot allow this social group to control any means of production.

<sup>291</sup> Sumich (2005) and field work data refer to a system of rationing as "kilo-kilo", when people had 1 kilo of rice, 1 kilo of maize, half a kilo of sugar, and half a litre of oil each month.

<sup>292</sup> From 2002 to 2009, average annual inflation in Mozambique stood at 9.8 per cent, with GDP growing over the previous two decades, and currency stability with an average annual inflation of below 8 per cent. Increase in food prices stood at 11.3 percent, and this worsened the lives of the poorer populations, who spent 70 per cent of their income on food, while the new site elite spent the equivalent of only 10 per cent on food and was able to make ends meet without suffering the consequences of inflation during that period (OPais 2011).

<sup>293</sup> See Thomaz (2013)

and the invisible society are left with moral claims. For endogenous groups, to speak of the war means remembering a demand (Fry 2000).

#### **7.4 Contexts and forms of defiance**

This chapter has shown that human rights issues can generate defiance, providing they directly or indirectly involve the real issue. The LDH saw the “prison community” as a client for which it should provide legal aid, and Chapter 8 will show that in this way the organisation grew, thus reducing its political and economic vulnerability. Within the standard human rights framework, the LDH aided the prison community and focused on normative peripheral issues. However, the reality of the prison community’s protests lead one to believe that subsistence/food supply is also a real issue and can lead to defiance. On the other hand, the LDH worked only indirectly with it, and this led to co-construction together with peripheral issues - however, this took 16 years to happen.

The chapter also shows that defiance can be relatively short-lived and can rely on fragile temporary coalitions. The peace march was an urban event involving groups from similar social levels who worked directly with real issues linked to the war-abduction binomial. It took a quick and significant act of defiance to generate important outcomes over the following months. As discussed in Chapter 4, the military-political conflict worsened after the 2014 elections, and civil society ran out of energy to continue with the defiance. Chapter 8 will show how this neutralisation took place within the LDH and its effects on the organisation.

## 8 The League's neutralisation process

In 2014, I was invited by the Mozambican Human Rights League (the LDH) to coordinate the *Relatório Anual dos Direitos Humanos em Moçambique 2013/2014* (the Annual Report on Human Rights in Mozambique 2013/2014). Between September and December, I was present at one of the tensest periods that civil society had seen since the country's political opening, and this was partly motivated by the funding changes discussed in Chapter 4. Within the LDH, these changes were also instrumental in a profound political and economic crisis. Over this period, I was part of a team of five young activists aged between 25 and 35, who put up with delayed wages, management conflicts, and operational limitations in order to complete the job.

On 10 December, International Human Rights Day, we were expected to present our report to the organisation's president and officially finalise the year's work. However, this did not happen. The consequence of the institutional crisis was that the LDH's central figure did not participate, despite this being such an important date in the global human rights calendar. The report was eventually delivered to the organisation's vice-president, one of the leaders of a group of influential lawyers with key roles in the NGO. Everyone at the LDH headquarters in Maputo was unsettled after having engineered an unprecedented uprising in what is one of the main human rights organisations in Southern Africa. We knocked on the door and the vice-president opened it. All the smartly dressed lawyers were seated, and quietly listened to the vice-president: "I warmly welcome this report and would like to congratulate the team on its completion". Despite waiting for over five months to be paid, my team's delight was clear. The question is of course, why?

As mentioned in Chapter 2, I spent seven months with the LDH at different times throughout 2013 and 2014, and I experienced the crisis. This chapter will show that mechanisms of neutralisation turned the League into a space of power struggle through internal and external simultaneous actions. Power and civil societal theoretical frameworks can help to analyse how this happened inside the NGO. The last part of the chapter shows that neutralisation was part of a systematic reduction in the political playing field as well as within political forces aside from the Party/State.

## 8.1 Empowerment of the LDH as defiant civil society

The League was founded on three strategic pillars: reporting on and monitoring the prison system, legal assistance and civic education. It became more influential by dealing with a diverse range of subjects in the human rights framework, and through being systematically critical of Party/State. This section shows how the LDH started to be a leading defiant organisation, controlling its economic and political vulnerabilities.

### 8.1.1 Market opportunities and services

Article 62 of Mozambique's Constitution states that access to justice is every citizen's right, and that the state is obliged to provide it (CRM 2004). For the past two decades, the League has worked in conjunction with the Legal Aid Institute (IPAJ) - as set out by Law 6/94.<sup>294</sup> To do this, it trained and employed staff to support poorer members of society to navigate state bureaucracy, and collaborated with the state to meet the demands of the law. The service is one of the LDH's key points of contact with the population, and it sees dozens of people every day. Just between January 2013 and July 2014 - the period of the institutional crisis, as we will see shortly - over 6,000 people benefited from the service.<sup>295</sup>

Until the mid-1990s, funding was not enough to closely cover cases of human rights violations over the territory, but despite this, the NGO managed to attract international organisations for partnerships.<sup>296</sup> Over 20 years, one of the LDH's goals was to bring the public's attention to their rights and demands.<sup>297</sup> Danish International Development Assistance (Danida) saw the potential of this, and between 2000 and 2003 it gave US\$440.000 towards the League's activities in order to "stimulate and contribute towards a national human rights movement, (...) to increase citizens' awareness of their rights and enable them to respond when these rights are violated or put at risk" (Norfolk and Calane 2008:49). This support continued after 2003, but via *ProJustiça*, which is a programme from Danida that has been running since the 1990s, which finances government and civil society projects related to access to justice. In 2014, ProJustiça II

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<sup>294</sup> The Law 6/94 is regulated by the Decree-Law No.54/95.

<sup>295</sup> NGO worker interview, Bonn, 7 November 2016

<sup>296</sup> See HRW reports (1997, 1998, 2000) - all cf links and accessed dates in the bibliographical references.

<sup>297</sup> NGO worker interview, Maputo, 30 October 2016



transferred 150 million Danish crowns (over US\$22 million) to the Integrated Justice Strategic Plan and to support to civil society initiatives (Denmark in Mozambique 2014).

In the late 1990s, the LDH and other organisations like ORAM, the Mozambican Association of Female Legal Professionals (AMMCJ) and *Ética* (Ethics), began to receive funding through basket-funding. Already practised by the government, this mechanism follows a model where “donor funds are pooled and held in a special bank account for the exclusive use of the defined ministry outside the national budget and under the ultimate control of donors” (Batley 2005:419). In civil society, the “Netherlands, Danida, Norad, Helvetas, NOVIB and Hivos donor pool” was the most substantial and raised “US\$1.2 million for the LDH’s 1997-2000 programme and a similar amount for its 2000-2003 programme. Danida has continued to support the LDH through a donor pool” (Norfolk and Calane 2008:29-30).

This meant that the League’s annual budget grew from US\$200.000 to US\$1.2 million in six years.<sup>298</sup> In the mid-2000s, Denmark centralised ProJustiça resources destined for civil society through a single organisation: the League (Norfolk and Calane 2008:42). The LDH extended its range beyond its initial focus areas and introduced opportunities for vertical projects financed by donors separate from in basket-funding. For example, since 2005 it has reported on organ trafficking, and elections, and has assisted the victims of mega-projects.<sup>299</sup> Following the sharp contestation discourse of its charismatic leadership – the origins of which will be outlined in the next sub-section – the LDH created a culture of leaving its niche and going public. This way, it became strongly allied to diverse coalitions, including defiance over ProSAVANA.

Even though it found obstacles to fulfilling outstanding commitments,<sup>300</sup> the LDH had a good reputation with the funding community. With its larger budget, the NGO increased its presence in the country. It purchased premises and vehicles in the provinces and increased its staff. Provincial delegations and sub delegations were expanded in Tete, Manica, Zambezia and Sofala. There were paralegal centres in Mani, Matola and Matutuíne. In 2009, its budget was 2 million dollars a year and it had over 100 employees.<sup>301</sup> Organisations such as the Youth Parliament and the Mozambique Association for the Disabled (ADEMO) were all inspired by the LDH. The former, for

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<sup>298</sup> NGO worker interview, Maputo, 30 October 2016

<sup>299</sup> For more about organ trafficking c.f Pessôa *et al.* 2016

<sup>300</sup> The November 2000 Montepuez massacre was one of the strongest repressions of RENAMO protests about the outcome of the 1999 elections (see Bertelsen, 2003). Danida funded a report about, but LDH has not delivered it (see Norfolk and Calane 2008:48).

<sup>301</sup> It should be noted that the first formal LDH delegation was in 1995. It was formed by a group who had already been doing human rights volunteer work (NGO worker interview, Nampula, 1 May 2015).

example, started out with a base at the League's premises.<sup>302</sup> Thus, while the LDH minimised economic vulnerabilities in relation to the Party/State, it ceded space for donors' power over it.<sup>303</sup> The next section explains how the NGO decreased its political vulnerability.

### 8.1.2 Charismatic Leadership

In the second half of 2014, police approached me at the corner of Avenida 24 de Julho and Vladimir Lenine, in the centre of Maputo. I was late for an appointment, and did not have my passport with me. Being a foreigner, the police wanted to know why I was not carrying any papers, so I told them my documents were in my wallet and if they wanted to see my passport, I could show them, as I was only a few blocks from where I was staying. They continued to harass me however and then threatened: "We're going to have to take you down to the station..." One then asked: "But what are you doing here?" I replied: "I'm with the League". "The Alice Mabota League?" "Yes!" "OK, you can go, but in future, carry your passport with you!"

"People are afraid of Alice Mabota, not of the League", some Mozambican friends used to say.<sup>304</sup> The history of the LDH is entwined with the activist Alice Mabota's trajectory. At the helm of the League from the start, Mabota was responsible for introducing and implementing all the legal, critical and confrontational rhetoric against human rights violations.<sup>305</sup> It is common for Mozambicans to refer to the LDH as the Alice Mabota League.<sup>306</sup> She was the voice and face of the League for over 25 years with her reports and statements for the cameras and microphones, and she filled halls and auditoriums.<sup>307</sup> This public projection consolidated a popular idea (see Hinson and Healey 2003) of her powerful fearlessness and daring image, which inspired not only ordinary people, but also civil society activists. For example, for the defiance around the use of land - as set out in chapters 5 and 6 - activists told me they would rely not only on the support of the LDH, but also on that of its president for protection.<sup>308</sup> I have selected two episodes that have driven Mabota's image. These show how Mabota manages power

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<sup>302</sup> NGO worker interview, Maputo, 30 October 2016; NGO worker interview, Maputo, 19 November 2014

<sup>303</sup> See Powercube/IDS (2011)

<sup>304</sup> Verdade (2012b); NGO worker interview, Bonn, 30 October 2016.

<sup>305</sup> NGO worker interview, Bonn, 30 October 2016.

<sup>306</sup> Many people confuse the pronunciation and spelling of his name.

<sup>307</sup> For more information, see the annual report (Ldh 2003).

<sup>308</sup> NGO worker interview, Brighton, 1 December 2015

both to encourage defiance in the cognitive dimension of the contestation environment and in power disputes inside the NGO.

In 2002, a demonstration by the *madjerman* in the city centre square known today as *Jardim dos Madjerman*, ended in confrontation with the police. It was a tense scene with Mozambicans and former East German workers accusing the government of illegally confiscating their bank transfers, as seen in Chapter 4. At the time, people were scared to protest in the streets because of violent repression in RENAMO's protests.<sup>309</sup> Police used to fire on demonstrators with live ammunition. "Doctor [Alice Mabota] stood up to them [the policemen]; they recognised her and had to retreat. She was already well known. Then I realised that this was serious", recalled a participant.<sup>310</sup> This showed that Mabota's reputation could lead state agents to calculate the risks of their action.

In the context of the 2009 presidential campaign, former president Joaquim Chissano met legal experts and lawyers to persuade them to support Armando Guebuza for a second term. Chissano asked those present to explain why they would or would not vote for Guebuza. Mabota challenged him:

*I'll tell you what I think and feel. I mean no disrespect or offence, particularly because I greatly admire and respect the former head of state. (...) I won't vote for FRELIMO or Guebuza because FRELIMO humiliates and intimidates people. (...) Someone told me that politicians are jugglers, but for me juggling is not right, it is criminal and corrupt. That's why I don't want to vote for FRELIMO or for Guebuza.*<sup>311</sup>

In the 31 October 2013 protest described in Chapter 7, members of influential organisations reported threats, and also that a day before, the Maputo government had declared it an illegal demonstration. An activist said, "I was scared for the first time since 1974. I called Doctor [Alice Mabota] and she answered. I asked, "Aren't you worried Doctor?" She replied, "Don't worry. Let them speak. We'll be there tomorrow".<sup>312</sup> Mabota was the most influential figure at the demonstration, speaking on behalf of the NGOs.<sup>313</sup> With this event, Mabota showed she was able to mobilise resources for nonviolent actions, which had effects on the physical dimension of the contestation environment.

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<sup>309</sup> See Bertelsen (2003) for more on the massacres and crackdown on RENAMO protests.

<sup>310</sup> NGO worker interview, Maputo, 7 December 2014

<sup>311</sup> Blog Moçambique Terra Queimada (2009)

<sup>312</sup> NGO worker interview, Maputo, 24 November 2014

<sup>313</sup> Report from Miramar (2013)

In the League's headquarters throughout the country, the hierarchy is clear, especially in the use of the vocative "Doctor". Like other Portuguese-speaking countries, lawyers and other graduate professionals are often addressed as "Doctor". The League's driving force consists of attorneys and lawyers. Anyone with a degree qualification or above is addressed as "Doctor" in the League. However, it is common practice for most employees to refer to the president as "The Doctor", rather than as Doctor Alice. "The Doctor asked for this..., the Doctor said such and such..." This "Doctorism" homogenises all graduate employees and those in managerial positions in the provinces, and seems to limit gender issues, for example, at the level of lower ranking staff (from more endogenous social sectors, without degrees) like paralegals and general service workers. This "doctorism" is relevant in noting that the League's internal crisis took place in an "indigenous-exogenous" sphere, among the "Doctors".

Mabota is part of the so-called 8 March Generation. For the past years, her discourse has distanced her from the official FRELIMO party line, however, she does not deny her historical connections. She had a privileged dialogue with President Joaquim Chissano, with whom she shares ethnic ties. The same did not happen with Armando Guebuza.<sup>314</sup> It was during Chissano's administration that her reputation was solidified. In addition, activists believe that the president's credibility with international organisations and ambassadors - even winning international awards - allows her to criticise and accuse Party/State members.<sup>315</sup> "There were some key points when she received death threats. The international community had to demand that the state ensure her safety or risk losing credibility".<sup>316</sup> She also transits well through other political parties such as the Democratic Movement of Mozambique (MDM) and RENAMO. This is why Mabota has a kind of "special status" which protects her from retaliations.<sup>317</sup> "People believe that I can give them justice, and they invite me to events [all over the world]," says Mabota.<sup>318</sup> At the end 2013, people put her name forward for the presidency, but she declared later that she had dreamed of being a federal prosecutor.<sup>319</sup>

As seen in previous chapters, following defiance against ProSAVANA and the historical protest of October 2013, defiant civil society was targeted by processes of neutralisation. The next section examines the case of the LDH to show how upward

<sup>314</sup> Verdade (2012b); NGO worker interview, Bonn, 9 October 2016

<sup>315</sup> See Revista Eletrônica Biografia (2016).

<sup>316</sup> NGO worker interview, Bonn, 9 October 2016

<sup>317</sup> DW Africa (2014c); for more about MDM see Chichava (2010)

<sup>318</sup> Verdade (2012b)

<sup>319</sup> Random episodes witnessed over the field study nationally; VOA (2014); STV (2016b)

accountability - which refers to the accountability of NGOs toward donors and governments - can serve as mechanism of neutralisation.

## **8.2 Upward accountability for neutralisation**

Between the 1990s and the end of the 2000s, several audits suggested that improvements were needed in the League's financial operations. This is what led to the organisation stopping paying staff in cash and starting a management fund, for example. Eventually, the League was targeted by concerns about its transparency. One example is the project coordinated by the Italian Trade Union Institute for Development Cooperation (ISCOS) using funds from the European Union (EU) and hosted by the LDH for police and prison officer training, and which raised a number of issues regarding accountability. The audit conclusion was that the LDH was not responsible for these problems.<sup>320</sup> Since then there have been other sensitive cases that have come to light. In 2013, the press reported pay discrepancies at the League's centre in Zambezia. "They went, investigated the case, and discovered that no money had been stolen, however, they didn't tell anyone" in the words of the LDH president.<sup>321</sup> The following sub-sections examine the signs of neutralisation detected inside LDH.

