

#AfricaBlogging Year One



Konrad
Adenauer
Stiftung



Africa
BLOGGING





Foreword

#AfricaBlogging – Year One

In recent years, Sub-Saharan Africa has experienced remarkable developments within the respective countries' societies and economies. But looking at the media landscape, the reporting in African media is still not very diverse and media companies are often influenced by state interests. In this environment, the Internet provides a space for young bloggers and social media activists to make their voices heard ever more effectively. Blogs can play a vital role in enriching diversity of opinion and providing an alternative source of information. Their independent point of view allows them to foster new debates and set fresh agendas. Blogs covering political topics are increasingly deepening their quality and depth. Although more superficial news services like twitter can provide rapid updates, bloggers are managing to distinguish themselves by offering more analysis and depth.



The Konrad Adenauer Foundation (KAS) believes that political bloggers in Sub-Saharan Africa have created new platforms for good journalism. Their blogs add to the diversity of opinion and information supporting democratic culture and debate on the continent. In November 2015, a hand-picked group of these bloggers from nine Sub-Saharan African countries gathered in Johannesburg, South Africa for a conference to prepare for the launch of the #AfricaBlogging platform in December 2015. With the support of KAS Media Africa, the website aims to bring together critical voices from Sub Saharan Africa and make them accessible to a wider audience.

The platform promotes reporting about social and political topics not adequately covered in the mainstream media's selection of news and aims to make the bloggers' views and opinions accessible to a wider audience.

We are proud to present a selection of articles published during #AfricaBlogging's first year. Divided into four categories (Politics and Elections, Media and Internet, Gender and Society) you will find a wide range of topics and regions covered by the 27 blog posts that are included in this publication. We hope you enjoy the read.

Christian Echle

Director KAS Media Africa

Regional Perspectives: Why the Burundi crisis is an opportunity for AU and the UN to redeem themselves

On Saturday morning, the world woke up to news of fresh violence in Burundi that left 87 people dead, most of them shot at close range – some with their hands tied behind their backs. The military claimed that those who were killed were trying to break into a military armoury to steal guns so that they could break into a police prison. Friday night's was one of the worst cases of violence since the botched coup attempt in May.

The situation in Burundi has been fragile for a while since the announcement by President Pierre Nkurunziza that he will be running for a third term in office. A BBC report says that "bodies on the streets of Bujumbura are almost a daily occurrence."

A report by the Amnesty International puts the death toll at 277 since April while Burundi based Human Rights monitors say the death toll is way over 350. Among the recommendations of the report is a call on AU and the UN to "work together urgently to address the human rights crisis in Burundi and to restore full respect for human rights."

Daniel Okoth



KENYA

The report also emphasises the need for AU Commission chair, Dr Nkosazana Dlamini-Zuma and UN secretary general Ban Ki-moon "to travel to Bujumbura to press the government to end the current crackdown, beginning by lifting the legal and financial measures that target the human rights community." This has been necessitated by Nkurunziza's crackdown on Human Rights NGOs, which also involved freezing their bank accounts. For about a month now, some human rights groups have been making claims that a "silent genocide" is underway in Burundi. As the new wave of violence swept through Bujumbura on Friday night, opposition figures were calling on the world to shine its spotlight on Burundi's crisis.

"Help us. The world needs to know that the genocide is underway," said Jeremie Minani, spokesperson for a Burundian coalition known as Cnared, following the death of the 87. Events happening in Burundi remind us of what happened in Rwanda and Burundi 21 years ago when the world watched in silence as millions were slaughtered in ethnic violence, and several million others were displaced.

In the Central African Republic the world again watched until tens of thousands of lives were lost before France sent a peace-keeping force. Somalia has never known peace since the ousting of Mohamed Said Barre. The African Union through AMISOM only intervened decades later when the damage had already been done with little left to be salvaged.

In Kenya, when violence broke out following the 2007 general elections which the opposition claimed were stolen, the



world reacted with one voice and brought the violence to a stop. This was largely due to Kenya's significant role as a key ally of the Western powers in the region.

Are we going to peg intervention in times of such crisis to how important nations are economically or politically to the West? If there was ever a time that the narrative needed to be changed, that time is now. We should not have to wait for 10,000 people to die before the world takes action.

In the aftermath of the post-election violence in Kenya and the subsequent prosecution of Uhuru Kenyatta and William Ruto at the ICC, the African Union piled a lot of pressure on the court and the UN to have the cases dropped – with nothing for the victims.

Now would be a great time for the moribund continental union to reclaim itself by stopping the violence in Burundi and for once standing on the right side of history. It's time they used the resources they used to try to stop the cases at the ICC to marshal nations and intervene in Burundi.

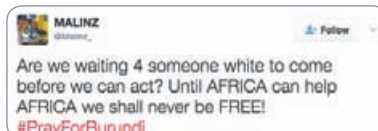
Our leaders, the AU and the UN, will do nothing unless we directly start telling them that we care about what is happening across our borders. We have to ask our governments what they are doing to save the lives of innocent Burundians.

From Nairobi to Arusha, Kampala, Harare, Kigali, Johannesburg and Lilongwe to the capitals of Europe and America, these voices against increased violence in Burundi must be heard. Here in Kenya when the news of fresh violence broke out, Kenyans on Twitter responded by trending hash tags #PrayForBurundi #StandWithBurundi and asking their government to intervene.

Others took a swipe at social media networks for not responding to the Burundi crisis as they did with other events in the West.



<https://twitter.com/KhayaJames/status/676426069365432321>



https://twitter.com/Malinz_/status/676414994658041856



<https://twitter.com/benardmedah/status/676369588410560512>

The citizens might have started doing their part but our eyes must remain trained on the African Union, African leaders and the United Nations. How many more people will die before they act?

(December 2015)

East Africa's third term addicts are a regional problem

Africa's problems lie not in the unresolved challenges, but in the leadership that has failed to find solutions to the challenges that have bedevilled the continent for many centuries. Although many years have gone by, African leaders seem to find comfort in the excuse that western occupation and colonisation was the reason for their failure to match other continents in governance, economic growth, education innovation and technology.

The case of Uganda is a perfect example of liberation gone bad. In 1986 Mr Yoweri Museveni, the then leader of the National Resistance Army (NRA), a rebel outfit, fought the government of Dr Milton Obote on account of vote rigging and won a five year guerrilla war in the jungles of Luwero. After the war, the NRA leaders quickly found their way into the hearts of the people and made political statements and declarations. Museveni is often quoted as saying that his leadership was not just a mere change of guard, but a fundamental change. He stated that Africa's problem was leaders who stay in power too long.

Shawn Mubiru



UGANDA

Thirty years later, that fundamental change has been tremendously elusive. This is because Museveni has proved to be a mere change of the guard on several occasions. For instance, he yielded to the same temptation that he diagnosed as Africa's problem. Museveni's overstaying his welcome in power was simply facilitated by an untrustworthy constitutional amendment to remove the presidential two-term limit to favour only one person: Museveni. That amendment robbed able leaders of the opportunity to spur Uganda's development, since many years down the road, Museveni still claims that only he has a vision for Uganda. In effect, the amendment provided fertile ground for Museveni to perpetuate his grip on power.

Unfortunately for Uganda, Museveni's insatiable appetite for power saw the erosion of one of the safeguards of Uganda's 1995 constitution - a concept which has been exported to Rwanda and Burundi. Museveni, just like his neighbours Paul Kagame and Pierre Nkurunziza, is now enjoying holding on to power beyond the terms their constitutions originally prescribed. This hold on power beyond their constitutional brief has left ugly holes in the constitutions of Uganda, Rwanda and Burundi, introducing with them

a dangerous culture of enacting laws to favour a sitting president and in effect curtailing the chances of constitutional change of leadership.