### **8.2.1 Internal "de-democratisation"**

Episodes such as these started an internal narrative that put the organisation on the defensive. At the same time, the LDH started to implement avoidance strategy (Oliver 1991) – where organisations preclude the necessity of conformity. Amongst those in the League's management, it was common to suggest that donors wanted to intervene in the organisation, ignoring the Paris Declaration on Aid Effectiveness and the Accra Agenda for Action - which stated that civil society organisations should be autonomous and independent development partners.<sup>322</sup> I saw this defensive posture – taken by those whose pride had been "wounded" by "abuse" and "injustice" - in a visit to the provinces in 2013. A member of staff told me about the ISCOS case. "The EU sent a formal apology to the Doctor. She said she didn't want anything more to do with the EU".<sup>323</sup>

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<sup>320</sup> NGO worker interview, Bonn, 5 October 2016

<sup>321</sup> NGO worker interview, Maputo, 19 April 2015

<sup>322</sup> See OECD 2008:18

<sup>323</sup> Field work notes

The League's management was made up of department coordinators in Maputo and the organisation's provincial bosses. At the LDH headquarters in Maputo, there were seven departments: Legal aid, Penal System Monitoring, Reports and Investigations into organ trafficking, Strategic Planning, Advocacy and Pressure, Information (in civic education) and Finance. At a lower level, there were operational delegations to implement projects set by headquarters. There were delegations from the provinces of Zambezia and Tete, the Northern Regional Delegation based in Nampula and sub-delegations in Cabo Delgado and Niassa, and the Central Delegation based in Beira (Sofala province) which also covers Manica province. There were also paralegal centres in the south - in Matutuine, Boane, Manhiça and Xai-xai.

Rather than growing and becoming stronger, at the start of the 2010s, the League's governance lost influence with the General Assembly (AG), The Board of Trustees (CD) and the Fiscal Council (CF).<sup>324</sup> Some say that "buffering" tactic (Oliver 1991:155) resulted in a self-defence mechanism of the NGO, others argue this was due to the crystallisation of a nucleus of power in the organisation after 2010. In fact, the people who then headed each department were confidants of the president and had central links, and this put checks and balances at risk.<sup>325</sup>

Meetings with governance bodies also became less regular due to alleged "lack of funds and difficulties in bringing people together".<sup>326</sup> For example, the General Assembly [AG] had been created as an invited space which consisted of members from outside the organisation, as well as foreigners.<sup>327</sup> As time passed, the AG only had delegates from other provinces, office coordinators and other employees. Members who were not workers started to realise that they were only called on to officialise decisions that had already been made. The AG seemed "more like a staff meeting than a members' meeting", according to some employees. The CF was made up of employees and for many, this was cause for confusion as "the people signing off documents were also part of projects' execution".<sup>328</sup>

As power circles strengthened around the president, people in key positions lost influence, and the administration became less transparent; we will see the effect of this phenomenon on the organisation's operations in the next section.

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<sup>324</sup> LDH statute in force until 2015

<sup>325</sup> NGO worker interview, Bonn, 5 October 2016hr

<sup>326</sup> NGO worker interview, Bonn, 5 October 2016hr

<sup>327</sup> LDH statute in force until 2015 as provided for in Chapter II, Article 8, which can be national members and foreigners who have been inspired by "the same principles and objectives relating to human rights and who wish to contribute to the LDH".

<sup>328</sup> NGO worker interview, Bonn, 5 November 2016; NGO worker interview, Bonn, 9 November 2016

### **8.2.2 Operational Chaos**

I arrived at the League in the second half of 2013, a few weeks after the inauguration of its new headquarters at the end of July that year. The LDH had left their cramped premises at Rua Maguiguana - a central neighbourhood - for a larger two-storey building with more than 15 rooms, donated by the Swedish Embassy. I was ushered into a small office, built within a larger room. The Strategic Planning (GPE) coordinator welcomed me and offered me two options for collaboration: “Doctor, there are two lines of potential research for you. One is the annual Mozambican human rights’ report. The other is the report on human organ trafficking. Which would you prefer?”

I chose to work on the report on the trafficking of organs due to my personal interest in the subject. The next day, I was introduced to the coordinator of the Department for Research and Investigation into organ trafficking (GTOPCH). Due to a lack of space at the GTOPCH offices, I was installed in a different area where the Penal System Monitoring Department was based. A week later, the GPE coordinator called me to his office to tell me that I would be paid for conducting the human organ trafficking report. The sum on offer would help me cover my doctoral research costs that year with enough left over to get back to Europe safely. The contract was signed a few weeks later.

However, my feeling of euphoria turned into concern when I realised that the organisation was often late in making payments because of donors’ transference delays, and it was systematically affecting all NGO planning schedules. In practice, I - a humble PhD student and guest of the League who was there to observe it - had chosen which project the League was going to focus on in the following months when I accepted the “line of research” that I was most interested in. There was no payment guarantee because workers had not been paid for two months. Few people know the reasons for such chaos because of the asymmetry of information.

Each week, completely in the dark about the release of resources for the activities, I continued to send the GTOPCH and GPE coordinators new timetables for field studies. In total, there were eight versions. While the GPE coordinator told me every week that the funds were about to arrive, the GTOPCH coordinator did not even answer my e-mails. Realising that time was slipping away; I suggested that we start field studies in the south of the country close to Maputo until the funds for longer trips arrived. Thus, we held workshops in communities to get information on the people’s perception of human organ

trafficking. We also documented some cases in areas neighbouring Maputo. We were able to use the Paralegal Centres, which invited the community to welcome us.

These trips were organised through the GTOCH coordinator. Sometimes he himself would drive; however, on other occasions he would send an assistant - who was not a League employee. While on the road, we would stop for lunch of chicken, xima and salad. I was keen to keep the receipts once I realised that my colleagues were forgetting to do so, but that did not help people warm to me. With the deadlines we had set for the work, I saw a lack of focus in meeting task deadlines and, above all, considerable scepticism because of three reasons: (1) people did not know me; (2) I was also hindered by the fact I was a foreigner. The team tried to explain “cultural norms” to me, often in the belief that were trying to help, and teased me about my Brazilian accent; and (3) the office’s last report had been filed four years previously. This meant that completing reports was seen only as an emergency measure, and more recent employees were unaccustomed to this.

In October, the GPE coordinator finally announced that the funds had arrived. After a two-month delay, we were all extremely stressed, as I was expected to return to Europe on 14 December. As the GTOCH coordinator had said he was too busy to travel, I had to choose one colleague to go with me to the country’s Northern and Central regions and another to make the shorter trips to the South. My criteria were based on their levels of experience. The most highly experienced went alone, and the other came along with me. From there, we began an almost super-human operation in the provinces. Colleagues from delegations and sub delegations had registered and filed a lot of information on trafficking in the past three years. It was up to us to examine it, make triangulations and find new cases.

The energy that I found in the provinces was exceptional. The level of commitment, attention and accuracy - particularly within the tight deadlines - were a testament to the employees’ dedication, which went beyond the call of duty. In Cabo Delgado, for example, the sub-delegation coordinator was forced to adapt to our hectic work pace for a few days. On the most stressful day of all, she assisted in translations and drove a truck for nearly ten hours across the region, stopping at various locations between Montepuez and Pemba so we could hear people’s stories and host workshops. In Tete, we had to drive through the province’s dirt roads for two days until we reached the border with Malawi and managed to speak to witnesses of trafficking. In Manica, we drove down unfinished roads through forests in order to hear victims reporting their cases along the



Zimbabwe border. We visited prisons all over the country to try to understand the problem. The text was completed and delivered in December within the deadline. The management was astonished by the results. It was the first report that had been completed in years. I set out all the steps that needed to be completed over the following few months for publication: text revision and translation, photo editing, layout, launch and publicity.

When I was invited to return to the League in August 2014 to coordinate the *2013-2014 National Report on Human Rights*, which had not been produced by the organisation for some years, none of the steps I had suggested had been completed. However, I also had good news: in contrast to 2013, this time my colleagues knew me.

There were no longer any barriers between us, but there were months of unpaid wages. We shared out the tasks and, with our experience from the previous year and the institutional challenges we faced, we concluded we needed to forecast any difficulties due to lack of resources and political rivalries so as to deal with them and complete the task at hand. The “Head-on Approach” was a motivational impetus. We agreed to try to complete the project as well as possible. However, I still had no signed contract, and the GPE coordinator told me almost weekly that the text was being rewritten or had been lost with his pen drive. The signature had originally been scheduled for the first week after my arrival in Maputo, but it ended up taking months. The contract was eventually only signed two weeks before my return to Europe after I told other coordinators and the president about the problem.

The five young activists were probably motivated by idealism, institutional history, or career development, but every day I heard about family problems that were becoming more severe due to the delayed wages. The group started to split from the organisation. I left the country in December 2014 not only with the text of the *2013-2014 Annual Report on Human Rights in Mozambique* ready - an eight chapter, 189 page document with a conclusion and recommendations - but also with a completed *2013 Human organ trafficking report*, ready for publication. While the former still needed editing and publishing, the latter was lacking funding for first printing.<sup>329</sup> Despite all acclaims, the report was only finally published in March 2016 - over two years after the final delivery of the text. I discovered this by chance from some Mozambican journalists. No one from the League had told me. The following explains what led this operational chaos to take place.

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<sup>329</sup> This report was a document of almost 200 pages, completed without any funding whatsoever.

### 8.2.3 Power dispute

Dissident LDH coordinators and fiscal intermediaries had formed an alliance. They thought management problems could be solved if Mabota accepted the rotation of the Presidency and the GPE coordinator's dismissal.<sup>330</sup> Considering everything that the president represented for them and for the League, nobody would dare to challenge her alone. The GPE coordinator and the president on the other hand, implement a "concealment" tactic (Oliver 1991:154), where conformity is apparent and not real. Dissident coordinators supported and gave information to fiscal intermediaries, and this put the League under high pressure, using its economic vulnerability. Some expressions of power (Lukes 2004; Hinson and Healey 2003; Gaventa 2006a) are particularly pertinent in this dispute.

The LDH was transformed into a space of power struggle, and managers lost their focus on activities. The League's Strategic Plan (PELIGA) preparation process showed that disputes became the main agenda. Everything that happened was a reason for conflict. For example, the department coordinators sent PELIGA proposals to the GPE coordinators, but did not get any answers.<sup>331</sup> The situation generated unease and internal rivalry because it seemed that the coordinators' proposals had been ignored. Furthermore, according to staff, the plan of activities presented to donors to receive funds ended up not being executed. This dissatisfaction with the GPE's performance was brought to the president's attention in an invited space. Workers cited health problems, personal issues, arrogance and centralisation as issues with negative impacts on departmental performance and the organisation's internal governance,<sup>332</sup> but no one dared criticise management procedures in front of the president when they had the chance.

*'I said: 'ladies and gentlemen, we have a communication problem. We used to discuss plans and reports together; however, there is no communication any more. What happened?' To my surprise, the people who had called me said nothing at all'.*<sup>333</sup>

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<sup>330</sup> NGO worker interview, Maputo, 30 October 2016; NGO worker interview, Bonn, 28 November 2016; NGO worker interview, Maputo, 7 October 2014;

<sup>331</sup> NGO worker interview, Bonn, 28 November 2016.

<sup>332</sup> NGO worker interview, Maputo, 30 October 2016; NGO worker interview, Bonn, 28 November 2016; NGO worker interview, Maputo, 7 October 2014; NGO worker interview, Maputo, 5 December 2014

<sup>333</sup> NGO worker interview, Maputo, 19 April 2015

Mabota said that the group's silence meant she had no mandate to act: "What was the argument behind dismissing him [the coordinator of the GPE]? (...) If they had told me at the time, I would have been prepared. I need proof of what is happening". A further meeting with the chair of the LDH Supervisory Board, who is also one of the organisation's provincial leaders, also came to nothing. Instead, the other coordinators were accused of not supporting the organisation and not answering emails.

The accusations of lack of communication prevailed, but there was also the problem of the organisation's own coordinators' neglect, evidenced by their repeated absences. The issue of attendance at work was a genuine one. Senior staff were mixing up their own personal professional activities with League commitments. At least one of the managers had used the organisation's workers for his own personal gain.<sup>334</sup> This meant that at the start of 2010, the League was the target of accusations of lack of transparency, problems with staff discipline and the system of governance. Apparently, these kinds of challenges were similar to other organisations, and had therefore caused changes in donors' approaches, as seen in Chapter 4. This led to the rise of the fiscal intermediaries.

### **Donors' visible power**

As we saw in previous chapters, this demand for more stringent accounting led to an annual routine that delayed basket-funding transfers from the AGIR programme. In turn, this had an effect on wage schedules and activities between 2012 and 2015. Over this period, the League was funded by basket-funding and its so-called vertical projects.<sup>335</sup> For example, between January and March 2014, the LDH only managed to pay wages in the first two months as it had "debts from the previous year" to cover.<sup>336</sup> In May, after making the corrections that the audit had requested, the fiscal intermediary Diakonia released the first basket-funding instalment that made it possible to pay the outstanding operating expenses and salaries from March to May.<sup>337</sup>

The intermediaries' requirements intensified disputes between departments, all of which had ongoing projects.<sup>338</sup> For example, the first basket-funding instalment in 2014

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<sup>334</sup> NGO worker interview, Maputo, 7 December 2014

<sup>335</sup> One of the projects was with OSISA who transferred funds to activities and wages for people who were not employed by the organisation (NGO worker interview, Maputo, 19 April 2015)

<sup>336</sup> NGO worker interview, Maputo, 19 April 2015

<sup>337</sup> NGO worker interview, Bonn, 5 October 2016; Diakonia is a faith-based Swedish development organisation, which work with around 400 local partners in about 30 countries (Diakonia 2017).

<sup>338</sup> NGO worker interview, Bonn, 28 November 2016

was fought over. Some departmental managers were quick and managed to grab funds for their projects together with the GPE. Others, who were less aggressive, ended up with nothing. This is why the 2013 report on human organ trafficking had no funding for its publication.<sup>339</sup> The radicalisation of the internal disputes was also due to AGIR's new methodology. While in the past, the GPE had been responsible for planning and ensuring funding for activities, by that point it was deciding which department funds would go to.<sup>340</sup> Internally, decision power was concentrated in the hands of the GPE, which in turn reported almost exclusively to the League's president. The situation became so fraught with difficulties that in 2014, the departmental coordinators agreed a meeting to share the funds fairly. However, this did not end up working.<sup>341</sup>

Fiscal intermediary pressure is currently without dialogue and its lack of consideration of cross-cultural issues hinders accountability (Jackson and Haines 2007) and makes the aid system contradict itself. The request from Diakonia demanded a management dynamic that the League was not able to implement. The LDH started a downward spiralling conflict, both internally and with Diakonia. In order for the organisation to finance the months remaining, it needed the budget to be approved. The hope was that funds would be released early June, but this did not happen either. The intermediary complained about differences between the list of staff LDH had provided and those who were actually working, as well as about wage distortions. The League's reasoning was that some staff were paid from vertical projects, and that others were paid through general funding. Management had budgeted for the first half based on basket-funding, but the transfers were withheld.

In June, there was concern about the organisation's planning. Funds from vertical projects were used to keep pay and other projects up to date. Even though there was no guarantee that Diakonia would release the next basket-funding instalment, I was called on to manage an entire office and to meet urgent targets, which generated extra expenses and payments.<sup>342</sup> It appeared that the GPE and presidency were hoping that any outstanding issues were going to be resolved, but things then escalated. At the meeting, Diakonia rejected the budget and asked for it to be reformulated. "How can they, [in the middle of the year] refuse a budget that had already been made? What choice was there -

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<sup>339</sup> One coordinator even commented that another was asleep when funds were being distributed (NGO worker interview, Maputo, 7 December 2014).

<sup>340</sup> NGO worker interview, Bonn, 7 November 2016

<sup>341</sup> NGO worker interview, Bonn, 5 October 2016; NGO worker interview, Bonn, 7 November 2016

<sup>342</sup> NGO worker interview, Bonn, 5 October 2016

choose who would or would not be paid? Employment law means that workers have to be paid”, recalls Mabota.

In the second half of 2014, the president was pressured internally and externally to reform the GPE and the Finance department. Donors suggested that the LDH hire a new programme manager, but the president claimed it was too hard to find someone with a suitably “activist past”. “We’re going to have to do this gradually as you can’t just get rid of people. There have to be reasons. Get me someone strong and I will stand by them,” the president told one of her representatives at Diakonia.<sup>343</sup> Mabota was pressured again in September to dismiss the coordinator. This time, she said it was odd because the fiscal intermediary had only verbally asked for the coordinator to be removed, rather than doing so in writing.<sup>344</sup>

### **The narratives of Party/State’s hidden power**

In an attempt to try to understand what was going on in the LDH, I listened to several opinions on the role of donors and the Party/State in the institutional crisis. One of them is about the Party/State influence on donors through the alleged infiltration of the SISE in Diakonia. As seen in Chapter 4, SISE emerged as one of the state’s transgressive arms in numerous narratives.<sup>345</sup> Let us examine how this arose during the crisis.

In October 2014, the pressure on the LDH’s Strategic Planning and Finance coordinators was considerable. The fiscal intermediary continued to reject accountancy requests and to withhold payments.<sup>346</sup> The relationship between the League and Diakonia’s boards soured. The LDH had more than 120 employees and was planning 60 layoffs. The Legal Aid department was most affected, and an employee complained: “They’re letting go employees on US\$500 a month but keeping those on US\$3.000”.<sup>347</sup> One of the GPE’s last attempts to resolve the Diakonia issue was to ask management to provide proof of payments and receipts, which would have been an almost impossible task as these were submitted in 2013 and 2014 and not everyone in the League kept their fuel and meal receipts.

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<sup>343</sup> NGO worker interview, Maputo, 19 April 2015

<sup>344</sup> NGO worker interview, Bonn, 5 October 2016

<sup>345</sup> Verdade (2012a); NGO worker interview, Nampula, 1 May 2015; NGO worker interview, Maputo, 4 December 2014

<sup>346</sup> The information at the time was that in November, at least five account submissions had been rejected.

<sup>347</sup> NGO worker interview, Maputo, 7 December 2014

Mabota said the issue had been raised again, but this time by the League's vice-president:

*'[The Diakonia director] said she spoke to you about removing them [GPE and Finance Departmental coordinators]. The best thing to do would be to publish a public notice [to contract another person] Diakonia has said that once this is done, and you show willing, that they will release the funds'.*<sup>348</sup>

The President agreed with the idea and the vice-president redrafted the text, and announced that the LDH was looking for a new employee. The report was published, but the managers stayed and the funds were not released. "Nothing was released because that was not the issue" according to the president, commenting on behaviour between senior staff and the fiscal intermediary. At the same time, the President reminded us that in the context of civil society there was a general sense of dissatisfaction with the fiscal intermediaries, as seen in Chapter 4.<sup>349</sup>

In mid-October, the *Canal de Moçambique* newspaper published an article linking Diakonia's national director to SISE. The report stated that the director also worked at the ISRI's [International Relations Institute] of the CEEI [Centre for Strategic and International Studies]. The ISRI department also advises the Presidency of the Republic. "To be part of the CEEI and ISRI [like the Diakonia director is], the first condition is to be completely trusted by FRELIMO and, by extension, by SISE", it stated, and stressed that funding cuts hindered organisations from monitoring elections, and that they were only able to do the job because of aid from USAID and the EU.<sup>350</sup> This episode highlighted the transgressive narratives around SISE, and the relationship became more complicated because the alleged conspiracy seemed to fit in perfectly with the opinions of those following the organisational crises. Diakonia defended themselves:

*'We manage all funds in accordance with strict standards laid down by the Swedish Government and the EU. Our work has been to involve the organisation's internal management so they can be held accountable by members, represent them, have plans and reports that can be approved by these same members, and for strategic plans to reflect members' wishes. For members to continue to be able to perform this democratic exercise*

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<sup>348</sup> NGO worker interview, Bonn, 5 October 2016

<sup>349</sup> Ibid

<sup>350</sup> Canal de Moçambique (2014)

*annually, and for the secretariat to have well-trained staff who are able to liaise with the board of directors. This all continues to be a challenge’.*<sup>351</sup>

For the League’s president, the fiscal intermediary felt that the press complaint had come from within the League itself: “I wrote a letter telling [Diakonia] to take the case to court: ‘To make the case and accuse the League. And those responsible’. They did not do so. Diakonia declared war so they could hear staff rumour”.<sup>352</sup> Apparently, relations had become strained when the fiscal intermediary sent LDH a letter to tell them Action Programme for Inclusive and Accountable Governance (AGIR) had been reassessed. The organisations had all been graded between 75 per cent and 100 per cent. LDH’s score was below average at 73 per cent, and because of this it was officially excluded from the project. “The League has six months to resolve this. If it does not manage to do so, Diakonia will contact and assess other organisations to get involved in the programme”.<sup>353</sup> Mabota says she sent a reply: “Thank you very much. I have received your letter and wish new organisations the best of luck”.<sup>354</sup> The league removed itself from external pressure, implementing the tactic of “escape” (Oliver 1991:155).

#### **8.2.4 NGO-isolation**

Even the generous Danish partners were brought to a halt by the situation: “We would like to work with the League again, as we’ve worked together for the last 20 years”, a Danish official said.<sup>355</sup> I met up with staff from the Norwegian aid agency office who explained the complexity and difficulties of working with civil societies in Mozambique, and were sceptical about the League’s crisis. Embassies’ representatives were no longer listening to the LDH staff, but rather, to investigative journalists who were useful sources on human rights. Also, as seen in chapters 4 and 5, there were several donors who began to support Mozambican citizen mobilisation and to end support for civil society organisations suspected of mismanagement.

Although Diakonia wanted to clean up the DCS, it was beyond its abilities. Fiscal intermediaries were breaking NGO’s chances of recovery in a very sensitive moment nationally - when scepticism surrounding ProSAVANA was high, the security for

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<sup>351</sup> NGO worker interview, Maputo, 14 November 2014

<sup>352</sup> NGO worker interview, Maputo, 19 April 2015

<sup>353</sup> Agir, assessment letter, seen 19 April 2015.

<sup>354</sup> NGO worker interview, Maputo, 19 April 2015

<sup>355</sup> Comment overheard by the LDH president at meetings with the ambassador (NGO worker interview, Maputo, 19 April 2015).

elections was fragile, and massive human rights violations were taking place due the political-military conflict.

At that point, the gamut of issues raised by donors further increased. They wanted to know the reason for accounting delays, and the LDH's response was that these were due to last minute requests from donors asking for further information to be included and due to a variety of different reports required. There were also questions raised about the disparities between the actual number of workers and those declared, although this had previously been justified through the fact that some were paid through vertical projects. There were questions about employee absences – about which the League's president said she was unaware. It was also not clear why wages were paid in dollars, which the League had been accused of doing, particularly as workers' wages had not increased for the previous four years.<sup>356</sup> The paralegals' presence was also questioned, despite having been created over two decades before for legal aid purposes.<sup>357</sup> The sponsors demanded the organisation's wages policy by 15 January.<sup>358</sup>

The LDH's credibility was severely shaken. At the end of November 2014, the idea had been to publish the organ trafficking report in a limited print-run in one language for partners and the press so as to reduce costs. Effort was made to raise funds from donors who may have had funds left over at the end of the year. I took the report, which was ready for publication, to the Canadians and Germans. While they did see me, I was unsuccessful in getting funding. The interlocutors did not even answer the proposals. The impression I had was that donors were aware of what was happening at the League and were standing firm together to push for internal reforms.

### **8.2.5 The intern uprising**

In December, the LDH had splintered into different political groups and in some workers' heads the connection had been made between bad management and unpaid wages. The first group fully supported the president because of family links and loyalty (see Gomes 2012). A second group, composed of senior lawyers - some of whom were in managerial positions, questioned the president for having supported the GPE

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<sup>356</sup> NGO worker interview, Maputo, 19 April 2015

<sup>357</sup> In the 1990s, the League instigated paralegals in Mozambique to observe experiences in other countries in Southern Africa. The State does not recognise Paralegals as professionals; however, it does recognise Legal Assistants. This means that numerous paralegals get accreditation to work (NGO worker interview, Maputo, 7 December 2014).

<sup>358</sup> NGO worker interview, Maputo, 19 April 2015 and NGO worker interview, Nampula, 1 May 2015



coordinator, whom they held responsible for alleged mismanagement. The third group was made up of a minority of staff who had not been privy to the whole debate, and who were frustrated by the unpaid wages, even though they had not complained openly for fear of reprisal.

Employees were careful when talking about the alleged mismanagement outside the organisation. There were narratives about the centralisation of power, suspicions of illicit financial gain, lack of objective information about unpaid wages, hierarchical complaisance and arrogance, the lack of change in presidency despite being stipulated in the Statute, and nepotism.<sup>359</sup> Everyone seemed convinced that there were contradictions and inconsistencies between the discourse of certain coordinators and the League's reputation for good governance in civil society. Workers now had the impression that the League's stance against corruption in Mozambique had itself become tainted by alleged questionable internal practices. In the eyes of many workers, the decades-long discourse demanding an honest and well-managed state seemed bogus and contradictory.

The final straw for the uprising was actually related to issues of moral economy: the trips made by the president and GPE coordinator to the US when employees had not met their moral expectation for payments – for many the only means of subsistence; they were convinced that the maintenance of the GPE coordinator in his role meant delayed salaries. People asked how there was money to travel abroad when there had not been enough to pay people's wages.<sup>360</sup> Even though it was just supposition that these trips had been paid for with LDH funds, these insinuations increased the feeling of restlessness and resentment.

The GPE coordinator was the main target of fury for having allegedly covered up the organisation's financial deterioration and the dialogue with donors. The rebellion reached a peak when workers organised themselves for group action. The final meeting before the demonstration was at 11:30 on the morning of December 8. The dissident coordinators of other offices received a petition signed by employees demanding the resignation of the GPE coordinator. Interestingly, many merely initialled the document, making it impossible to identify their names. This ended up putting the reliability of the petition into question. For a week, the document was kept secret in order to protect the

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<sup>359</sup> The content of these conversations was also revealed months later in Público (2015).

<sup>360</sup> NGO worker interview, Bonn, 28 November 2016; NGO worker interview, Maputo, 30 October 2016. Several months later, the president denied using League funds for the trips that this was one of the reasons for her anger (NGO worker interview, Maputo, 19 April 2015)

League's reputation from the press. The idea was that the mobilisation would start a healing process.

On 9 December 2014, at around 10am in the morning, I noticed the corridor leading to the president's room getting very busy – filling up with senior lawyers from the League. One of these entered the Prison System Monitoring Office, where I was working, and told the coordinator: "It's now. Let's go!" I stood up, and tried to keep up with the group of lawyers who were much faster than I was. In the corridor, all I could see were the lawyers in their freshly pressed suits going into to the president's office before closing the door. They delivered the petition and said they would not accept working with the GPE coordinator anymore: "You must choose between his resignation and your own".<sup>361</sup> The President signed the coordinator's dismissal, but the following day, he resigned as well:

*'I had wanted him to complete PELIGA, to find someone else to take on the job to and to not create animosity. However, they said: 'So, get rid of this person we don't want. I had no one to replace him before the PELIGA plans were finalised. The only person who knew about all the plan's partners was him. We could have discussed it: 'let him work on the Plan and then leave, but while doing so, not work directly for the League''.<sup>362</sup>*

The president was visibly shaken and emotionally exhausted as the LDH Restructuring Commission was implemented. On 9 December 2014, the president was forced to take two days leave from the League to compose herself. This is why the lawyers met in the organisation's meeting room on 10 December and one - the vice president - received the annual Human Rights Report as mentioned at the start of this chapter.<sup>363</sup>

### 8.3 Resilience

2015 and 2016 were decisive years for the League. In this final part of the chapter, I will describe the events that show the charismatic leader's resilience.

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<sup>361</sup> NGO worker interview, Maputo, 7 December 2014;

<sup>362</sup> NGO worker interview, Maputo, 19 April 2015

<sup>363</sup> Two years after the report's conclusion, the team was still waiting to be paid as set out in the contract. Only one of the members participated in the wage claim lawsuit against the LDH.

### 8.3.1 The dissolution of the LDH Restructuring Commission

In January 2015, the LDH crisis came to public attention. A report by Voice of America highlighted management problems and the lack of change of presidency as the cause of the internal defiance.<sup>364</sup> The circumstances around the organisation's governance was highlighted, and the president became the main target of criticism.<sup>365</sup> Many blog and newspaper readers were worried about the League's and particularly Mabota's position: "stay strong, Mama Alice, keep up the struggle for us", wrote one of them.<sup>366</sup> In a letter to the *Savana* newspaper, published on MediaFax, Mabota was accused by the collaborators of running out of steam to lead the LDH. According to the press, in the last two weeks of January, the LDH Restructuring Commission asked her to leave. Her response was to complain about the way she was being treated:

*'When they asked me to legitimise the Commission, I did so in good faith and I said what I thought was right, but it seems the power is now theirs. Particularly, as up until 2014, what I tried to nurture no longer has any value and it seems now that your committee should take responsibility. The League is at your disposal, while being aware that the priorities are the new headquarters and the shared assets (...). Everything purchased using shared assets will remain in the new headquarters and things paid for from other funds will return to the old headquarters, where I will continue to pursue my vision'.*<sup>367</sup>

The letter put the Commission in an uncomfortable position as it implied she wanted to "follow her dream". She mentions the LDH's smaller and more modest former headquarters, and refers to the new headquarters on Avenida 24 de Julho. The following week, the president claimed she needed to see the former GPE coordinator to complete the audit process and he returned to the organisation. The LDH Restructuring Commission gave the president five days to convene a general meeting to assess her role. By now, allegedly tired of the dispute, the President decided to offer to stand down, thereby instigating an institutional debate amongst the League's governance bodies. "I saw it as a lack of respect", was Mabota's comment on the episode.<sup>368</sup>

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<sup>364</sup> "The first League's statute didn't set a time limit for a person to meet their responsibilities in government. The second version, which remained in force until 2015 set an eight-year limit. In 2015, the new statute again ends again with a two terms limit"

(NGO worker interview, Bonn, 29 November 2016; LDG statute up to 2015).

<sup>365</sup> VOA (2015)

<sup>366</sup> Blog Moçambique Terra Queimada (2015)

<sup>367</sup> Text reprinted on the blog Moçambique Terra Queimada (2015), credited to the *Savana* newspaper and MediaFax.

<sup>368</sup> NGO worker interview, Maputo, 19 April 2015

There was debate between members of the Executive Board and the LDH Restructuring Commission. The former did not accept that the President should open the role to “workers” [LDH Restructuring Commission], and demanded that any request to this effect be submitted to the Executive Board.<sup>369</sup> The LDH Restructuring Commission was losing impetus through interventions by the governing body - which emerged with a statutory power. Based on the president’s offer of resignation, the vice-president informed donors that Mabota was no longer in office. However, then the General Assembly was called, and in March, the Fiscal Council told donors that the president was still in office.<sup>370</sup>

With the political defeat of the LDH Restructuring Commission, Alice Mabota undertook to complete a plan to restructure the organisation, to terminate staff contracts to tackle the debt that was now over US\$500,000 and to cooperate with the audits requested by Diakonia. On the issue of changing names in the presidency, she said that the law on associations did not insist on this. “If they want to change over every three years, they should make a law for that. What I do not want is to be compared with other parties. Other parties have something written down. Where is that for me?”<sup>371</sup> Before signing their letters of dismissal, paralegals and lawyers received another letter reminding them that, irrespective of their links to the organisation, they were still legally bound to the cases and people they were representing.