There are many third term power addicts in Africa like these three men in East Africa. It is therefore a challenge for the East African Community member states to breathe life into the East African Community Treaty, for it calls for adherence to the principles of democracy, the rule of law, accountability, transparency, social justice, equal opportunities and



gender equality, as well as recognition, promotion and protection of human and people's rights in accordance with the African Charter on Human and People's Rights.

Failure to adhere to the above principles will create an uncertain future for the community, since while some rulers are violating the principles, others are following them to the letter. For instance Tanzania's former president, Jakaya Kikwete, was concerned about governance tenets in the region and was willing to call on his neighbours to reform, unlike Uhuru Kenyatta, who did not care about governance since his election to the presidency was also questionable.

The question now is whether Tanzania's new president, John Pombe Magufuli, will also remain silent about the obvious wrongs. It will be a classic case of inconsistency if he chooses to mingle with the three member states that are not open to reform, yet his administration is bent on reforming the state and running a government that works for the people of Tanzania. Integration of the East African Community will find itself on rocky ground if all the member states are not on the same page regarding governance and democracy, as they ought to be.

(January 2016)

El Adde shows how not to fight Al Shabaab

In the wake of the Al Shabaab attack on a base manned by the Kenyan contingent of the African Union Mission in Somalia (AMISOM), in the south Somalian town of El Adde, many of our returning soldiers, as well as the many who died, are being hailed as heroes. On social and mainstream media it has become de rigueur to declare love for the Kenya Defence Forces, to hail their bravery and martyrdom. Questioning the details of the incident only invites appeals to national mourning or accusations of spitting on their sacrifice.

Yet the questions must be asked. If, as seems likely, reports of tens, perhaps over a hundred killed turn out to be true, it would be the highest one-day toll both the KDF and AMISOM have suffered in their history. It would also demonstrate that reports of Al Shabaab's imminent demise may be greatly exaggerated. The immediate as well as wider reasons for both the catastrophe and for Al Shabaab's ability to inflict such pain must be explored if we wish to prevent similar disasters in the future.

Patrick Gathara



KENYA

The facts of what happened at El Adde should give us all pause for thought. Newly deployed and inexperienced troops came under attack, their camp was overrun, their commander captured and the soldiers scattered to the wind in disarray. Many died, others fled to the bush or requested shelter from local civilians, from where we are now trying to recover them. This is not how we should be fighting our wars. Especially worrying is the fact this attack did not come out of the blue.

The troops in El Adde had only been there for two weeks, many coming fresh from their base in Eldoret. Al Shabaab have been known to attack AMISOM positions immediately after troop rotations, knowing that AMISOM's practice of replacing units of experienced soldiers with entirely fresh soldiers guarantees them facing inexperienced opposition. Further, despite losing much of the territory it once controlled across Southern Somalia, the Al Qaeda-affiliated terror group has shown time and again that it remains capable of mounting devastating attacks across the country. Of late, the group has developed an appetite for taking on AMISOM's Forward Operating Bases.

The El Adde attack was the third such attack in the last seven months. Over 50 Burundian AMISOM soldiers were reported to have been killed when the group overran their base at Leego, 62 miles north-west of Mogadishu. Then four months ago, they sacked the Ugandan contingent's base in Janale, again killing at least 19 soldiers, though media quoted a briefing note sent to diplomats by Western military officials claiming that around 100 soldiers were "unaccounted for" after the attack.



The tactics Al Shabaab has employed across the last two assaults are also remarkably similar to those used in the El Adde attack, both coming immediately after troop rotations and involving use of suicide car bombs and large swarms of fighters to overwhelm resistance. Even more damning are the reports that the El Adde attack was widely anticipated and that locals had left their homes in advance of it. It is curious that little has been said about the Somali National Army troops that were co-located with the AMISOM troops. They appear not to have taken part in the fighting, which probably means that they too had evacuated the area in advance of the attack. The reports indicate that this information may even have been shared with the Kenyans!

Further, the obviously poor state of relations and distrust between the Kenyan contingent and local people is another source of concern. Somalia's fractious clan divides are a dangerous minefield that would-be peacekeepers must navigate carefully. The KDF support for Ahmed Madobe in Kismayo has inevitably earned Kenya the suspicion, if not hostility, of clans rivalling the Ogadeni, including the Marehan, who dominate El Adde.

All this is most troubling. There is a clear and massive failure of leadership which left our troops at the mercy of our enemies and that should not be swept under the carpet with jingoistic patriotism. Once the current search and rescue operations are done, we must set up an inquiry, learn lessons and hold senior officers to account. We failed to do this following similar KDF failures at Westgate and at Garissa University, and are once again paying the price for it in blood. The above also invites a serious debate about Kenya and AMISOM's objectives in Somalia and what it will actually take to achieve them. Kenya's invasion of Somalia in October 2011 was in response to a spate of kidnappings for ransom by Somalia-based bandit gangs which threatened the lucrative tourist industry. Although the goals of Operation Linda Nchi were not well articulated at the time, at the very least it was meant to make the country safe for tourism. By that measure, the invasion was a spectacular failure. In the time since the invasion, attacks by Al Shabaab (which, by the way, denied responsibility for the kidnappings but was targeted by the KDF anyway) on the Kenyan homeland multiplied exponentially, almost obliterating the tourism Linda Nchi was meant to save.

Today, little is heard about this. This is because Linda Nchi was hurriedly wound up and the Kenya forces in Somalia rehatted as AMISOM less than a year later. They thus acquired a different set of objectives. AMISOM is a peace support mission mandated to help restore the Somalia National Security Forces, fight Al Shabaab and help extend the writ of the government in Mogadishu. It does not exist to secure Kenya. However, it is true that a stable Somalia would be a boon for security across the region and there is no doubt Kenya would be a major beneficiary. It is important then, as a contributor to AMISOM, that Kenyans examine how that effort is doing.

On the surface, there is reason for hope. Since 2011, as noted above, Al Shabaab has been pushed out of nearly all of Somalia's major towns, including all the ports it once controlled. But while the terror group has been degraded, the authority of the federal government does not extend much outside the towns and Al Shabaab is still able to operate freely in much of rural south Somalia. Further, as the El Adde attack demonstrates, the Somali forces are far from ready to take on Al Shabaab. This has critical implications for AMISOM. Its exit strategy is predicated not just on sufficiently degrading Al Shabaab, but also on training up effective Somali troops. The latter's continued weakness is a double blow to AMISOM. Firstly, it delays the date of an eventual AMISOM exit. Secondly, one of the reasons for the UN Security Council authorising relatively low troop numbers for AMISOM was the expectation that the SNA would fill the gap. The



UN operation in Somalia UNOSOM II – the second phase of the initial UN intervention, from March 1993 to March 1995 – had a similar mandate to AMISOM and had 30,000 troops. AMISOM has just over 22,000 and for much of its time Somalia has had much less.

The mission also lacks crucial equipment and support enablers. Although belatedly authorised by the Security Council in 2012, helicopters are yet to arrive in the mission area. Thus despite the successes it has achieved, there remain serious questions as to whether AMISOM, as currently constituted, can fully deliver on its mandate. These and other issues should form the basis of an informed public debate on the wisdom and objectives of the KDF deployment in Somalia. There is an opportunity today for Kenya to begin to seriously examine the options it has in Somalia and for the Kenyan public to finally have an informed say on what course to follow.

(January 2016)

Tribal talks backfire on ruling party

An effort to use tribalism and regionalism as tactics and antics to disadvantage the opposition in upcoming general elections has terribly backfired on Zambia's ruling party, the Patriotic Front (PF), forcing President Edgar Lungu to call for an immediate ceasefire.