The audits did not hold anyone liable for the alleged management problems, but advised making changes to the accounting system. The LDH sold cars, property and even cattle owned in Tete province to pay off its debts: “Is this activism?”<sup>372</sup> For the remaining months of 2015 and 2016, it continued to offer legal aid at an extremely low level.<sup>373</sup>

### **8.3.2 Political Playing Field compression**

2016 saw no signs of restructuring in the League. The former GPE coordinator had been seen visiting the organisation.<sup>374</sup> Mabota tried to keep the League “public”, bringing a number of diverse issues to the public sphere. In accordance with the vertical project model, the League had found partners to support investigating the refugee crisis caused by the political-military conflict.<sup>375</sup> It called press-conferences to publish the

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<sup>369</sup> NGO worker interview, Maputo, 30 October 2016

<sup>370</sup> NGO worker interview, Maputo, 19 April 2015

<sup>371</sup> NGO worker interview, Maputo, 19 April 2015; NGO worker interview, Nampula, 1 May 2015

<sup>372</sup> NGO worker interview, Nampula, 1 May 2015

<sup>373</sup> NGO worker interview, Maputo, 30 October 2016; NGO worker interview, Maputo, 7 December 2014

<sup>374</sup> NGO worker interview, Maputo, 7 December 2014

<sup>375</sup> See LDH 2016.

findings,<sup>376</sup> and to try to revive the defiance of the “war-abduction binomial”.<sup>377</sup> In June, citing the League, Mabota led a march organised by various groups “against the political and economic crises in Mozambique”. The president received a telephone threat about the demonstration:

*‘Your family will suffer because of your attitudes, just ask Macuane.’<sup>378</sup> If you do not believe me, I will be sure to be at your funeral commiserating with your loved ones. I have my eye on you. Just try going to the Pensão Martins tomorrow. God rest your soul’.<sup>379</sup>*

Mabota went there and found civil society members that had organised a press conference on the demonstration. The next day she received a new message:

*‘I warned you: afterwards you’ll say that I’m not a friend. I went to the Pensão Martins and sat in the front row to hear everything. It is a pity that the cost of stubbornness is death. God rest your soul’.<sup>380</sup>*

The event had a far less significant adherence than the 2013 protest.<sup>381</sup> Indeed, the Party/State and donors alternately triggered processes of neutralisation, as if they were in a kind of unconscious (or conscious) alliance. The result was the dramatic reduction of the political playing field for civil society and opposition forces in Mozambique between 2013 and 2016, as seen in Chapter 4. The League’s president was repeatedly asked by the press to comment on the direct attacks to human rights in the country, including the “hidden debt” crisis. These kinds of media interventions have meant the LDH has not been forgotten.<sup>382</sup> Around 20 months after the 9 December uprising in 2014, Diakonia and the LDH reached an agreement for the auditing firm Ernst and Young to begin the promised League restructuring. The consultancy contract was for a year as of November 2016.<sup>383</sup>

Chapter 8 discussed the neutralisation process of one of the most important human rights organisations in the Southern African region. It highlighted the organisation’s loss of focus on its work and the role played by donors and the Party/State during the crisis

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<sup>376</sup> See LDH, Press Conference Nr.01/2016, 10.05.2016

<sup>377</sup> See LDH, Press Conference Nr.01/2016, 10.05.2016

<sup>378</sup> Just a short time before, the academic José Jaime Macuane had been shot in the legs in an act that was understood as political intimidation.

<sup>379</sup> See the Revista Eletrônica Biografia, 19.08.2016

<sup>380</sup> Ibid

<sup>381</sup> Sapó (2016a) Mozambican civil society to march today against political and economic crisis.

<sup>382</sup> STV (2016a; 2016b; 2016c)

<sup>383</sup> NGO worker interview, Maputo, 7 December 2014

that took place over a period when Mozambique was experiencing increasing human rights violations. We learnt the practices and effects that led the League during the neutralisation process, and its charismatic leader's efforts to stop the NGO from closing. The next chapter will raise some final considerations regarding the context of defiant civil society and the questions that this study intends to answer.

## **9 Final considerations**

This section will conclude this study by addressing its main question: how did defiant civil society struggle for political change in ways that reflected the claims of the moral economy in Mozambique between 2010 and 2015? The answer is structured through complementary topics and through following the initial secondary questions. Who is part of the DCS in Mozambique? What are the main interests in dispute between DCS and state organisations, and how have struggles taken place? How have DCS's values and tactics been presented in the struggle for moral economy issues in Mozambique? What kind of engagement has there been with political parties and to what effect?

The empirical material and analysis of the theoretical networks of power, contentious politics, competitive authoritarianism, moral economy, social movements and the public sphere, have shown that any efforts towards real change need to be implemented by taking into account the unique complexities of each political and social environment. Preceding chapters have evinced that the theory of defiance can contribute towards an accurate interpretation of the effectiveness of civil society contestation initiatives, and of why some initiatives face such immense difficulties to even emerge. This serves to underline the conclusions shown in the literature on African civil society, and proposes an analytical study to try to understand the reasons and efforts behind making real change, trying to comprehend the potential of a supposedly “genuine” African civil society while taking into account that it is not framed in organisations, but freed in individuals. Although on the one hand, Tocquevillian scholars see African civil society only as an aid-oriented framework, on the other, their detractors see this “genuine” civil society agenda only partially, and try to find vague and aleatory explanations for civil society contestations throughout the continent. By focussing on the origin of protests against the ruling power from an anthropological and historical perspective, the theory of defiance helps to understand the game that is played between the most powerful and the subalterns, by reading civil society also as a set of hybrid regimes, influenced by the constellations of local, national, and global interests and ambiguous dualistic dynamics.

All this indicates a conclusion that defiance in civil society is a process that begins with individuals, and not with NGOs. Also, indeed, that DCS is not a fixed group of people, but rather individuals in a public momentum. This momentum invariably gathers its initial strength when the latency is broken, and may finish if the real issue is

neutralised, going back to a latent state (see Fig. 2.2 in Chapter 2). This is why the best way of understanding DCS is as a group of individuals in collective action, without trying to frame them in organisations. That is to say, it is not necessarily made up of informal alliances, nor is it necessarily an advocacy organisation proposing a subject that may even be more important to its donor than to its target public. It is possible that individuals of a formal organisation can bring up real issues and install contestation environments, characterising an expression of DCS – while it is also true that individuals without a link to a formal organisation may also do so. Thus, the discussion concentrates here on the capacity of individuals to bring real issues into the public sphere and to keep them sustained at a critical level.

DCS can only be brought into being when, in the eyes of a social group, there is a real issue at stake. That is to say, when there is a strong enough issue to make the individuals of this group rise up to demand it. It becomes visible when power structures are overcome and latency is ruptured – that is to say, real issues are conducted into the public sphere and contestation environments are formed. Issues of human rights and moral economy have caused crystallisation of defiant civil society in the period studied. The issues of moral economy are the result of tacit agreements on subalternisation between powerful and powerless, and both sides recognise that the conflict is legitimate because those agreements have been broken. This recognition, however, does not guarantee that the powerful actors will accept the demands of the subalterns. What usually occurs is the opposite: to maintain the status quo, real issues are neutralised by powerful groups during the disputes.

Such reactions by powerful groups can intensify the internal tensions of civil society organisations, potentially resulting in a rejection of established leaders' authority with consequences including management chaos. It is possible that leaders of organisations may be co-opted, but activists and professionals continue the defiance in the name of the organisation itself or as independent agents, contrary to the desires of the leaders. That is to say, it could be the moment at which organisations are less dependent on the will and intentions of their leaders. However much they may be infiltrated, or external influence may neutralise the organisation or the issues, DCS can continue if the individuals are determined that it should. The stronger the activists' identification with the cause and with the people interested, the greater is the chance of this 'insubordination' happening. That is to say, activists and professionals need not only to understand, but to feel why the real issue has to remain in defiance or co-construction.



We have seen that, in Mozambique, the conditions for peasants' subsistence security and the threat of war-abductions binomial to urban local elite are highly inflammatory issues. Both can be driven to defiance by groups that are organised, vigilant and focused. We have seen that the food supply from families to inmates in Mozambican prisons is another inflammatory subject that has not yet been fully dealt with by NGOs within the sector. Other research can potentially bring up real issues that may trigger upheavals against complex power structures in different regions of the world. This study suggests some of the ways this can happen, and suggests that real issues are often matters of moral economy that relate to very specific factors. For example, Chapter 7 proposed that defiance depends on the issue, the public and the moment. Discussion of the war and abductions led to the uprising of one particular group that realised that their vital needs were at risk, and this meant they risked a resurgence of past economic hardships. On 21 October 2013, not only did the Sant'Egidio peace agreement collapse, but also a tacit moral contract. The significance of this was only truly understood by the new local elite, and this led to the crystallisation of defiance. It was only a short defiant act, and was neutralised through a lack of focus and by the mechanisms already outlined.

However, in 2016, there were new demonstrations around the theme of war. Fewer people attended these as there was no longer the sense of widespread insecurity that threatened the vital needs of the new local elite. The low impact of the political-military conflict on urban areas gave this indigenous-exogenous population, with whom normative NGOs identified and communicated, the sense that the war would not dramatically affect them. This meant that the initiative became a random event that was unconnected to 2013, and meant that the DCS identifies real or peripheral issues with a particular social group, and employs actions at relevant circumstances. Therefore, it is not enough to use the tactics of defiance as outlined basically in chapters 5, 6 and 7, to reach real change effectiveness. It is necessary to conjugate these tactics with the right context, opportunity, social group and claims. A useful subject for future study would be to develop systematisation methodologies for this.

The processes of defiance in Mozambique between 2010 and 2016 were on issues of civil, political and economic rights. These have been the main subjects of dispute in DCS and the state. They have been addressed through temporary coalitions in cases of defiance, and barely efficient participation spaces in cases of co-construction. The defiance theory developed here shows that human rights issues can be linked to issues of moral economy, but that this is not a rule. Human rights issues are usually peripheral

issues which, when debated and well proposed, may indirectly bring real issues to defiance. Chapter 7 showed how it may happen that real issues may not be included in regulatory frameworks for real change. Defiance is less a prescriptive than an organic and historical phenomenon. It is a challenge for development aid to realise and understand this because finding the real issue requires a historical and anthropological approach that this sector sometimes ignores.

Expressions of power are able to hide the real issues, but those issues will continue to be latent. How can such issues be identified so that this latency can be broken? This is another unresolved methodological question that remains far from the concerns of development financing offices in the West. The current approach is to guess what the real issues are using the normative concept of basic needs - and this tends to be overly generic. While on the one hand, development agencies manage to prioritise the urgent needs of certain communities through actions based on the concept of basic needs, on the other they still leave much to be desired in their support of advocating for real change - which is also a concept that from an ethnocentric perspective is very open. Within the Mozambican competitive authoritarian context for example, opening spaces for participation does not guarantee political or social transformation. Spaces, issues and organisations are neutralised, and future study may be able to contribute to analyse how to prevent this, and how to help genuine civil society organisations to become more vigilant and focused on their economic and political vulnerabilities so that they are not so easily neutralised.

One of the vital contributions this study hopes to make is to innovatively enrich the understanding of this group of individuals which is now the focal point of dialogue for Western development policies in Africa. In general, authors tend to see African societies as endogenous blocks. The theory of defiance shows that it is not a binary issue just between endogenous and exogenous factors; rather, there is an indigenous-exogenous hybridism that makes any treatment of civil society more complex. This hybridism has been a part of African societies for centuries, and has influenced civil society as a whole via colonial and neo-colonial systems. Even the economic-political debate over what the African middle class actually stands for cannot ignore the historical and anthropological hybridism that this study proposes.

Chapter 1 proposes that Western concepts are incompatible with socio-cultural African elements (Obadare 2004). The impact of the hybrid elements on African associational life does not contradict this idea, but may add a new perspective to this

debate. The indigenous-exogenous hybridism is a product of the ‘civilising mission’ of colonialism in various regions of Africa. For example, that British colonialism proposed to ‘civilise the tribes’, while French colonialism aimed to ‘assimilate the individual’. Both models created a type of African personnel which, as from halfway through the nineteenth century, was available to build the bridge between the colonial power and the indigenous population. These African personnel was gradually subalternised in favour of a migrant European elite in the new imperialism, as we have seen in Chapter 3. This generated a hybrid subaltern layer which Mamdani (1998) classifies as ‘educated middle strata’, which replicated itself all over the continent in the flow of the mission to ‘civilise traditional Africa’. They were individuals who had the formal education and the confidence of the coloniser and simultaneously connected with traditional endogenous communities.

The new generations of these African personnel are now the focal point of dialogue for Western development policies in Africa. In recent decades, apparently in some circumstances, randomly or otherwise, there has been an effort to fit the western NGOised model into the genuinely African civil society. This reasoning becomes plausible when we see the cases in which DCS is characterised after the connection between individuals of indigenous-exogenous social groups – members of funded NGOs – and individuals of endogenous sectors. This conjunction forms a body of contestation that is not homogeneous, nor has defined duration, and remains active from the breakout from latency up to neutralisation. The transit of indigenous-exogenous individuals (in NGOs or otherwise) between different strata of African society can form DCS. Thus, the western concepts, as Obadare argues, may be incompatible with sociocultural African elements, but the western intervention causes visible effects, among which is the DCS resulting from the approximation of western funded NGOs and endogenous groups.

Chapter 1 cited Hammet’s (2014) reflection about Western development actors, in which civil society is reduced to both a homogenised ‘sub-set’ used to transmit narrow neoliberal agendas and a ‘sanitised form of civil society’ that oversees the multiplicity of power relations and flows. The studies of DCS give a phenomenon within this ‘sub-set’ a critical positioning. It is seen that, when they characterise DCS, hybrid and endogenous sectors free themselves from this ‘sub-set’, inaugurating contestation environments, including actions with a transgressive dimension. The transgressive dimension includes visible actions, and codes of conduct in gestures and phrases, that are part of a kind of meta-relationship that is not immediately obvious to outsiders. Breaking with the rules of

conduct or laws imposed by the power of the state, so as to maintain the real issues in the public sphere, acquires a tacit legitimacy in these circumstances. Demystifying the uncivic character in civil society, thus, is another contribution of the theory of defiance.

If it is true that civil society's impact on governance is more likely to come from rooted civil society than from foreign funded intermediaries - as the Gaventa and Barret (2010) inputs highlighted in Chapter 1 argue - it is also important to note that breaking out from latency depends much more on detection of the real issue than on the strong discourse of a funded NGO. The issue is: indigenous-exogenous groups can be important in helping populations that do not succeed in rupturing the latency on their own. As per the concepts of Levine (2011), also discussed in Chapter 1, people need civil knowledge to participate in the political system, and these indigenous-exogenous groups have a capacity to distribute that civic knowledge. At the same time, the contrary can be true: these groups may also be completely insignificant for the purposes of the breakout from latency. As the case of UNAC discussed in Chapter 5 shows, it depends on their attitude, their vision.

Among the neutralisation mechanisms, one that has not been looked at in depth in this study, but which is often seen in contestation, is the claim that certain demands are illegitimate. This is an intrinsic element of contestation environments, especially when dealing with a Party/State. This political-party issue is relevant to Mozambican civil society debate because of the power of FRELIMO, which is expressed through the links between the 8 March Generation and historical FRELIMO. The engagement of the political parties in civil society is mainly expressed via FRELIMO. It is high and its effects are visible. For example, while chapters 5 and 6 showed that the peasant identities of UNAC members give them the potential to spearhead a social movement, their economic and political vulnerabilities may end up transforming the organisation into a service provider NGO. This thesis has shown how the Party/State has used its political connection with UNAC to neutralise it. Defiance has been circumstantial, and an exception in UNAC's trajectory. The existence of a defiant wing within the organisation led UNAC to set up a contestation environment that was unique in the history of Mozambique, and which lasted for over three years. Its defiant wing meant that UNAC was an irritant to the Party/State and this is what led to the organisation's neutralisation. However, despite this, the individuals responsible for the defiance have remained active. Even though they uphold their peasant status based on past generations, the defiant wing is actually made up of a group from the new local elite. What is it that enables them to

communicate so successfully with endogenous groups? Is there such a thing as “defiant DNA”?

By definition, DNA is an organic compound with molecules that contain hereditary genetic information. This study has shown that both the first and fifth generations of civil society have undeniable shared factors, with characteristics that have lasted for decades: a kind of hereditary indigenous-exogeneity. These are groups that show in their own way, **Defiant Awareness**, **Neutralisation Vulnerabilities** (political and economic) and **Alliance Capabilities** towards subaltern and foreign groups. Perhaps it is this that is the DNA of the defiant civil society.

As we saw in Chapters 3 and 7, the shared characteristics of the fifth generation are awareness and audacity, from the old-school local elite and even from *muzungu* society. At different times in history, the three groups have consisted of individuals who make up an intermediary level between those in power and those who have less influence. These are groups whose intermediary position was under threat, and that responded by challenging the established power networks. They have basic expectations and needs that are inherent to their intermediary social position, and this makes them politically and economically sensitive, which in its turn holds a latent instability. These are individuals whose knowledge is more extensive than endogenous/exogenous knowledge as they are educated and have an understanding of local and global linguistic cultural concepts. They are groups with an extraordinary ability to work together as they are naturally able to move between the endogenous and exogenous world, and know how to create alliances with subalterns, how to make those in power uncomfortable, and how to forge international partnerships – starting processes of co-construction and defiance that may have a greater or lesser sense of identity, and that may have local, national and even global repercussions.

The previous chapters have shown that it is hard to define who is part of the DCS, as it is not a fixed group of people, but rather, a public momentum group. However, if one considers that the individuals in this public momentum group have the “defiant DNA” to incite and/or encourage other individuals towards collective protest, we would conclude that public momentum groups are influenced not only by this DNA but also by external factors that lead individuals to defiance. We have seen how some of these external factors involve issues of moral economy and human rights that encourage groups to defiance, however, previous chapters have also demonstrated that there are other external factors that may have a neutralising effect on defiance, and that act directly on

what we have called neutralisation vulnerabilities that are also part of this “defiant DNA”. Chapters 5, 6, and 8 show not only these economic and political vulnerabilities, but also show how these can be overcome through resilience – which, in turn is here expressed through the collective attitude of persistence, audacity, focus and vigilance. For example, Chapter 8 shows how high management skills can help to avoid operational chaos and the LDH’s isolation from the NGOs. Greater plurality and space for input from every member of the organisation, and greater accountability towards not only donors but also recipients and workers, could help to avoid processes of de-democratisation and internal power disputes within NGOs.

The authors discussed in Chapter 1 (Lang 1997; Dicklitch 1998; Silliman 1999; Hickey 2002; Obadare 2004; Sadoun 2006; Bebbington *et al* 2008; Banks and Hulme 2012; Fowler 2014; Bukenya and Hickey 2014; Hammett 2014) have highlighted concerns about the legitimacy and effectiveness of aid-supported NGOs, and these have also been emphasised by recent work such as that by Brechenmacher and Carothers (2018). This study has identified some key issues in relation to these concerns, and some possible ways forward based on the experience of defiant civil society in Mozambique. Advocacy NGOs try to characterise contestation environments, but frequently fail because they do not succeed in causing the movements that they propose to have a mobilised adherent public to supplant those established power structures. What the theory of defiance teaches us is that real issues can create contestation environments, and DCS is able to make itself robust in those environments. This happens because of two factors. First, because individuals directly interested and affected by the real issue constitute an inherent part of the contesting group, that is to say, they are part of the DCS. Secondly, because all the people involved see the real issue at stake, and there is collective identity and reason for the mobilisation. The cases examined in Mozambique indicate that in questions of moral economy and human rights the breakout from states of latency can be the first step toward real change. When there is dysfunction in the system of governance, there is a greater probability of real issues generating processes of defiance or co-construction that lead to real change. One challenge for development aid is, for this reason, to have the perception on what are real, peripheral and non-issues – an ability that is not developed in NGOs nor in donors.

As a result of this, it seems to be urgent that defiant groups should arrange for the breakout from latency to cease to be a random event. The historical and anthropological aspects of this theory demonstrate that the rupture of latency is no accident. This is why

any interventions aimed at constituting co-construction and defiance processes must be certain that these are real issues for a specific community, and that the theory of defiance shows that this is possible to detect. For development studies, it shows that the universalisation of normative issues may actually be a risky and expensive mistake. Issues in latency are not always proposed by the agenda of the international aid industry. Therefore, working and developing the observation of latency and real issues may be able to save not only resources, but also the wear and tear that affects NGOs when they find themselves unable to engage with local populations.

With the increase of neoliberal logic to the detriment of party-political ideologies in hybrid regimes, the theory of defiance empowers policy makers and development project designers, at the same time as expecting them to be ever more adaptable, precise and provide solutions. The Fig 2.2 in Chapter 2, “Defiance theory key concepts inter-relation”, proposed the identification of, and intervention in, real issues, which means taking the perspective of the population into account – and considering their daily routines and the dynamics of power that hold them back from achieving real change. This study can therefore offer the global development aid community the opportunity to hone and refine project design and creation, and underscores the importance of historical and anthropological analysis.

The eventual neutralisation of the LDH meant also the neutralisation of numerous issues for which it was the principal advocate in Mozambique. If one considers that civil society acts as a counter to the State, from a broader perspective the neutralisation of the LDH was part of an offensive that has been identified as a kind of shrinking civic space on a global level (Carothers and Brechenmacher 2014). In Mozambique, this phenomenon was reflected in the suppression of human rights – with violations in the field of political-military conflict and repression of protests by activists and intellectuals, as discussed in Chapters 4 and 8. The theory of defiance shows us that in order to manage defiance, those in positions of power use assimilated mechanisms either consciously or unconsciously by a range of state or non-state organisations that are involved in defiant groups. Whether deliberate or not, Diakonia – seemingly with the most genuine and legitimate intentions – as seen in Chapter 8, ended up implementing an approach that contributed to the neutralisation of the LDH and the issues it worked with. The changes to the AGIR projects led to shock and management failures that weakened organisations in the short-term, and that in the mid-term led to the increase of human rights’ violations and consequently to the suppression of general civic spaces for free protest.

Civil society is globally facing an existential threat through dramatic processes of limitation of its spaces for operation by the actions of governments with an intention opposed to democracy and human rights. This phenomenon operates by aiming to neutralise various real issues that were in defiance or co-construction, and return them to latency. In spite of this retraction, real issues will always exist, even when they are in a state of latency. A possible strategy for reversal of this phenomenon would be to give greater importance to the endogenous context, to the detriment of the exogenous normatisation. By this means, certain issues could return to the public sphere, generating an opening of contestation environments. However, the connection between real issues and human rights is an immense challenge to be overcome in development studies because it is not automatic.

As discussed in section 2.3, scholars as John C. Mubangizi (2013), Niklas Hultin (2014) and Mark Frezzo (2015), for example, contribute to the debate when they deal with arguments involved in circulation of the canonical human rights discourse, in the era of globalisation, to the reality of communities. The globalised normative and legal framework of human rights does not always connect with certain cultures, which consider these to be peripheral issues. Among so many explanations, this helps us to understand why some subjects of human rights, when launched in the public sphere, do not generate sufficient engagement or impact to mobilise. At the same time, the theory of defiance shows us that peripheral issues can rupture latency when they are linked in some way to real issues. In these cases, historical and anthropological elements help analysts and activists to detect real issues linked to the human rights involved in a given community. If the latency is ruptured in this way, there is a greater chance of contestation environments arising with the participation of the communities and, as a consequence, the reopening of some spaces which are being closed. For this to occur on a wider scale, adjustments are necessary in discourses and methodologies of intervention. A first possible impact of this adjustment would be human rights ceasing to be presented to people as rhetorical, technical-normative and professional themes, which are difficult for both those involved and even agents of the State to access. There would be a 'translation' into the language and circumstances of peoples' daily lives, a clear link to real and urgent questions. Identifying the congruence between real issues and human rights becomes the challenge which the theory of defiance in civil society can help to overcome. Real issues related to the moral economy, for example, are legitimate in the eyes of all those involved in power relationships. Therefore, when they are brought to the surface they are not



ignored by any political actor, and may be causal factors that propel concrete transformations. The question that activists and analysts should ask is: what are the human rights issues that connect directly with real issues in a given community? And, based on that point, to work knowing that the engagement of the people who are interested and affected is more likely to happen, whether in defiance or in co-construction.

The defiant civil society is, by itself, a form of reaction to shrinking of the civic spaces currently being seen (Civicus 2011, Carothers and Brenchenmacher 2014, Hossain *et al* 2018). The effort to be in DCS may legitimate the NGOs because it obliges them to be connected to the communities and obsessed with overcoming the latency of real issues of those communities. That is to say, if DCS is a public momentum, the NGOs should seek this momentum to fight against their de-legitimation. DCS is a weapon for confronting constraining legislation because it can act transgressively in such a way that all those involved in the dispute understand and accept the reason for the transgression. Clearly this does not mean that there will not be any retaliation, but powerful people are more likely to see legitimacy in the claim and in contentious performances, the more that they violate the legislation. That is to say, DCS has the innate power to force and expand spaces that in their origin are restrictive or closed to civil society. The breakout from latency is, in the final analysis, this. Clearly this does not necessarily mean that progress toward real change is guaranteed – this depends much more on the dynamics of power in the contestation environment.

The foreign funding institutions are increasingly convinced that to say that one is representing or speaking in the name of some group is not enough to justify support or financing: it is necessary to present concrete results and acceptable accountability procedures (Civicus 2011, Carothers and Brenchenmacher 2018). In this context, DCS emerges as an objective that can favour the sustainability of an NGO. To seek to be in a ‘defiant momentum’ means working to break latencies, observing, understanding and reporting consistent results at each stage of the defiance and the co-construction – and at some point highlighting public policies that arise from these processes. In relation to internal management, another step would be for NGOs to realise that DCS is made by individuals, not necessarily organisations. It is important that it should be asked: who are the individuals that are really the supporters/collaborators/helpers? What is their impact on the context of social entrepreneurship, community and defiance? Excessive ‘professionalisation’ to the detriment of established identity may turn out not to be the best way forward for organisations in certain niches. Perhaps it would make more sense

to work on balancing identity and professionalism. At the same time, the financing bodies need to be in harmony with this transformation. It is crucial that the agencies should perceive that the financial attention that today is given to the agenda of the donors needs to be re-aimed, at the real issues of the communities. To combine the exogenous agenda with the endogenous agenda is not impossible, but it calls for an observation with instruments that the theory of defiance can provide. This change of behaviour in the context of development aid appears to be key, not only for breaking out from the latency of real issues, but for orienting the donors themselves in the allocation of funds.

The destination of the funds in the environment of projects for democratic governance is a subject that intrigues the funding agencies active in Mozambique, to the extent that many forget the NGOs and invest in trying to empower more endogenous groups. This could all be irrelevant, but the work of NGOs such as Environmental Justice, Living Earth Centre and ADECRU shows that superficial analysis of this new local elite could lead to hasty interpretations. Cross-cultural clashes can be harmful and can lead to neutralisation processes such as the LDH underwent. The LDH created a trajectory of relevant service provisions and sought to maintain a constant presence in the public sphere through its charismatic leader. It is true that the LDH did not communicate with more endogenous social groups for its defiant interventions, and only for service provision. It is also true that launching peripheral issues into the public sphere without being focused and vigilant enough to take them to the following stages either of defiance or co-construction was also questionable. However, the LDH was key to an indigenous-exogenous defiance with the public with whom it maintains excellent communication and with whom its activists identify. The defiance of war and abduction has perhaps been the biggest non-violent urban challenge ever made to a Mozambican government. This was a transformational defiant act, and it had visible outcomes.

This study has shown that processes of defiance are possible both in rural and urban areas. It has also shown the complexity of these processes in locations with such heterogeneous social and powerful political structures. Is it possible that working with real issues that are common to more or less subaltern social groups could lead to transformational popular defiance? This will be an interesting subject for future study. However, for the moment, we can believe that a step back from non-issues may be an effective way of achieving far-reaching change that will benefit the vast majority of the population.

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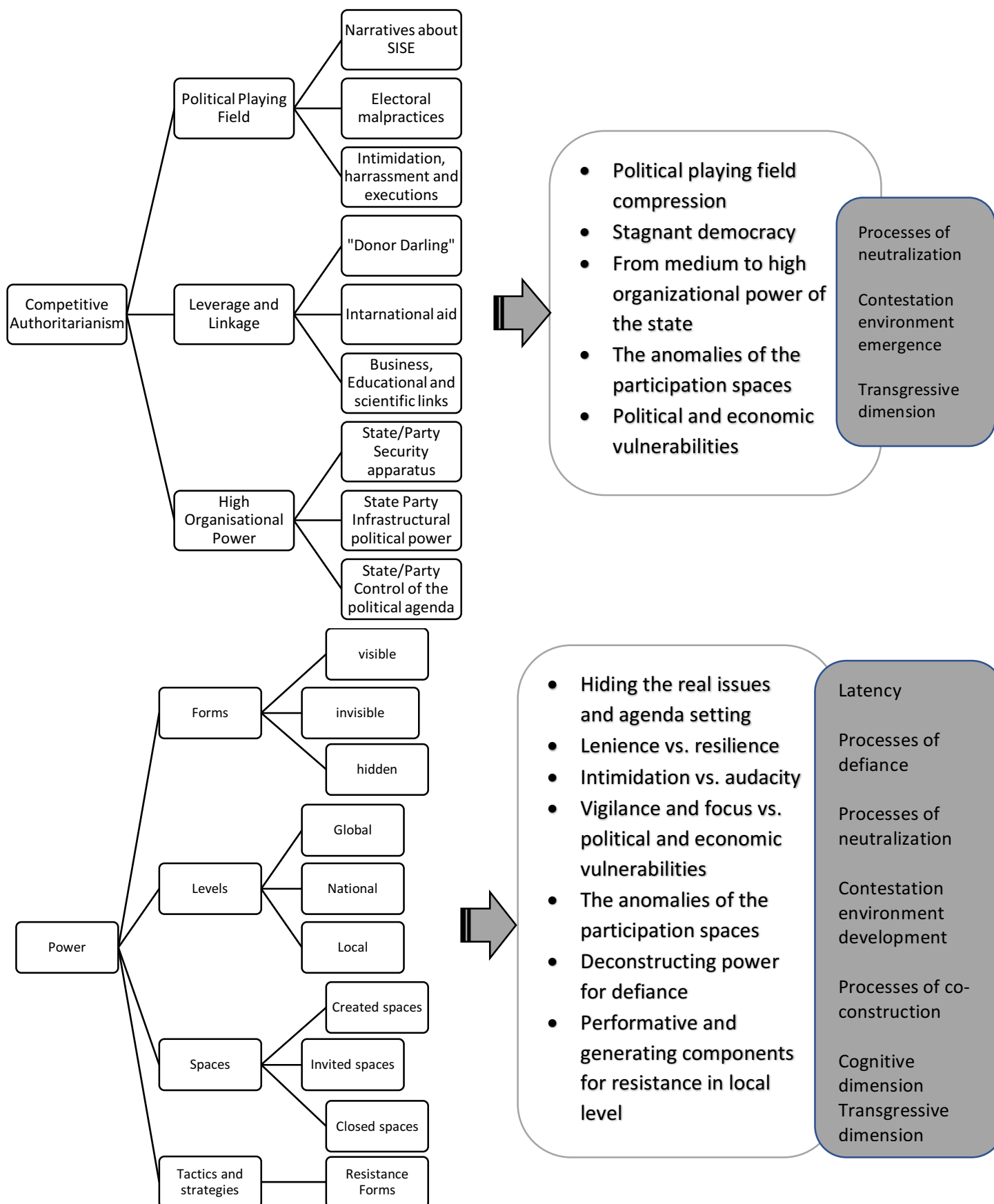
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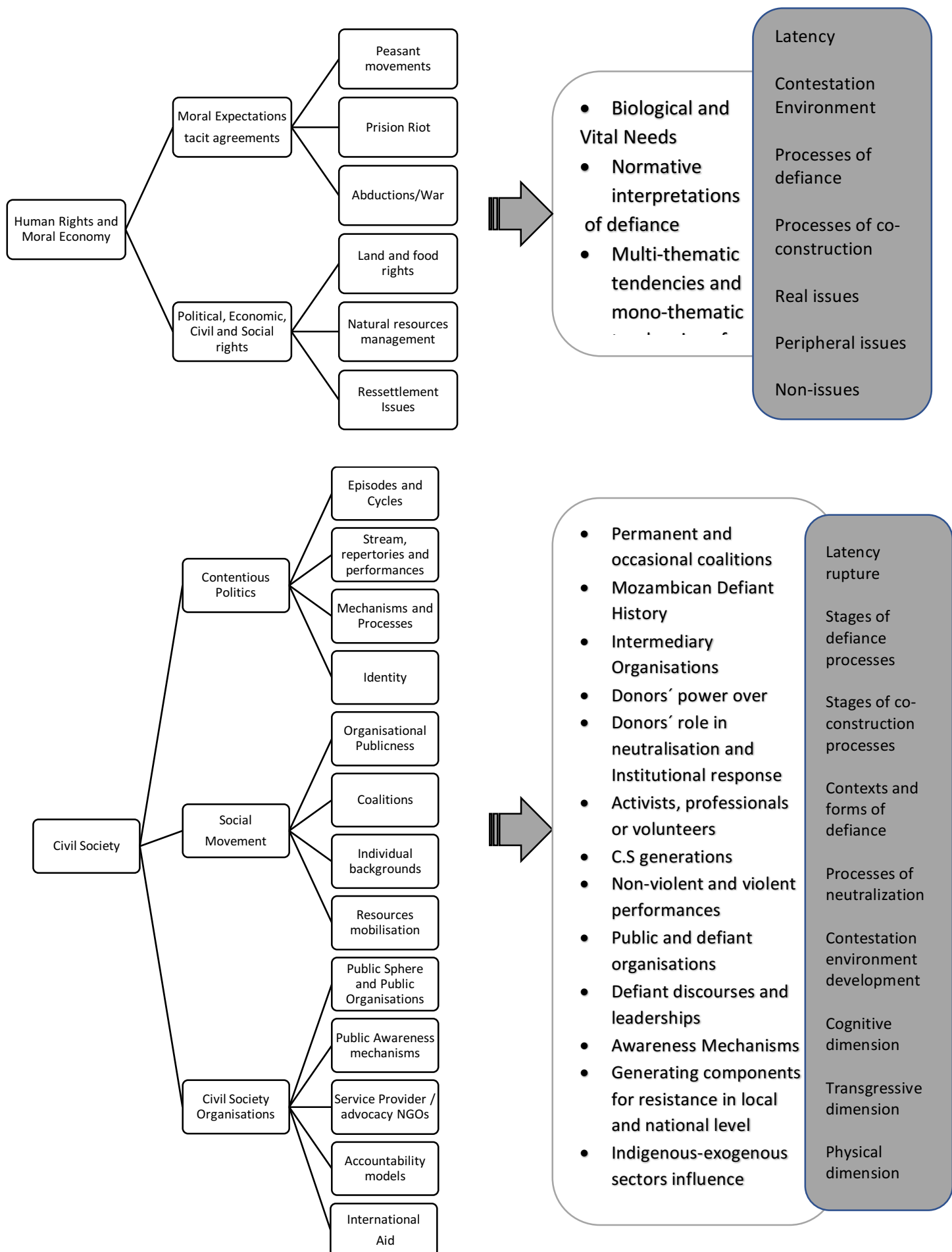
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## Annex A – Coding and defiance rationale