Featuring on national television on the evening of Sunday 10 January 2016, chief government spokesperson and senior party functionary Chishimba Kambwili accused Zambians from the southern part of the country of rejecting his party in every election on the basis of tribe. According to him even the son of God, Jesus Christ would not stand a chance if he stood for election against a candidate from that region. Zambia's Finance Minister, Alexander Chikwanda, was also quoted encouraging the people of eastern province to vote for their tribesmen in the forthcoming presidential and general elections.

Bruce Chooma



The rantings of senior members of the ruling party have not gone down well with Zambians from all walks of life who have loudly condemned them, some calling for the sacking of the information minister for fanning tribalism and creating the potential to incite genocide in a country widely perceived as peaceful. The Law Association of Zambia, (LAZ) which has always been a voice of reason in Zambia's politics, strongly condemned the recent tribal remarks attributed to two PF cabinet ministers.

LAZ president George Chisanga said the remarks, coming as they did from very senior cabinet ministers and Members of Parliament, were not only misplaced but extremely unfortunate in a country that is democratic and which is home to numerous tribal groupings forming one sovereign unitary state. "Tribalism can only sow seeds of hatred and violence that are at odds not only with the Christian ethos of the country but also with the need to recognise basic human dignity," Chisanga said.

LAZ reminded the nation that Article 23 in the Bill of Rights of the current constitution protects all Zambian citizens from discrimination on the basis of tribe. "Our reminder is also to all political players that as we head towards the tripartite elections we should at all times desist from championing any agenda based on region or tribe. If indeed the Government is serious about constitutionalism, the rule of law and the respect for human rights and human dignity, then all its leaders must be seen to act accordingly for the benefit of all Zambians."

Chisanga urged the ruling PF government to desist from making divisive tribal remarks, to be patriotic and lead the way in averting ethnic tensions that are beginning to show in a country that is known as a beacon of peace throughout





Africa. The opposition United Party for National Development (UPND) called on the Zambia Police Service to arrest Chishimba Kambwili, the Roan MP for spreading hate speech. UPND spokesman Charles Kakoma stated that Kambwili's statement bordered on blasphemy and mocking God. During his Sunday Interview TV programme, Kambwili stated that people from the southern province are so tribal that they would not even vote for Jesus Christ if the Son of God stood against a Tonga candidate.

Zambian president Lungu, who is seeking his own office mandate this year after completing a term started by late President Michael Sata, who died in October 2014, reacted sharply to his party's failed propaganda. Speaking to journalists at the airport in Lusaka, Lungu said tribal talk and hate speech must be banished in Zambia because it had the potential to degenerate into ethnic violence. He said Zambia's peace was being threatened by hate speech and tribalism and that the vice must not be allowed to dominate Zambia's political discourse. Lungu said he would prefer for the hate speech and tribal talk that has characterised the country's political discourse to be traded with messages of love and hope.

The president said the 1994 Rwandan genocide should still remain an example of what would become of a country if citizens carelessly engaged in hate speech and tribal talk. Many Zambians have married across tribes and are left confused with political messages that seek to divide them on ethnic lines. Mubita Chongo, a Lusaka resident interviewed, shared these views. "My mother is Lozi from the west whilst my father is Bemba, from the North. They are good people and so are my relatives on both sides. I find this whole talk about tribalism in politics very disturbing because if the south fought with the north, then what happens to us who have mixed blood? I think our politicians should be more mature," he said.

The opposition has called for the arrest of the information minister for violating the law without shame, citing Cap 87, Section 70(1) of the laws of Zambia which state: "Any person who utters any words or publishes any writing expressing or showing hatred, ridicule or contempt for any person or group of persons wholly or mainly because of his or their race, tribe, place of origin or colour is guilty of an offence and is liable on conviction to imprisonment for a period not exceeding two years."

The UPND has charged that the police needed to rise up now and arrest Kambwili for breaking the law, before aggrieved citizens rose up against him and the PF regime. "The evidence is overwhelming that this could be the shortest criminal matter to be adjudicated by our courts of law. Clearly, the PF leadership have now crossed the path and are resorting to blasphemy, as was the case with the people that built the titanic ship and later mocked that not even God would sink the boat, which is also the PF symbol."

UPND spokesperson Charles Kakoma urged the international community to take a greater interest in what is happening in Zambia, rather than waiting to react once things have gotten out of hand and damage has already been done, as has been the case in many African countries. "Clearly, hate speech and promotion of tribal division is now an

institutionalised PF government policy away from the real issues affecting our citizens such as massive job losses, poverty and hunger, unemployment and the general economic meltdown,” Kakoma said. Lusaka based political scientist Chris Zimba observed that there was nothing wrong with people of any region of a country voting for one of their own, adding that this pattern was not peculiar to the southern province alone.

(January 2016)



What would populist Tanzanians do?

"I'm not a madman or a dictator" – President Magufuli

By now, after 100 days in office as the president of Tanzania, we can safely say we have an idea of "what Magufuli will do". The real question is do we know what Tanzanians do? Or more precisely, what would the populist section of the citizenry do?

Reading Maria Sarungi Tsehai's article on 'The Rise of the Anti-Establishment', I have realised I don't really know how far populism would make Tanzanians go. She aptly notes that the 'Establishment' is "unhappy" with Magufuli's apparent unconventional approach. In her definition of this group, she includes "the ruling and opposition parties, the legislative, judiciary, media, civil society and part of the civil service." However, with regard to what this group says, she also asserts that "all our criticisms do not seem to have much effect on the citizenry who continue to support and defend, aggressively, the president." I partly agree. Hence my query: what would populist Tanzanians do?

Chambi Chachage



TANZANIA

What would we Tanzanians do if the judges misjudged our fellow Tanzanians following the president's admonition about speeding up their ruling which, if the government prosecutor wins the cases, would enable the state coffers to get trillion of shillings? Or what would we do when our fellow countrymen are falsely or unfairly accused as being caught red-handed and jailed without any due investigative and legal process? If such things happen what would we do?

Are Tanzanians simply going to "defend, aggressively, the president" no matter what? Or are we going to practise our constitutional right – and indeed citizenship duty – to hold the president and the central government accountable? If yes, why don't we start right now?

Of course, some of our fellows Tanzanians have decided, against the grain, not to let 'populism' get in the way of 'calling a spade a spade'. They give credit where it is due, for instance, with regard to the dramatic collection of revenue in the last two months, to the tune of more than 2 trillion Tanzania Shillings, a trend which could indeed make Tanzania cut down its donor dependency to 3%. But they are also aware that this stellar performance is due to 'backlog', so they cannot shy away from raising the question of 'sustainability'.

Such critics on social media and civil society are hardly part of the 'Establishment.' They are actually happy that the president is 'bursting the boils', from the Air Tanzania Company Limited to the National Identity Authority (NIDA) and



beyond. However, they also feel obliged to query the validity of the president's comparison of NIDA's national identity cards and the National Electoral Commission's (NEC) cards for voters. They are also happy that the president has ordered the Controller and Auditor General to conduct a special audit on NIDA and the Prevention and Combating of Corruption Bureau to investigate. However, they should recall what happened when such an audit and investigation was conducted on the then Tegeta Escrow account at the Bank of Tanzania. All they are worried about is a repetition of such a process, given that they feel the government did not – and has not yet – got to the 'crux of the matter', that is, the money that was disbursed to 'key players' through Stanbic Bank.

Yet some of those critics are confident that the current Auditor General is up to the task not least because of his bold statement against "political entrepreneurship", such as the one on selling of government houses that the president is said to have also benefitted from when he was a minister in the cabinet of former President Mkapa. But, naturally, they cannot be so sure that the Auditor General would be independent enough. For them, a clarion call – such as the recent one from Mzee Ibrahim Kaduma – for President Magufuli to 'repossess' those government houses, is welcomed. However, to some populists the question is whether the 'Establishment' has sent Kaduma. Even if it were so, why should anyone shy away from calling for an action that is in line with the President's own 'philosophy' of 'bursting the boils'? Even some of the religious among the critics are worried that "Magufuli seems to be convinced that he is on a mission entrusted to him by God." They have no problem at all with this being his personal spiritual mission. In fact, they are happy that he is 'shaking and cleaning up the corrupted' country. However, for them the 'constitutionality' of our 'secular' state is sacrosanct, so it is scary to see signs of messianic zealotry raising its ugly head in a society that is so sensitive about the hegemony of religion and fanaticism.

In moments like these, Tanzanians indeed ought to let the president do his job and members of the opposition parties as well as civil society do theirs. We would not be helping our dear Magufuli if we only say the emperor has and will always have clothes. Doing so is tantamount to being party to the establishment of a dictatorship.

(February 2016)

Africa and the Panama Papers: waiting on popular disapproval

In Africa, the Panama Papers and their revelations will most likely not reach a particular popular crescendo. In part, like the global and phenomenal Wikileaks revelations, they will lead to astounding local and continental media revelations. African journalists, like their counterparts on other continents, will try their level best to sift through the monumental and cumbersome documents to find out more information that relates to their own leaders and report on it in the public interest. In some cases governments, media owners or corporations may take greater caution than their European, American and Asian counterparts in how they react to the startling revelations.

They will cite issues of the right to privacy even where and when it flies in the face of public accountability, transparency and the best public interest, especially where it concerns issues to do with tax and illicit financial flows out of the continent.

Takura Zhangazha



ZIMBABWE

The Panama Papers will regardless have a distinct political impact on the African continent. This is despite the extent to which they expose political and business leaders (read as corporate and individual ones). The emerging question will be the extent to which these revelations about both African and other regions' leaders will raise popular disapproval at such deceptive manoeuvres to skirt public accountability and the impact that they have had on a continent's shared understanding about the best democratic interest.

This is because the tremendous work that has been undertaken by courageous journalists and the primary whistle-blower in this particular and phenomenal case of investigative journalism, while making global headlines, cannot be left to elitist redress. The particular point to be considered is how the people of the African continent react to these revelations, not only specific to country cases of tax evasion but also in relation to the continent's popular understanding of the fact that a significant number of the revealed transactions are directly or indirectly connected to investment in African countries.

Already there has been movement from the level of the United Nations Economic Commission for Africa (UNECA) and the African Union (AU) through what is referred to as the High Level Panel on Illicit Financial Flows from Africa (HLP) to address these challenges. This is currently chaired by former president of South Africa, Thabo Mbeki.

This work by the HLP is commendable not only on the basis of it being initiated from a continental initiative but also because it has been long overdue in implementation. However, what it misses for now, as demonstrated by the Panama



Papers, is that there are other issues that relate to the global financial system that require greater scrutiny from an African perspective.

There would be a need for a larger popular explanation and campaign about what offshore accounts are and how they have been used to evade paying taxes at the expense of the poor majority. This includes complicity not only by African governments but also African businesses that would range from mining concerns to other offshore havens based on the continent.

The primary challenge to such a campaign would be that the rich, famous, infamous and powerful of Africa also tend to be the hegemonic class. Our own fair share of such people on the continent, especially where they are people in government or those with links to the globally rich and powerful, have rarely hesitated to use all at their disposal to avoid eventual accountability, even if thus far a good number of them have been listed in the new leaks from a number of African states and with links to former and current presidents.

There will be investigations of their roles by revenue collection authorities but sadly not as much political pressure as that witnessed in Iceland, which led to the resignation of that country's prime minister. What is required in the short and long term is a new popular African approach to offshore accounts and deals that hide the movement of money and avoidance of tax via illicit deals. This is because it is our political and business elite that are involved with a level of impunity that indicates that they do not see themselves getting into any sort of trouble if they are caught. If in fact there are any specific allegations against them, they have the money and influence to stall state investigations or have their issues ignored altogether.

What is more telling is how the global financial system works in relation to these tax avoidance schemes that hide billions of dollars. While few Africans may understand issues such as bearer shares, it is imperative that these be systematically reviewed and investigated with greater urgency by governments, regional bodies and the AU. In short, we have to address rampant global capitalism and its ability to appear rational even where it is serving the already rich and powerful at the expense of the poor.

(April 2016)

Zuma – manifestly unfit for purpose

Moral debates are not settled in courts. The law can be profoundly immoral, if it is written and practised by those who want to defend immorality, or those who are not aware of what their moral responsibilities are. For one, it can defend things that are immoral (for example, by prohibiting gay marriage), and second, it can be silent on moral issues that should be prohibited by the law.

This, in short, is why engaged citizens, who are concerned for the welfare of their country, should neither be complacent about the role and reach of the law, nor of their ability to shape the conscience of a nation and its leaders. Unfortunately, too many South Africans have, for far too long, accepted easy answers to genuine moral dilemmas through a reliance on “Rainbow Nation” rhetoric and the seductive guile of identity politics, where views can sometimes be accepted or dismissed based simply on who it is that is expressing those views, and whether it is someone of the “right” race, gender or political affiliation.

Jacques Rousseau



SOUTH AFRICA

Having said that, our courts offer a fairly consistent and regular affirmation of the strength of our democracy, in holding political power to account for breaking the law. The Constitutional Court ruling on Nkandla was such a moment, and it offered South Africans a moment to celebrate a strong and responsible Supreme Court that rose to defend the Constitution in more robust terms than many of us might have expected.

Our highest court has now affirmed that South Africa’s President, Jacob Zuma, has “failed to uphold, defend and respect the Constitution as the supreme law of the land courts & constitution”. The same is true of our National Assembly, in particular those members who have remained silent in the face of President Zuma’s clear disdain for the rule of law.

As Justice Mogoeng puts it, in the unanimous judgment of the Constitutional Court: “The nation pins its hopes on [President Zuma] to steer the country in the right direction and accelerate our journey towards a peaceful, just and prosperous destination that all other progress-driven nations strive towards on a daily basis. He is a constitutional being by design,

a national pathfinder, the quintessential commander-in-chief of State affairs and the personification of this nation’s constitutional project.”

It cannot now be clearer that President Zuma is entirely unfit for purpose. The remaining questions revolve around what we do about that fact. Both the Democratic Alliance and the Economic Freedom Fighters have indicated that they will seek impeachment, with the DA releasing its call for impeachment just moments after Justice Mogoeng had finished delivering his judgment.



But impeachment will fail – leaving aside the question of whether the judgment is, in fact, grounds for impeachment, a matter which the Constitutional Court still needs to clarify at time of writing. It will fail for two reasons. First, because any decision that requires a two-thirds majority in the National Assembly cannot be led by a triumphalist DA, reeking of an anti-Zuma agenda, rather than one that seeks foremost to defend the Constitution, but instead requires a broad coalition of MPs – including a significant number of ANC MPs – as well as civil society.

Second, and as a demonstration of the first point, the DA's recent (and second) attempt to have a motion of no confidence passed with regard to President Zuma was defeated by 225 to 99 votes. 267 Members of Parliament would have to vote in support of impeachment, and there are only 151 opposition MPs. Impeachment is also a far more serious matter than a motion of no confidence, in that if impeached, President Zuma will lose all the privileges of office, in perpetuity, making it even less likely that ANC MPs would defect and join the opposition vote.

When a no confidence motion fails so comprehensively, an impeachment debate can offer us nothing but another opportunity to hear Mmusi Maimane tell everyone what we already know – that President Zuma is entirely unfit for purpose.