Graph A.1 Structural coding of the defiance rationale





## Annex B - Co-construction and neutralisation (Land rights and LDH)

**Table B.1: Co-construction, paradigms and civil society style (Chapter 5)**

Paradigm	Context	Legal framework	Endogenous framework	Power	Civil society style:	Co-construction
Colectivist	Planned economy, Profound economic and political crisis; Proxy war structurally affects economy.	State Ownership of Land common asset Forcibly recruiting and dislocating workers	Traditional leaders' exclusion, Compulsory recruitment and displacement for rural labour force	Closed spaces; National Level; power over,	Complicit, High political and economic vulnerability, Vigilance and focus: blind Co-construction: inexistent	Inexistent
Comunitarianist	Refugees return to their lands after civil war. Land tenure conflicts. FRELIMO is weak in rural areas	State Ownership of Land It is easier to prove land use and right. To protect existing land rights To reduce the level of conflict To attract investment into rural areas and stimulate community development.	Traditional leaders' inclusion, Consuetudinary and pro- communities' reforms	Created spaces, invited spaces; Local National Level; power to.	Propositive; High political and economic vulnerability; Vigilance and focus: readiness	Blocked between agreement and maintenance stages Peripheral issues affect real issues.
Evolutionist (During 2000s)	FDI strategy; Extractive industry boom Large-scale agriculture projects Food crisis	State Ownership of Land; Mining Law; "Mining DUAT" over "Peasant DUAT" Land Law Management Investment Guidelines	Traditional Authorities co- option; Mercantilisation, Informal Land rent and sale; Resettlement process ignores basic services and historical and sociological issues.	Closed spaces in international level; Lenience in invited spaces; Power over	Reactive, High political and economic vulnerability, Vigilance and focus: blurred	Collapse Peripheral issues are non-issues.

**Table B.2: Neutralisation process from December 2014 to December 2015 (Chapter 5)**

Neutralisation Events and Episodes	Visible and invisible targets	Power dimensions	Contestation environment
Plataforma de Arquitetura de Diálogo to allegedly discuss Land Law. (Resistant and coexistence currents in civil society; Brazilian, Japanese and Mozambican governments representatives attended.)	Co-option through contract offers; know the reason for radicalization; who is whom in defiance; seek for an agreement to start to be lenient and take the control of the dispute.	Impact in National level; Invited space built with all stakeholders. This gave credibility to the initiative. Hidden and invisible power expressions.	<p><b>Physical dimension:</b> With donor's crisis and UNAC's moving out, UDCs, UPCs, defiant wing and resistant current were severe impacted in financial resources. Government hired important activists and leaderships of defiant civil society.</p> <p><b>Cognitive dimension:</b> Intimidation by defiant wing leadership dismissing; institutionalist narrative on partnership with civil society to solve land issues in "micro spaces". Consultancies reduce organisations audacity.</p> <p><b>Transgressive dimension:</b> Co-opted UNAC political council decide for activist returning by January, but he returned just in July 2015. Reschedule of consultations meetings. Reducing space for ProSAVANA debate in communities.</p>
Encontro anual do corpo técnico da UNAC	Pull UNAC out of the contestation environment.	Impact in National level; Invited space inside UNAC; Hidden and invisible power expression through 8 march influence.	
Exploring Economic vulnerability (Government hired defiant NGOs for consultancy to know communities' grievances)	To map the main resistance focuses.	Impact in National level; closed spaces; visible power expressions	
Exploring Political vulnerability (8 march generation and government representatives taking decisions.)	Resistance reduction.	Impact National level; closed spaces; invisible and hidden power expressions.	

**Table B.3: Upward accountability as a mechanism of neutralisation - effects and practices (Chapter 8)**

<b>Effects</b>	<b>Practices</b>
Internal 'de-democratisation'	<ul style="list-style-type: none"> <li>- Closing internal participation spaces</li> <li>- Authoritarian and abusive management</li> </ul>
Operational Chaos	<ul style="list-style-type: none"> <li>- High pressure with no compensation</li> <li>- Lack of transparency</li> <li>- No staff payment</li> <li>- Asymmetry of information</li> <li>- Actions with no plan</li> <li>- Staff in danger during operations</li> </ul>
Power struggle	<ul style="list-style-type: none"> <li>- Fractions in NGO's management staff</li> <li>- Conspiratorial initiatives</li> <li>- donor's visible power expressions</li> <li>- Hidden power narratives (Party/State)</li> <li>- 100 per cent focus on the struggle</li> <li>- Abandonment of projects</li> </ul>
NGO isolation	<ul style="list-style-type: none"> <li>- Low credibility among donors</li> <li>- Low credibility among international NGOs</li> <li>- Low credibility among national and local civil society.</li> </ul>
Internal deconstruction	<ul style="list-style-type: none"> <li>- Deteriorating managers reputation</li> <li>- Workers' anger</li> <li>- NGO abandonment</li> </ul>



**Table C.1: Urban contestation environments at National Level in Mozambique (1890 – 1930)**

	<b>Nativist cycle</b> (Monarchy and Republic)	<b>Worker cycle</b> (Republic)
<b>Transgressive Dimension</b>	<p><b><u>Normative prevision:</u></b></p> <p>(1) Labour Law of 1899</p> <p>(2) Civilising ideal, colonial integration and assimilation</p> <p>(3) Associativism</p> <p><b><u>Transgression:</u></b></p> <p>(1) Forced labour and displacement; chibalo were the personal property of the patron; wages went unpaid; workers who had completed a contract were not allowed to return home; arbitrary subterfuge for prison labour, bad accommodation conditions.</p> <p>(2) Segregation and division between indigenous and nonindigenous.</p> <p>(3) Partial censorship to exogenous associations.</p>	<p><b><u>Normative prevision:</u></b></p> <p>(1) Labour Law of 1899</p> <p>(2) Civilising ideal, colonial integration and assimilation</p> <p>(3) Associativism</p> <p><b><u>Transgression:</u></b></p> <p>(1) Forced labour and displacement; chibalo were the personal property of the patron; wages went unpaid; workers who had completed a contract were not allowed to return home; arbitrary subterfuge for prison labour, bad accommodation conditions.</p> <p>(2) Assimilation law, Division between indigenous and nonindigenous.</p> <p>(3) Partial censorship to exogenous associations.</p>
<b>Cognitive Dimension</b>	<p><b><u>Narrative, positionality and action:</u></b></p> <ul style="list-style-type: none"> <li>- Nativist local elite claimed to represent the interests of the uncivilised masses, preaching the end of racial inequality and segregation, labour restrictions and displacement.</li> <li>- Nativists and republicans want to overthrow the monarchy.</li> <li>- Divisions among the Nativist movement, many wanted co-construction instead defiance.</li> <li>- Local elite was disposed to contempt (audacity).</li> <li>- State officials believed Nativism was a separatist movement.</li> </ul>	<p><b><u>Narrative, positionality and action:</u></b></p> <ul style="list-style-type: none"> <li>- Nativist local elite followed a different stream of contention generated by the economic crisis between the First World War and the end of the First Portuguese Republic.</li> <li>- The link between citizenship and race, high inflation, high prices, Escudo devaluation, hunger, worsening work conditions for the autochthonous mass, the <i>passe</i> and the <i>chapa</i> mobilised several groups and created a generally contentious mood.</li> <li>- Local elite and chibalos were disposed to contempt (audacity).</li> <li>- State officials believed Nativism was a separatist movement.</li> <li>- State officials attempted to delegitimise the alliance between assimilated and non-assimilated population.</li> <li>- Chibalos and settlers saw nativists as “the others”.</li> </ul>

<b>Physical Dimension</b>	<ul style="list-style-type: none"> <li>- Local elite established Nativist Organisations (NOs)</li> <li>- NOs replicated in many urban centres.</li> <li>- NOs acted as a launch for unions such as the UTA.</li> <li>- NOs started newspapers in Portuguese and in local languages (ronga, changana and zulu).</li> <li>- Repertoire: newspapers and petitions publishing; limited political playing field for protests.</li> </ul>	<ul style="list-style-type: none"> <li>- Proliferation of Nativist associations, trade unions and employer organisations.</li> <li>- Informal network building between different organisations in the colony, the cities and abroad.</li> <li>- European political party units in the colony.</li> <li>- Repertoire: newspapers and petitions publishing; waves of demonstrations and strikes, protests with violent and non-violent actions.</li> <li>- State repertoire: military interventions, state of emergency, arrests, deportations, assimilation law for co-optation,</li> </ul>
<b>Outcomes/Neutralisation</b>	<ul style="list-style-type: none"> <li>- The republic was proclaimed.</li> <li>- Low adherence in protests.</li> </ul>	<ul style="list-style-type: none"> <li>- Forced enlargement of the political playing field for civil society.</li> <li>- Higher adherence in protests.</li> <li>- The start of the New State.</li> </ul>

## Annex D – Contestation environment at local level

**Table D.1: Contestation environment at a local level for subsistence security in Mutuali**

Contestation environment dimensions	Front-line defiance Elements
Transgressive	<p><b>- Public audience participants selection by:</b></p> <ol style="list-style-type: none"> <li>1) Indigenous-exogenous organisation banning through asymmetry of information due: <ul style="list-style-type: none"> <li>- Date and Place rescheduling at the last minute.</li> <li>- Invitations distribution</li> </ul> </li> <li>2) Uninvited people being prohibited to take part of the public audiences.</li> </ol>
Physical	<p><b>- State/Party representatives:</b> ProSAVANA's outsider technical staff, public servants and traditional leaders with human technical and monetary resources available to defend the program.</p> <p><b>- Indigenous-exogenous activists:</b> organizations with human, monetary and technical resources to influence on front-line (many NGOs did not participate because of the funding crisis).</p> <p><b>- Nonviolent action:</b> organisations and peasants occupy physical spaces and apply perform components as cryptic and opaque actions, defiant speeches, and march to the local authority's house.</p>
Cognitive	<p><b>- Historical Narrative reproduction:</b></p> <ol style="list-style-type: none"> <li>1) <u>Moral contradiction narrative:</u> Secret policy had outsiders and liberating local elite in a land-grabbing alliance that violates land law.</li> <li>2) <u>Fallacy narrative:</u> ProSAVANA would promote land-grabbing using fallacy of fostering family agriculture</li> </ol> <p><b>- Defiance generators:</b></p> <ol style="list-style-type: none"> <li>1) Peasants assimilate the drama of their neighbours – families from Gurué migrate to Mutuali due to land-grabbing.</li> <li>2) Peasants assimilate Brazilian peasants' drama, with victims of "ProSAVANA's brother", Prodecer.</li> <li>3) Peasants tracked activists' speeches tone and, in their own way, reacted to ProSAVANA in an authority deconstruction tactic.</li> </ol>

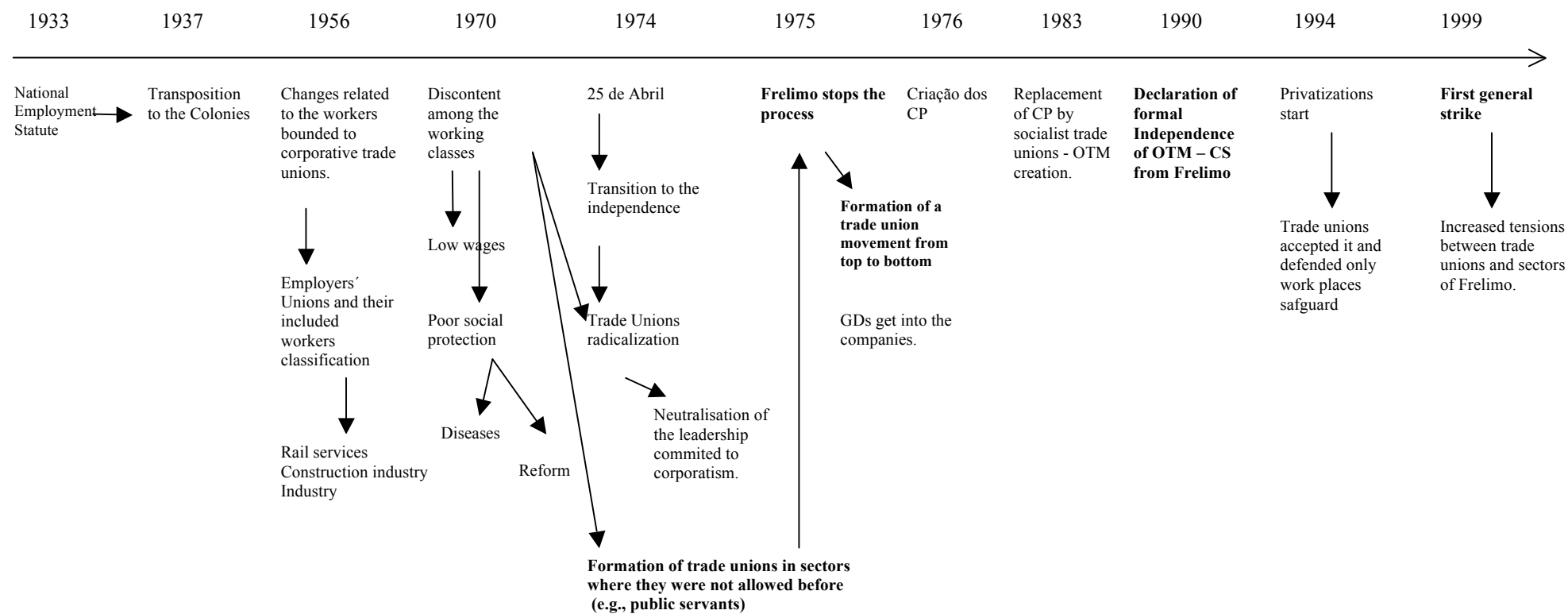
## Annex E – Contentious episodes in prisons