In an ideal world, President Zuma would resign, as would Speaker Baleka Mbete, Cedric Frolick and a host of other ANC MPs who seem to have had their consciences surgically removed. In a slightly less ideal world, but a nevertheless desirable one, the National Executive Committee of the ANC will meet and decide to recall President Zuma. Not to do so, in light of this judgment, is also an indication of lack of conscience and a comprehensive disregard for the welfare of the country and the Constitution.

As EFF leader Julius Malema has said, retaining Zuma as president makes a mockery of our (or any) democracy. And, if neither of those two ideal-world scenarios plays out, we voters have an opportunity to make a mockery of that democracy ourselves, or to affirm it. If neither the president nor the NEC cares enough for democracy and the Constitution, it's time for voters to put their cross in the box of a party that does.

(April 2016)

Will the people of Magufuli eat boils?

“Let them eat cake” – Marie Antoinette

The presidential honeymoon is not yet over. Tanzanian president John Magufuli is still enjoying the popularity he has earned in his holy war on grand corruption. Christened “bursting the boils”, this crusade is however raising eyebrows among champions of the rule of law.

Such criticisms, or rather critiques, have not passed unnoticed in the corridors of power. In a clear breach of the separation of the church and state, recently the president used Sunday’s Catholic Mass in Arusha to insist that the bursting of boils through the suspension of public officials should not be interpreted as cruelty. For him, all those civil servants have breached the code of ethics for public service. Elsewhere the president chided those who defend them,

stating sarcastically that such critics may also be boils that might need watching. These human rights defenders have been wondering what is wrong with demanding a fair hearing – and indeed trial – for the ‘accused’? To them, justice is best served when one and the same person is not a judge and prosecutor, that is, when there is a separation of powers.

Recall, for instance, the case of officials who were suspended for travelling abroad without the permission of State House. It is claimed that they applied; however, they did not receive a response on time. Given that Tanzania was regarded as the co-ordinating secretariat – and thus host – of an important anticorruption event, they opted to rush there, hoping their boss would cover for them. Alas, he was dismissed.

What if they were unfairly suspended? Would they get a public apology? When? Away with constitutional procedures, some may even dare to say. How many boils have they burst? Why don’t we just let the president do his job of bursting them? Many of us are indeed not happy with the state of corruption in the country. We are yearning to see all those behind the

Escrow and Lugumi scandals, among others, have their day in court. Yet we’d like to see this done according to the legal and institutional parameters we have been busy building. That is why we are still calling for a new constitution that would curtail the concentration of powers on one entity.

Yet in the context of a centralized system, we appreciate the role of a strong leader in enabling an anti-corruption dispensation. More significantly, we are aware that in the short term, things might be difficult even to those who are supposed to benefit from the war on corruption. As they note, the ‘circulation of money’ is limited in the sense that it is no longer ‘trickling down’ to them from the ‘boils’ that have been ‘burst.’



Chambi Chachage



TANZANIA



Probably nothing captures this irony more than the sugar scarcity saga that came in the wake of the presidential decision to intervene in its import. By deciding to crack down on those who allegedly hoard sugar to create artificial scarcity, Magufuli seems to be living up to the standards of the person that some believe he is like: the late Edward Sokoine. However, it was during the latter's crackdown on 'economic saboteurs' that Tanzania experienced its worst shortage of food in shops ever.

Reminiscing on the battle for sugar that has been recurring since the beginning of liberalization, a seasoned politician notes: "I was almost killed by the sugar importing mafia!" Such is the gravity of the war against any corrupt element in the country. It has to involve the society as a whole and not only one individual, no matter how good his or her intentions are. Haven't we seen benevolent dictators turning into despots? After all, we are told that power corrupts and absolute power corrupts absolutely.

For sure, when it comes to institutional building, it is one thing for the executive to give additional money to the judiciary and quite another to nudge it to speed up the cases on corruption so that the government coffers can be filled when the public prosecutor wins. How does one win against corruption by doing the very thing that those involved in it are accused of? Is this how one builds an independent judiciary?

One cannot help but wonder whether we are eroding even the few gains in the separation of powers between the three arms of the state, namely the executive, the judiciary and the legislature. If the accusation of Member of Parliament Zitto Kabwe is true, then the signs of the times are troubling: "Whenever we challenge the government here, we are being given letters and sometimes taken to the ethics committee. That is a threat to us and it diminishes our freedom of expression."

Thus in the long run a sustained war on corruption that goes hand in hand with strengthening oversight institutions and upholding the constitution would yield a scaled-up 'trickle-down effect'. What we are experiencing now is a serious strain on what has been referred to as the 'economy of affection' or 'shadow economy.' The 'patrons' of corruption can hardly share their looted money with the people in the constituencies. It may take time for people to get used to being free of 'patronage'. However, when the presidential honeymoon is over, it is not the burst boils that people will be hungering for. Rather, it will be 'a better life for all'. Why not institutionalize it now?

(May 2016)

Will Clinton or Trump change US-Africa relations?

In International Relations terms, the United States is known as a 'Great Power', a country with an incredibly strong voice in the international arena, with influence in all parts of the world. A vast majority of countries are affected in one way or another by US foreign policy, and the most important US foreign policy maker is the president of the United States.

As a result, the American election is of great interest to a lot of countries, as whoever becomes the next president can form foreign policy that has a great effect on international relations and can affect states in all corners of the world. The contest for the White House is at the moment in full swing and it is clear that either Hillary Clinton or Donald Trump will be sworn in as the 45th president of the United States.

Maggid Mjengwa



TANZANIA

This has led to foreign policy analysts from different countries looking at these two candidates' foreign policy agendas to determine how their foreign policy might affect individual states or regions in the world. In 2008 it was clear that the majority of Africans and African leaders wanted Obama to win the election against the then Republican candidate John McCain. It was believed that as a result of Obama's African roots and more liberal approach to international relations, he would try to build a stronger relationship between Africa and the United States.

Indeed, Obama's presidency has seen the ties between Africa and the USA grow much stronger. Obama is the first president in US history to visit Africa on two separate occasions. In addition, early on in his presidency, Obama signalled that his country was going to have a stronger focus on Africa by inviting Jakaya Kikwete, who at the time was Tanzania's president, to be his first foreign guest at the White House.

Furthermore, trade between Africa and the US has increased under Obama's presidency, as well as US investment to Africa. Many African heads of state now hope that the next president of the US will continue in Obama's footsteps.

Of the two presidential candidates, Clinton is the more likely to do so. Being a democrat and having served as secretary of state under Obama, she shares Obama's more liberal approach to international relations and belief in multilateral diplomacy and co-operation. Like Obama, she also realises that Africa is of geopolitical importance to the US as it has a vast amount of resources as well as a large market which is turning out to be an important battlefield when it comes to the trade war between the US and China. Keeping up good relations with Africa is going to be crucial for Clinton if she is to achieve her foreign policy objectives.



Donald Trump, on the other hand has shown very little interest, if any, in Africa during his speeches on foreign policy so far. The billionaire businessman has shown that he wants the US to become a more isolationist power, with a focus on home affairs rather than being the 'world police'. Trump's blatantly racist comments throughout the campaign suggest that it will be difficult for him to build a good relationship with African leaders.

However, the one thing that does suggest that Trump could continue the good relationship between the US and Africa is his obsession with China. Trump has on many occasions stated that China is a big threat to the US, especially economically. If he was to realise that China is threatening US influence in Africa, then maybe he would try to uphold the strong relationship between Africa and America that Obama has built.

Yet, so far there is very little to suggest that Trump sees the importance or has the capability to uphold the strong US-African relations that is part of Obama's legacy.

(June 2016)

Zambian elections and the promise of free education

A heated debate on the feasibility of free education has ensued in the Zambian political scene ahead of the 11 August general elections. Education is one of the key campaign issues given the high illiteracy levels in Zambia. According to UNICEF, though Zambia made commendable progress in increasing access to education and gender parity, more than a quarter million children are out of school and 47% of those enrolled in school do not complete the primary cycle.

Zambia's leading opposition political party, the United Party for National Development (UPND), has promised to deliver universal free education from primary to university level by 2018 if voted into office this August. They have set the year 2018 as the target for the realisation of this aspiration.

But other contenders in the race including the ruling Patriotic Front (PF) have argued that provision of free education to all Zambians was an unrealistic promise, given the state of the country's economy and the many challenges that confront the educational sector. The prominent problems quoted include inadequately trained teachers and poor and inadequate school infrastructure, including an acute deficit of teacher accommodation, especially in rural areas.

Bruce Chooma



ZAMBIA

The two leading contenders in this election, the PF and UPND, have already published their manifestos. The PF has noted that in the last five years, the PF in government (2011–2016) has scored unprecedented achievements in the education sector in all the eight sub-sectors: early childhood education; primary and secondary school education; youth and adult literacy; teacher education; skills development; science, technology and innovation and university education.

Despite the strides that the PF government has made in the last five years, there is still much to be done in the post-2016 period to achieve quality and equitable education provision for all in Zambia. For the period 2016–2021, the PF will, therefore, be working on continued expansion of all the eight sub-sectors as well as the provision of quality education and skills development.

UPND has noted what it describes as a total breakdown of the Ministry of Education. They note that over half of Zambians are under 18 and need to be given a better life. They have promised to reform the education sector so that by 2018, children and youth will have full access to universal free education from primary level to university. They have also promised to ensure that youths are equipped with skills that will help them find work. They have promised to support budding entrepreneurs and businessmen to ensure they are given proper support and the tools they need to succeed. UPND director of policy and research, Dr Cholwe Beyani, explains that it would be possible to provide free education if



government cut excess and wasteful expenditure. He argued that austerity measures coupled with prudent economic management would enable the country to generate sufficient resources to enable the provision of free education in the public education system. According to Beyani, the PF government spends in excess of 20 billion Kwacha on cabinet emoluments alone, a figure they commit to cut to half should they assume power, thus freeing up additional resources for the provision of free education.

An online blogger from Malawi, Lily Musaya, made this comment on free education:

"Somebody somewhere will be paying for it, nothing like free. My question then is who will pay for it? When South African government adhered to fees must fall therefore did not raise school fees last year, guess where they took the money to support this deficit? From the primary school budget! Which isn't fair and only exacerbates problems in the education sector. So UPND must say who will pay for this free education."

Musaya argues that if taxpayers pay for education then it's not exactly free. Instead of parents paying school fees directly to the institution they will pay indirectly through tax. She argues that this is even worse because by the time that money goes round in the system less of it will be invested in the schools compared with if that money went directly to the school via school fees.

A Lusaka resident, Nickson Bwalya, observes that the promise of free education from primary to university level sounds too generous to be true.

"Looking at the current growth of our economy it cannot sustain such a venture. Kenneth Kaunda managed such a project for a short while but we all know what became of our economy. If UPND is promising to be growing the economy by at least 12%, then MAYBE that can be achieved for a while. Now tell me which country in the world does that. Also show me which country in Africa offers free education from primary to university level... but my general knowledge is that even developed countries cannot afford free education. Then there is the question of how much value people will attach to free education. Free things rarely attract good value. How many schools and universities will be built to accommodate everyone? I believe the UPND campaign team has a lot of explaining to do to convince people," said Bwalya.

Eugene Kabilika of Caritas Zambia explains that during the first republic the Zambian government could afford to provide free education because the government had a lot of tax money from the mines as copper prices were high.

"The population of children in school was not as high as now because the population was also small. At the same time no child below 7 years was allowed in Grade One. Classes were always limited to 40 pupils. So providing school materials was easy. At secondary school, we only used to pay sports fund. At the University of Zambia and colleges we were even paid allowances for our upkeep. Meals and tuition was free. The UNIP government failed to sustain this because they forgot to expand the economic side of the equation.



"The parastatal companies were subsidized, as were all essential commodities. So funds got shifted from education and health to subsidizing eating. President Frederick Chiluba under pressure from IMF removed subsidies and privatized many companies, including the mines. So from 1991 money shifted from government to private companies who were not interested in social services. Public finances that were available disappeared into massive corruption which is still alive and kicking. To provide free education will require government to eradicate corruption, collect all tax due from the mines, reduce the size of cabinet, disband districts such as Chilanga, Pemba, Chikankata and Chirundu. This will free resources to benefit thousands of students."

Nambala Frederick, a Zambian citizen, advises Zambians to find out how Germany operates its free education system. He said he was at Universitaet Stuttgart's Institute for Raumfatsystem for a considerable time where he learnt that education is free in Germany. He claimed that lack of exposure is killing Zambian people due to ignorance. However, Nickson Bwalya argued that one cannot compare Germany to Zambia.

"Germany is the most industrialised country in Europe. In fact industrialisation began in Germany. Its economy is driven by its strong manufacturing industry. If you believe that by 2018 Zambia's economy will be as strong as Germany's, then you should also believe that Zambia will lift the 2018 World Cup to be held in Russia."

Rina Mukumba had this to say:

"While I do not dispute the fact that Zambia can offer free education, I refuse to believe this will happen when Hakainde Hichilema comes into power. The paid for education we have now is nothing to brag about. I think we need to be critical in the way we are analyzing this free education subject. I repeat, I do not dispute that it's possible, but let Hichilema and team tell us how they would do this. We want a proper plan. And it should be a realistic plan."

Zambia operates free education from grade one to seven. The government has banned user and examination fees at primary school level and has gone a step further to abolish examination fees at grade nine level. From grade one to seven, pupils are supposed to receive free exercise books from government and no school administration is allowed to charge parents user fees. But parents are still paying 'hidden' user fees in the form of PTA, no matter how minimal they are.

(June 2016)

What does Brexit mean for Africa?

After Britain's referendum and exit from the European Union (EU), a lot of questions have emerged about the possible implications Brexit may have for Africa. According to the BBC, if there is a "technical recession" in the UK then there may be a reduction in trade between African countries and the United Kingdom, which would have negative impacts on economies such as South Africa, one of whose largest trading partners is Britain.

There are further predictions made by business analysts that in case of a recession, citizens of Britain will not be willing to spend as much capital on importing goods, in which case exports of African countries will decline, causing problems for their citizens. The Kenyan rose growers are a prime example. One quarter of all flower exports that go to the EU reach the shores of England. CNN suggests that Kenyan rose growers are part of the 90,000 Kenyans employed in the flower farming industry; how they might be affected by Brexit is still unclear.

Maggid Mjengwa

The future of African relations with Britain may not be as easy as a flip of a coin: on one side of that coin is a very beneficial future for many citizens of Africa, at least if your country is part of the Commonwealth. There are those who believe that with the United Kingdom out of the EU, the English may wish to make trade more accessible as well as movement of people easier with countries within the Commonwealth, many of which are found in Africa.

Britain can benefit from the Commonwealth, which according to the IMF is predicted to have a larger contribution to the world's economic output than that of the European Union by 2019. Therefore the Commonwealth certainly has the potential to benefit Britain economically just as much as the EU did. It is through these mutually benefiting relations between African countries and the UK that many citizens of Africa build their hopes of a brighter future once Britain is no longer in the EU.

Which side the Brexit coin will land is still unclear for many citizens of African countries, but one thing that you can be assured of: there will be drastic changes wherever it eventually lands.

(June 2016)



TANZANIA



To regulate or not regulate social media – #UgandaDecides

On 25 February at the Lagos Social Media Week, BBC Africa Debate held a conversation that asked: Should social media be regulated? That caught me unawares but I also thought to myself – how timely. Here is why.