**Table E.1: Episodes and riots in the press from January 2010 to December 2016 in Mozambique**

Date	Penal institution	Episode
02.02.2010	Machava Prison (Maputo)	Police fired at a young prisoner during a riot that happened over the 2010 food riot. “They wanted to go home”.
09.12.2010	Ndlavela Women’s prison (Matola)	Denmark funding Project for breeding chickens and reducing dependence on governmental food supplies.
04/04/2011	Cadeia Provincial (Nampula)	Riot “against overcrowding, bad hygiene and sanitation”, 550 inmates in a space for 90. Many were relocated to the industrial prison of Nampula.
16.07.2011	Cadeia Provincial (Nampula)	Families are not allowed to give food to inmates for days and demanded a public explanation.
14.09.2011	Cabeça de Velho (Chimoio)	Almost 90 inmates protested against bad food supply. Prison prohibited the entry of food from families for days.
12/03/2012	Cadeia Provincial (Nampula)	Cells depredation: inmates wanted to sunbathe together. 90 were relocated to the industrial prison.
07/11/2012	Cadeia de Máxima Segurança (Maputo)	Hunger strike. “SERNAP informed that the riot was caused by seizure of drugs and mobile phones”. There were 864 inmates, 424 in pre-trial detention.
20.11.2012	Cadeia de Tete (Tete)	46 escaped after prison riot.
24.05.2013	Cabeça e Velho Chimoio (Manica)	SERNAP says that inmates will grow vegetables for their food supply. “It will decrease government costs. (...) Prisons economic activities cover only 14 per cent of its needs”.
19/02/2014	Centro Penitenciário de Mize e Cadeia provincial de Pemba (Cabo Delgado)	Families want to sue the Justice Ministry after 16 deaths allegedly because of starvation. Three inmates died of anaemia in another prison.
04.04.2014	Estabelecimento Penitenciário Preventivo (Maputo)	Prison riot because a “Brazilian female prisoner did not get conditional release.
16.07.2014	Cadeia Central (Machava)	German inmates sent money to buy sugar, rice and soap.
25.04.2015	Cadeia de Máxima Segurança (Maputo)	Inmates wanted to cook, but instead, only receive packed lunches from families.
05.10.2015	Cadeia Central (Machava)	Prison riot after “inmate death in hospital”.
30.03.2016	Penitenciária Regional de mabalane (Gaza)	Inmate publicly complained about bad food supply. Prison responded that the budget is too low to improve it.
14.12.2016	Cadeia Central (Machava)	Riot because of seizure of belongings.

## Annex F - Trade Unions timeline in Mozambique

Table F.1



Source: Ribeiro (2015)

## Annex G

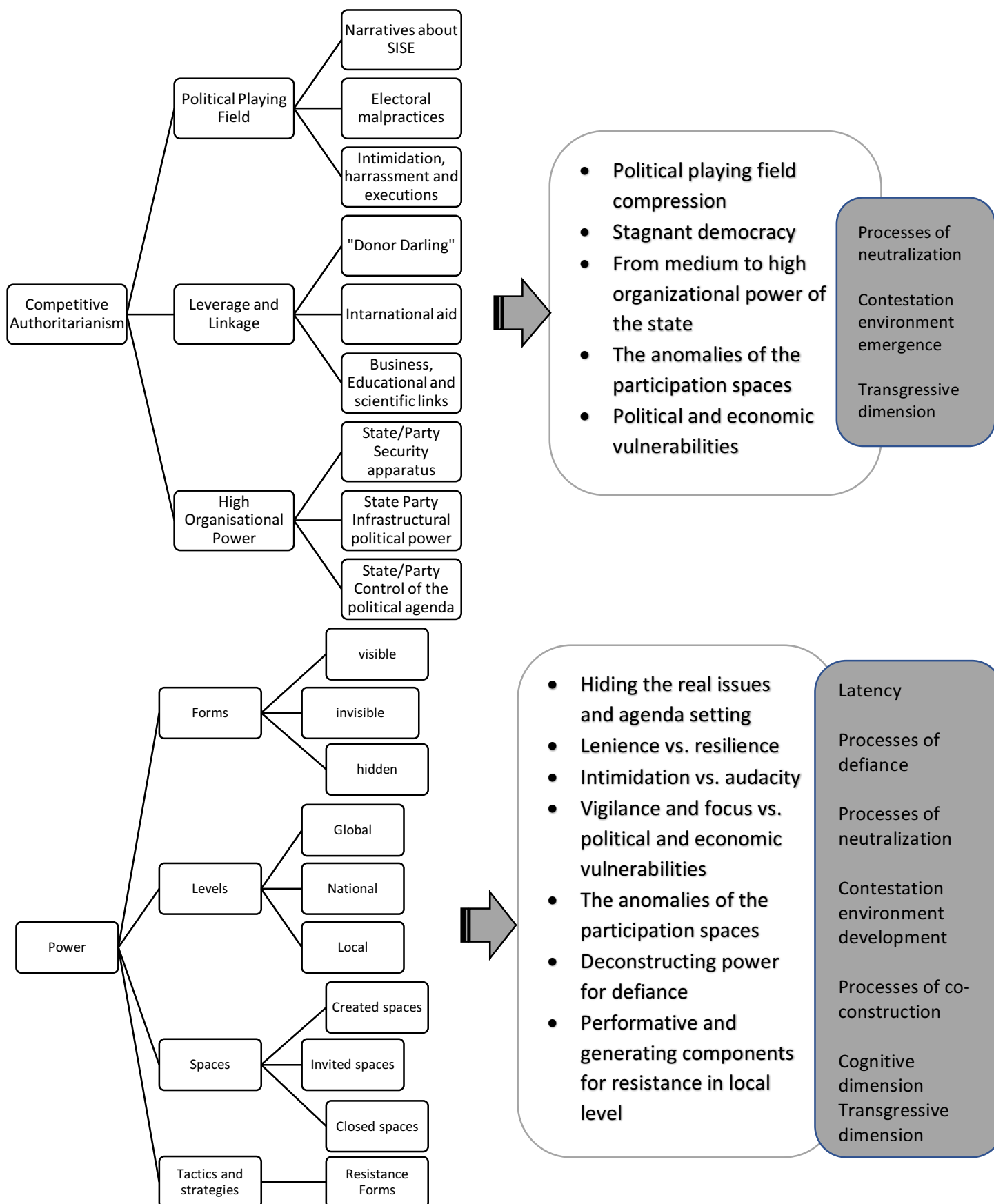
## Interviews and subjects

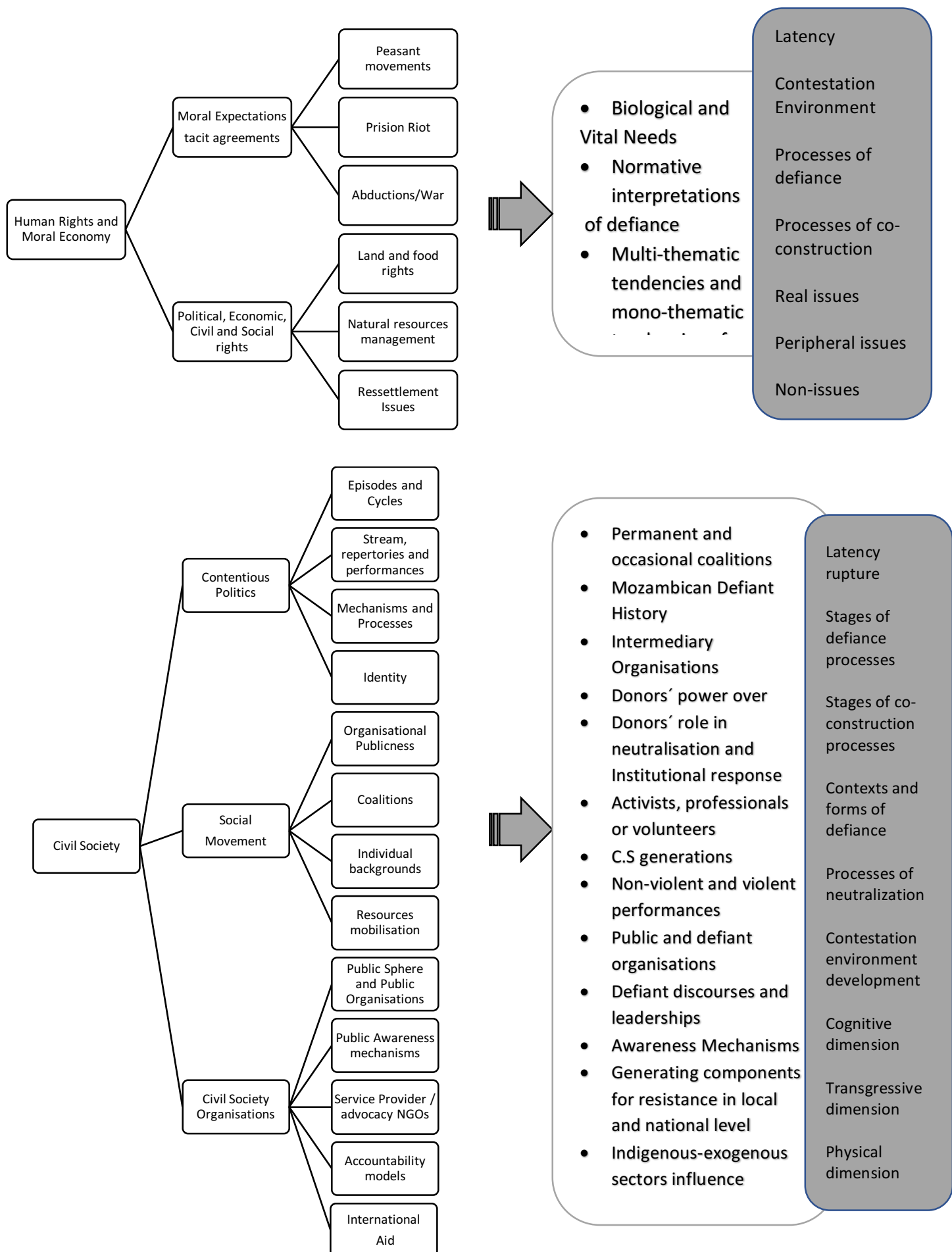
Table G.1

Source	Approach	Location	Date
NGO Worker	Crisis between donors and CS	Maputo	14/mai/15
Intermediary worker	Crisis between donors and CS	Maputo	14/nov/14
Intermediary worker	Crisis between donors and CS	Maputo	13/mai/15
CS analyst	Crisis between donors and CS	Maputo	10/jul/15
NGO Worker	Crisis between donors and CS	Maputo	15/mai/15
NGO Worker	Motivation / Political Parties / Co-option / Obedience culture	Maputo	13/nov/14
Community member	Mega-projects/ Resettlement of communities / CS intervention	Maputo	21/abr/15
CBO members	Relationship between endogenous sectors and state	Zambezia	05/mai/15
CS Platform member	Platforms / Mega-projects / Pol. Parties	Nampula	29/abr/15
NGO Worker	Personal Motivation / Youth Activism / State and Donors	Maputo	13/mai/15
NGO Worker	NGO history /co-construction / Donors / Pol. Parties	Quelimane	07/mai/15
NGO worker	Exogenous NGOs / Mega-projects / victories / Political Parties	Nampula	29/abr/15
Independent activist	Exogenous NGOs / Mega-projects / victories / Political Parties	Nampula	30/abr/15
NGO Worker	Motivation / Defiance / Strategy and tactic / Audacity / spaces	Maputo	17/abr/15
Logger Company	Challenges for COB/ difficulties imposed by the State	Quelimane	07/mai/15
CBO member	Mega-projects/ Resettlement / Civil Society intervention	Zambezia	04/mai/15
Community member	Resettlement of communities / Civil Society intervention	Maputo	21/abr/15
Community member	Resettlement of communities / Civil Society intervention	Maputo	21/abr/15
CBO member	Relationship between endogenous and exogenous organisations	Zambezia	04/mai/15
Public Audience	Demonstrations / NGOs strategies / neutralization and co-option	Mutuale	28/abr/15
NGO Worker	Mega-projects/ Resettlement of communities / CS intervention	Maputo	20/abr/15
NGO Worker	Mega-projects / Resettlement of communities / CS intervention	Nampula	29/abr/15
NGO Worker	Exogenous NGOs / Mega-projects / victories / Pol. Parties	Maputo	20/abr/15
NGO Worker	NGO History / power inside the org / Donors / Political Parties	Aracaju	12/nov/15
NGO Worker	NGO History / power inside the org / Donors / Political Parties	Brighton	01/dez/15
opposition politician	DCS / Poltical party / Co-optation and neutralization / councils	Maputo	28/jun/15
DCS Seminars	Local Content / Hours recorded in the seminar	Maputo	14/mar/15
DCS Seminars	Mining Industry / Hours recorded in the seminar	Maputo	21/abr/15
NGO Worker	Natural Resources Alliance / Defiant Civil Society / New strategies	Maputo	01/abr/15
Norweigen Embassy	Mining companies / challenges and conflicts / network capacity	Maputo	14/mar/15
NGO Worker	Local Content / governance / Mega projects	Maputo	14/mar/15
NGO Consultant	Coalitions and Platforms standards and efficiency	Maputo	14/mar/15
Journalist	Investigation Gilles Cistac	Maputo	21/abr/15
Student	Gilles Cistac death / Civil Society / Demonstration	Maputo	27/mar/15
Student	Activism /Gilles Cistac / Civil Society / Demonstration	Maputo	05/abr/15
NGO Worker	NGO conflicts / Power inside NGO/ Donors / Political Parties	Maputo	19/nov/14
NGO Worker	NGO conflicts / Power inside NGO/ Donors / Political Parties	Maputo	01/mai/15
NGO Worker	NGO conflicts / Power inside NGO/ Donors / Political Parties	Maputo	04/dez/14
NGO Worker	NGO conflicts / Power inside NGO/ Donors / Political Parties	Maputo	05/dez/14
NGO Worker	NGO conflicts / Power inside NGO/ Donors / Political Parties	Quelimane	08/mai/15
NGO Worker	Motivation/Political parties / disputing areas / neutralisation	Maputo	24/nov/14
Independent Activist	Demonstration / arrestments and killings / neutralization	Maputo	28/jun/15
NGO Worker	struggle to be recognized / networking skills / occupying space	Maputo	22/abr/15
NGO Worker	Motivation / CS and Corruption / Frustration in NGOs	Maputo	13/mai/15
NGO Worker	Conflicts / Political power NGO / Donors / Pol. Parties	Maputo	19/abr/15
NGO Worker	Conflicts / Political power NGO / Donors / Pol. Parties	Maputo	07/dez/14
NGO Worker	Conflicts / Political power NGO / Donors / Pol. Parties	Nampula	01/mai/15
NGO Worker	Conflicts / Political power NGO / Donors / Pol. Parties	Bonn	05/out/16
NGO Worker	Conflicts / Political power NGO / Donors / Pol. Parties	Bonn	09/out/16

## Annex A – Coding and defiance rationale

Graph A.1 Structural coding of the defiance rationale







## Annex B - Co-construction and neutralisation (Land rights and LDH)

**Table B.1: Co-construction, paradigms and civil society style (Chapter 5)**

Paradigm	Context	Legal framework	Endogenous framework	Power	Civil society style:	Co-construction
Colectivist	Planned economy, Profound economic and political crisis; Proxy war structurally affects economy.	State Ownership of Land common asset Forcibly recruiting and dislocating workers	Traditional leaders’ exclusion, Compulsory recruitment and displacement for rural labour force	Closed spaces; National Level; power over,	Complicit, High political and economic vulnerability, Vigilance and focus: blind Co-construction: inexistent	Inexistent
Comunitarianist	Refugees return to their lands after civil war. Land tenure conflicts. FRELIMO is weak in rural areas	State Ownership of Land It is easier to prove land use and right. To protect existing land rights To reduce the level of conflict To attract investment into rural areas and stimulate community development.	Traditional leaders’ inclusion, Consuetudinary and pro- communities’ reforms	Created spaces, invited spaces; Local National Level; power to.	Propositive; High political and economic vulnerability; Vigilance and focus: readiness	Blocked between agreement and maintenance stages Peripheral issues affect real issues.
Evolutionist (During 2000s)	FDI strategy; Extractive industry boom Large-scale agriculture projects Food crisis	State Ownership of Land; Mining Law; “Mining DUAT” over “Peasant DUAT Land Law Management Investment Guidelines	Traditional Authorities co- option; Mercantilisation, Informal Land rent and sale; Resettlement process ignores basic services and historical and sociological issues.	Closed spaces in international level; Lenience in invited spaces; Power over	Reactive, High political and economic vulnerability, Vigilance and focus: blurred	Collapse Peripheral issues are non-issues.