18 February 2016 saw Uganda go to the polls for the general election. On election day for presidential and parliamentary candidates, I noticed at about 9am that I was unable to use Twitter or Whatsapp. I thought that it was just one of those days when Telecom had decided to be slow. But an hour later, I get a call from a colleague who said – let me SMS you a code that you can download. Code? I didn't understand. And yes – it looked like a code – Vyprvpn. The last thing on my mind that morning was a virtual private network.



<https://twitter.com/VyprVPN/status/700365162482511872>

After setting up my network in Argentina, I went to Twitter and my Twitter feed was ablaze with comments like: “Who does the government think they are?” and “How dare they?”, “This is unacceptable” – it was then that I got the gist of what was going on. Social media platforms had been disabled by the Uganda Communications Commission in collaboration with all the Telecommunications companies in Uganda.

Long story short – the ban lasted up to 72 hours. Interesting to note was how everyone became a digital security expert in such a short while. The VPN talk is not the kind that you have over coffee every morning. But now all of a sudden everyone was talking about it. According to irinnews.org, up to 1.5 million VPN downloads were made by people in Uganda. That essentially makes up Uganda’s active social media population.

When I noticed #BBCAfricaDebate, the first thing I thought to myself was: Ugandans must be leading the conversation. But there weren't as many as I had anticipated. Using the hashtag were people from all over Africa – the views were varying, with quite a number saying yes to regulation. And I found that interesting.

Now, if social media platforms across the board were to for some reason cease to exist, I would be out of a job for a couple of months before I was able to figure out something else. I would probably end up baking for a living or something like that. But it was interesting to note that there are people that support the regulation of social media, because in the world in which we live, or have adapted, freedom of speech brought to us by the internet is a right. It is no longer a ‘privilege’.

Ruth Aine

UGANDA





Some of the reasons for regulation as stated by some of the people were:



<https://twitter.com/sonyichan/status/702943498702553088>



<https://twitter.com/BBCAfrica/status/702939629620740097>



<https://twitter.com/bartlettdaron/status/702962157395308544>

And I thought these were rather interesting points. There are people that strongly believe that social media should be regulated and are brave enough to tweet/talk about it.

However after all has been said and done, I think this is something that we can all agree to disagree on. The Uganda Communications Commission said that it was switched off due to security related reasons. Towards the end of last year, legislators in Nigeria debated the Social Media Bill. The Proposed Social Media Law includes up to two years in prison, a fine of \$10,000/- or both for anyone posting an 'abusive statement' via text message, Twitter, Whatsapp or any other form of social media. Obviously, this was not well received. And with Nigeria you would think that the law makers would know better since social media won them an election.

Governments have their reasons for regulating social media. The people are saying it is infringing on their rights as citizens. And this is a conversation that we are yet to have enough of, because we are just getting started. I wonder: is it a question of culture? That in African tradition the leader talks while you all keep quiet and listen? Are the present youth on social media the definition of what in my language is called 'endeme'? Loosely translated, this means 'stubborn' or 'big headed'. But the reverse is also true. The government could be taking on that role by attempting to muzzle social media and refusing change brought to us by technology and innovation.

There are so many questions but I think I agree that this is a topic that we in the online space may never get to agree on with our beloved governance structures.

(February 2016)

Where does Magufuli stand on tough editorials?

Tanzania's new president, John Magufuli has been doing a lot of things African leaders don't usually do. In the less than three months he has been president, Magufuli has nipped several expensive but irrelevant projects in the bud and redirected the money to more important matters. Many of us are hoping that the current streak is not just mere populism, but a dedication to clean and germane governance that lasts throughout his term.

As Magufuli was inspiring Twitter memes and hashtags, I waited for his action on another lingering issue in his country: The EastAfrican newspaper. The weekly was banned in Tanzania in January 2015 for "lacking proper registration", even though it had circulated in the country for the last twenty years. The 'registration' explanation seemed like a neat and more acceptable way to justify what was really the state's displeasure at reporting and analysis which certain powerful elements in Tanzania disagreed with.

Raymond Mpubani



UGANDA

If indeed Magufuli is a different breed of leader, what better way to show this than the unbanning of a newspaper whose only crime was saying things the previous government did not want said. The Tanzanian media environment needed the newspaper for its smart and brave take on issues and, better still, reversing the ban would prove to be less popular among the Tanzanian public than the other decisions he had taken.

A year later, Tanzania eventually lifted the ban on The EastAfrican, with none of the fanfare that usually accompanies Magufuli's directives. The decision came from the Registrar of Newspapers in Tanzania, who in keeping with the original conceit issued it with a new certificate of registration. We don't know yet if Magufuli had anything to do with it.

We also don't know if Kenya's leaders had anything to do with the firing of a senior editor who wrote a sharp-toned editorial in the country's biggest newspaper, The Daily Nation. The editorial, published on 1 January, pointed at failures in 2015, called out the president for poor leadership, and asked

him to do better in the new year. Five days later the editor, William Galava, was suspended from his position so the newspaper could allegedly investigate the circumstances under which he wrote the editorial.

The investigation faulted him for not following correct procedure in publishing the editorial and he was fired. This is despite the fact, as he explained, that he had published numerous editorials following the faulted procedure and no one had complained. The Daily Nation is owned by the Nation Media Group, which also publishes The EastAfrican. So while the group promises to "remain true to the pursuit of media independence, objectivity and integrity in the conduct of public affairs" in Tanzania – with The EastAfrican, that is – it sees no issue with firing an editor for the sin of writing an editorial that probably annoyed the president and his handlers.



Of course we should allow for the possibility that Galava really was fired because he did not follow procedure. At the same time, we should be open to the possibility that his bosses feared that he had gone too far in his criticism and fired him either because someone demanded it, or to assuage the powers that be. Because if media managers in East Africa have learned anything these past few years, especially in the Nation Media Group, it is that those in power are not too keen on nosy and irreverent journalists. That sometimes, forced to choose between journalism that annoys those in power or toning it down, they will go with the latter.

In neighbouring Uganda, for example, the managing director at the NMG-owned Monitor Publications ordered editors to withdraw a story about a continental rank of presidents in which President Yoweri Museveni ranked low down. This was days after the government had reopened the media house, which had been besieged and locked by the police for over a week after publishing a letter from an army general alleging that he and other top officials were being targeted for assassination by the security apparatus. Interestingly, The EastAfrican – it circulates in Uganda – had led with a story about the same rank in the same week.

The message from the state was, and has been clear since then: cross certain lines and we will close you down (and hurt your bottom line). That was in Uganda, where the current government has a long history of shutting down critical media houses. But, as The EastAfrican incident shows, it could also be the message sent by Tanzania last year. What then do you expect media houses with interests in those states, sometimes in all of them, to take away from that message, especially when these media houses are also businesses, and have to turn a profit?

Kenya has always had one of the more robust media environments in East Africa. At the moment we can only wait, wondering whether it will become like Uganda or Tanzania. As recent events have demonstrated, the two have refused to break character. Tanzania recently banned a weekly newspaper for “allegedly inciting violence.” The way things seem, those who wish for a free, muckraking press might have to wait longer for Magufuli’s positive attention. In Uganda, meanwhile, a television station belonging to the Nation Media Group was stopped from covering the president’s re-election campaign because it dared to refuse to use footage provided by the campaign.

The tantrum, which has since been resolved, shows the willingness of the president’s office and ruling party to bully a media house they perceive as not too friendly, and their unwillingness to understand what independence of the press really means. It is a muddle: new superhero presidents probably don’t notice or care about the environment the media operates in. Elsewhere, East Africa’s media environment is the same old sad news, and could be getting worse.