**Table B.2: Neutralisation process from December 2014 to December 2015 (Chapter 5)**

Neutralisation Events and Episodes	Visible and invisible targets	Power dimensions	Contestation environment
Plataforma de Arquitetura de Diálogo to allegedly discuss Land Law. (Resistant and coexistence currents in civil society; Brazilian, Japanese and Mozambican governments representatives attended.)	Co-option through contract offers; know the reason for radicalization; who is whom in defiance; seek for an agreement to start to be lenient and take the control of the dispute.	Impact in National level; Invited space built with all stakeholders. This gave credibility to the initiative. Hidden and invisible power expressions.	<p><b>Physical dimension:</b> With donor's crisis and UNAC's moving out, UDCs, UPCs, defiant wing and resistant current were severe impacted in financial resources. Government hired important activists and leaderships of defiant civil society.</p> <p><b>Cognitive dimension:</b> Intimidation by defiant wing leadership dismissing; institutionalist narrative on partnership with civil society to solve land issues in "micro spaces". Consultancies reduce organisations audacity.</p> <p><b>Transgressive dimension:</b> Co-opted UNAC political council decide for activist returning by January, but he returned just in July 2015. Reschedule of consultations meetings. Reducing space for ProSAVANA debate in communities.</p>
Encontro anual do corpo técnico da UNAC	Pull UNAC out of the contestation environment.	Impact in National level; Invited space inside UNAC; Hidden and invisible power expression through 8 march influence.	
Exploring Economic vulnerability (Government hired defiant NGOs for consultancy to know communities' grievances)	To map the main resistance focuses.	Impact in National level; closed spaces; visible power expressions	
Exploring Political vulnerability (8 march generation and government representatives taking decisions.)	Resistance reduction.	Impact National level; closed spaces; invisible and hidden power expressions.	

**Table B.3: Upward accountability as a mechanism of neutralisation - effects and practices (Chapter 8)**

<b>Effects</b>	<b>Practices</b>
Internal 'de-democratisation'	<ul style="list-style-type: none"> <li>- Closing internal participation spaces</li> <li>- Authoritarian and abusive management</li> </ul>
Operational Chaos	<ul style="list-style-type: none"> <li>- High pressure with no compensation</li> <li>- Lack of transparency</li> <li>- No staff payment</li> <li>- Asymmetry of information</li> <li>- Actions with no plan</li> <li>- Staff in danger during operations</li> </ul>
Power struggle	<ul style="list-style-type: none"> <li>- Fractions in NGO's management staff</li> <li>- Conspiratorial initiatives</li> <li>- donor's visible power expressions</li> <li>- Hidden power narratives (Party/State)</li> <li>- 100 per cent focus on the struggle</li> <li>- Abandonment of projects</li> </ul>
NGO isolation	<ul style="list-style-type: none"> <li>- Low credibility among donors</li> <li>- Low credibility among international NGOs</li> <li>- Low credibility among national and local civil society.</li> </ul>
Internal deconstruction	<ul style="list-style-type: none"> <li>- Deteriorating managers reputation</li> <li>- Workers' anger</li> <li>- NGO abandonment</li> </ul>

**Table C.1: Urban contestation environments at National Level in Mozambique (1890 – 1930)**

	<b>Nativist cycle</b> (Monarchy and Republic)	<b>Worker cycle</b> (Republic)
<b>Transgressive Dimension</b>	<p><b><u>Normative prevision:</u></b></p> <p>(1) Labour Law of 1899</p> <p>(2) Civilising ideal, colonial integration and assimilation</p> <p>(3) Associativism</p> <p><b><u>Transgression:</u></b></p> <p>(1) Forced labour and displacement; chibalo were the personal property of the patron; wages went unpaid; workers who had completed a contract were not allowed to return home; arbitrary subterfuge for prison labour, bad accommodation conditions.</p> <p>(2) Segregation and division between indigenous and nonindigenous.</p> <p>(3) Partial censorship to exogenous associations.</p>	<p><b><u>Normative prevision:</u></b></p> <p>(1) Labour Law of 1899</p> <p>(2) Civilising ideal, colonial integration and assimilation</p> <p>(3) Associativism</p> <p><b><u>Transgression:</u></b></p> <p>(1) Forced labour and displacement; chibalo were the personal property of the patron; wages went unpaid; workers who had completed a contract were not allowed to return home; arbitrary subterfuge for prison labour, bad accommodation conditions.</p> <p>(2) Assimilation law, Division between indigenous and nonindigenous.</p> <p>(3) Partial censorship to exogenous associations.</p>
<b>Cognitive Dimension</b>	<p><b><u>Narrative, positionality and action:</u></b></p> <ul style="list-style-type: none"> <li>- Nativist local elite claimed to represent the interests of the uncivilised masses, preaching the end of racial inequality and segregation, labour restrictions and displacement.</li> <li>- Nativists and republicans want to overthrow the monarchy.</li> <li>- Divisions among the Nativist movement, many wanted co-construction instead defiance.</li> <li>- Local elite was disposed to contempt (audacity).</li> <li>- State officials believed Nativism was a separatist movement.</li> </ul>	<p><b><u>Narrative, positionality and action:</u></b></p> <ul style="list-style-type: none"> <li>- Nativist local elite followed a different stream of contention generated by the economic crisis between the First World War and the end of the First Portuguese Republic.</li> <li>- The link between citizenship and race, high inflation, high prices, Escudo devaluation, hunger, worsening work conditions for the autochthonous mass, the <i>passe</i> and the <i>chapa</i> mobilised several groups and created a generally contentious mood.</li> <li>- Local elite and chibalos were disposed to contempt (audacity).</li> <li>- State officials believed Nativism was a separatist movement.</li> <li>- State officials attempted to delegitimise the alliance between assimilated and non-assimilated population.</li> <li>- Chibalos and settlers saw nativists as “the others”.</li> </ul>

<b>Physical Dimension</b>	<ul style="list-style-type: none"> <li>- Local elite established Nativist Organisations (NOs)</li> <li>- NOs replicated in many urban centres.</li> <li>- NOs acted as a launch for unions such as the UTA.</li> <li>- NOs started newspapers in Portuguese and in local languages (ronga, changana and zulu).</li> <li>- Repertoire: newspapers and petitions publishing; limited political playing field for protests.</li> </ul>	<ul style="list-style-type: none"> <li>- Proliferation of Nativist associations, trade unions and employer organisations.</li> <li>- Informal network building between different organisations in the colony, the cities and abroad.</li> <li>- European political party units in the colony.</li> <li>- Repertoire: newspapers and petitions publishing; waves of demonstrations and strikes, protests with violent and non-violent actions.</li> <li>- State repertoire: military interventions, state of emergency, arrests, deportations, assimilation law for co-optation,</li> </ul>
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**Table D.1: Contestation environment at a local level for subsistence security in Mutuali**

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Cognitive	<p><b>- Historical Narrative reproduction:</b></p> <ol style="list-style-type: none"> <li>1) <u>Moral contradiction narrative:</u> Secret policy had outsiders and liberating local elite in a land-grabbing alliance that violates land law.</li> <li>2) <u>Fallacy narrative:</u> ProSAVANA would promote land-grabbing using fallacy of fostering family agriculture</li> </ol> <p><b>- Defiance generators:</b></p> <ol style="list-style-type: none"> <li>1) Peasants assimilate the drama of their neighbours – families from Gurué migrate to Mutuali due to land-grabbing.</li> <li>2) Peasants assimilate Brazilian peasants' drama, with victims of "ProSAVANA's brother", Prodecer.</li> <li>3) Peasants tracked activists' speeches tone and, in their own way, reacted to ProSAVANA in an authority deconstruction tactic.</li> </ol>

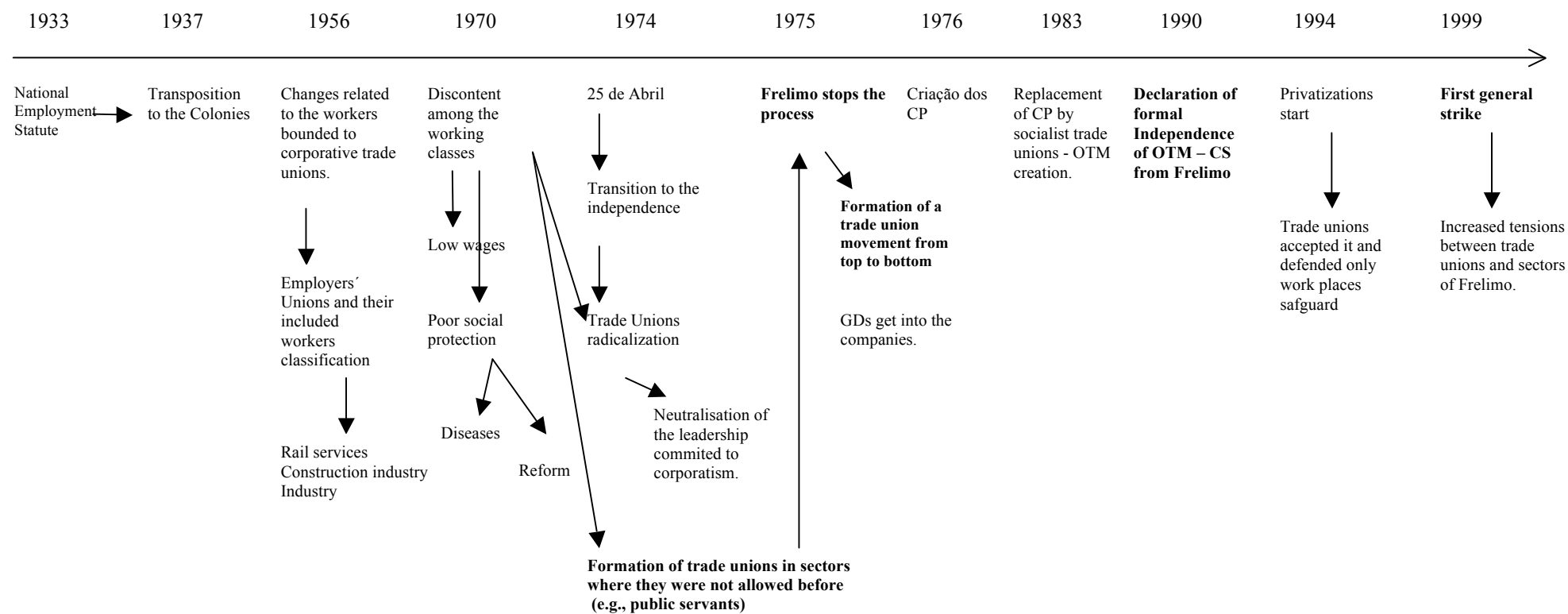
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05.10.2015	Cadeia Central (Machava)	Prison riot after “inmate death in hospital”.
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14.12.2016	Cadeia Central (Machava)	Riot because of seizure of belongings.

## Annex F - Trade Unions timeline in Mozambique

Table F.1



Source: Ribeiro (2015)



## Annex G

## Interviews and subjects

Table G.1

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Independent activist	Exogenous NGOs / Mega-projects / victories / Political Parties	Nampula	30/abr/15
NGO Worker	Motivation / Defiance / Strategy and tactic / Audacity / spaces	Maputo	17/abr/15
Logger Company	Challenges for COB/ difficulties imposed by the State	Quelimane	07/mai/15
CBO member	Mega-projects/ Resettlement / Civil Society intervention	Zambezia	04/mai/15
Community member	Resettlement of communities / Civil Society intervention	Maputo	21/abr/15
Community member	Resettlement of communities / Civil Society intervention	Maputo	21/abr/15
CBO member	Relationship between endogenous and exogenous organisations	Zambezia	04/mai/15
Public Audience	Demonstrations / NGOs strategies / neutralization and co-option	Mutuale	28/abr/15
NGO Worker	Mega-projects/ Resettlement of communities / CS intervention	Maputo	20/abr/15
NGO Worker	Mega-projects / Resettlement of communities / CS intervention	Nampula	29/abr/15
NGO Worker	Exogenous NGOs / Mega-projects / victories / Pol. Parties	Maputo	20/abr/15
NGO Worker	NGO History / power inside the org / Donors / Political Parties	Aracaju	12/nov/15
NGO Worker	NGO History / power inside the org / Donors / Political Parties	Brighton	01/dez/15
opposition politician	DCS / Poltical party / Co-optation and neutralization / councils	Maputo	28/jun/15
DCS Seminars	Local Content / Hours recorded in the seminar	Maputo	14/mar/15
DCS Seminars	Mining Industry / Hours recorded in the seminar	Maputo	21/abr/15
NGO Worker	Natural Resources Alliance / Defiant Civil Society / New strategies	Maputo	01/abr/15
Norweigen Embassy	Mining companies / challenges and conflicts / network capacity	Maputo	14/mar/15
NGO Worker	Local Content / governance / Mega projects	Maputo	14/mar/15
NGO Consultant	Coalitions and Platforms standards and efficiency	Maputo	14/mar/15
Journalist	Investigation Gilles Cistac	Maputo	21/abr/15
Student	Gilles Cistac death / Civil Society / Demonstration	Maputo	27/mar/15
Student	Activism /Gilles Cistac / Civil Society / Demonstration	Maputo	05/abr/15
NGO Worker	NGO conflicts / Power inside NGO/ Donors / Political Parties	Maputo	19/nov/14
NGO Worker	NGO conflicts / Power inside NGO/ Donors / Political Parties	Maputo	01/mai/15
NGO Worker	NGO conflicts / Power inside NGO/ Donors / Political Parties	Maputo	04/dez/14
NGO Worker	NGO conflicts / Power inside NGO/ Donors / Political Parties	Maputo	05/dez/14
NGO Worker	NGO conflicts / Power inside NGO/ Donors / Political Parties	Quelimane	08/mai/15
NGO Worker	Motivation/Political parties / disputing areas / neutralisation	Maputo	24/nov/14
Independent Activist	Demonstration / arrestments and killings / neutralization	Maputo	28/jun/15
NGO Worker	struggle to be recognized / networking skills / occupying space	Maputo	22/abr/15
NGO Worker	Motivation / CS and Corruption / Frustration in NGOs	Maputo	13/mai/15
NGO Worker	Conflicts / Political power NGO / Donors / Pol. Parties	Maputo	19/abr/15
NGO Worker	Conflicts / Political power NGO / Donors / Pol. Parties	Maputo	07/dez/14
NGO Worker	Conflicts / Political power NGO / Donors / Pol. Parties	Nampula	01/mai/15
NGO Worker	Conflicts / Political power NGO / Donors / Pol. Parties	Bonn	05/out/16
NGO Worker	Conflicts / Political power NGO / Donors / Pol. Parties	Bonn	09/out/16