(February 2016)

African election internet shutdowns: power, profit and goodbye to democratic voting

There is a new, unfortunate and undemocratic trend that can now be associated with elections and the internet in Africa. Almost in keeping with their newfound 'third termism', some African governments have taken to switching off their citizens' access to the internet or social media during general elections or referendums. The most recent examples of these countries have been Uganda and Congo-Brazzaville. This was despite the global outcry against such brazenly undemocratic action.

Others have toyed with the idea of how to manage the impact that access to social media has during an electoral period and in part ensured that while not denying national access, the internet will not have any direct impact on how an electoral process is perceived. The reasons for these drastic measures and rather blatant violations of the

rights to freedom of expression and access to information are generally to do with a respective incumbent government's fear of popular protests at unfair electoral processes and results. This is true for Uganda and Congo Brazzaville, which have not demonstrated any remorse about such undemocratic policies.

The practice is however not yet prevalent on the continent when it comes to access to the internet during elections. But signs of intentions by some serving African governments to control the internet and social media access vis-a-vis political content are all too clear, especially around elections and their results. The recent examples of how to shut down a country's access to the internet during election time are therefore being keenly followed by other governments on the continent, especially if they know that their chances of winning a pending election are slim.

There are key lessons that emerge from these undemocratic tendencies and intentions as demonstrated by the Ugandan and Congo-Brazzaville governments. The first is that some African governments, for all their claims to be democratic, do not consider access to the internet as a democratic

right. Instead, they conveniently view it as a privilege. Where they feel it threatens their tenure, they will limit or prevent access under the guise of 'national security'. This also points to a second lesson that emerges, which is the profit motive of private internet service providers. In many cases it is not an actual government shutdown but a private mobile telecommunications company that is ordered to technically prevent the provision of a service during a specific electoral period or risk facing sanction and closure. Where the private operator does a cost benefit analysis, they will not stand up for freedom of expression but for profit even if it means a couple of days or weeks of no income from pre-paid use of their services.

Takura Zhangazha



ZIMBABWE



This 'profit collusion' between telecommunications companies and governments therefore becomes a serious challenge to the democratic meaning of the internet and its popular social media offshoots. It essentially means that neither government nor private players are keen on establishing a truly democratic culture around access to the internet as a right that cannot be denied at the first sign of a social media-motivated political protest or a political threat to a profit.

As a result, the onus to make access to the internet democratically meaningful to political and economic processes essentially resides with the citizen user bringing government and private players to democratic account. Where our citizen internet users make access to the internet integral to their democratic political and economic consciousness, insist on democratic rules around its regulation and understand the fact that it is not going to go away as a technological tool of human advancement, then it will begin to have organic societal meaning. This is despite the nationalisms or other 'isms' that will be thrown at it by reactionary governments and solely profit-driven private corporations.

In short, the people must take back the internet. Not always by way of technological know-how, but by insisting on its newfound and popular democratic importance to their right to freedom of expression and access to information. If they do not, the motivation of governments and telecommunications companies will continue to be to use the internet for political control, political correctness and profit. And by doing so, they will establish Africa's own version of a telecommunications industrial complex that will have an undemocratic aura of invincibility that will be difficult to dislodge.

It is therefore incumbent upon pro-democracy internet activists to take away key lessons from the undemocratic debacle that was the internet shutdown in Uganda and Congo-Brazzaville and anticipate that this will be tried in other African countries during elections. Where one of them includes the possibility of re-rerouting tweets and whatsapp messages via another country, it still does not take away the necessity of making access to the internet a right. At all times.

(March 2016)

Re:publica, a beehive of activity in the midst of rich history

My recent visit to Berlin, Germany to attend re:publica TEN, was graced with equal measure of surprise and great impressions that for the most part met my expectations. The keynote speech at Stage One was memorable. The founders of the conference took us down memory lane and gave emotional speeches about how far they had come to get to where some of us who were first time participants joined the worldwide family of bloggers. The security was watertight and the pomp that surrounded the conference was splendid. The first impression my mind registered was that this was going to be very good and I looked forward to the second day.

The conference was action packed and at times it was difficult to choose talks to attend. The afternoon of the first day was tempting and tricky. As a blogger from the African continent I had to choose between watching a live broadcast of Edward Snowden or attending the discussion on social media shutdowns in Africa. On my way to Berlin, I left my homeland, Uganda, limping out of a highly disputed general election and grappling with the post-electoral trauma.

Shawn Mubiru



UGANDA

The Forum for Democratic Change, a party to which I subscribe, was also defying the outcome of the whole electoral process on account of electoral mismanagement. Due to the fact that my home country was a fresh victim of a social media shutdown, I wanted to listen to my brothers and sisters from the continent hear what they were going through and perhaps share my experience with them as well. Those who were on the stage represented us well as #AfricaBlogging!

Being at re:publica not only came as an opportunity for me to experience how other bloggers have their opinions read and heard, but it was also a chance to learn from fellow bloggers about a great deal of intolerance to voices of dissent exhibited by some governments. Listening to bloggers like Johnny Haeusler, one of the founders of re:publica, introduced me not only to his humility but also his ingenuity that has seen him nurturing his newest idea, tincon.org, for the young people in Germany.

The Berlin tour left me with an excellent but a challenging impression. I came to the realisation that in order for a nation to prosper, it must jealously guard its history and those experiences, whether good or bad, which will determine where that nation wants to go. The Berlin Wall, Stasi Prison and the House of the Wannsee Conference, all demonstrating the level of intolerance a people can develop against a certain group of others, all happened but for a reason. The people of Germany will never hate themselves again as much they love what they are, and stand for, as a nation.

Guided through the Deutscher Bundestag, I could not help but marvel at the wonderful display of art and architecture which not only leaves a mark on every person's mind but is a sign of the good workmanship of the German people.



As I read “A walk round Parliament and its buildings” I was not only amazed by the magnificent buildings but by the parliamentary democracy of Germany. The power the Bundestag has is guarded and protected for the good of Germans and not the ruling party. To me, a blogger focusing on the concept of rule of law and democracy, I was enriched by the way Germans govern themselves.

Back home in Uganda, our tenth parliament commenced parliamentary business by receiving bribes to elect a deputy speaker who belongs to the National Resistance Movement (NRM), yet the NRM boasts of having the majority in the house. It was quite evident that having big numbers in the house was no longer a guarantee of an outcome. My first impression of the tenth parliament of Uganda triggered the question whether parliamentary democracy is still relevant in Uganda. It is going to be a long five-year wait for reason to prevail again.

(June 2016)

Porn bogeyman – Uganda’s creeping Internet censorship

Whether the proposals and figures are scandalous, to say the least. How else do you describe a government policy to spend close to a cool million dollars on porn-detection software in a country that only has one 21-year-old piece of ‘scrap’ for a radiotherapy machine in the name of protecting the ‘dignity’ of Ugandans?

We may disagree on many issues but the fact that no one has the monopoly of the word dignity is a fact – of course, unless we officially kiss freedoms goodbye. For clarity, dignity is not really about respect. Dignity is our inherent value and our worth as human beings. Unlike respect, dignity is not earned; everyone is born with it. So, when a minister in the person of defrocked Catholic Father Simon Lokodo develops fantasies about blocking access to porn to impose what he defines as dignity, I wonder not only whether he appreciates the definition of dignity but also what the mandate of his ministry is.

Masake Anthony

A quick search reveals that the Ministry of Ethics and Integrity is mandated with two objectives – to fight corruption and ‘empower’ Ugandans to uphold values. Note the word empower. Of these two objectives, it is obvious which ought to be his – or rather, his ministry’s – priority. The Ugandan taxpayer is struggling under the burden of widespread and endemic corruption. The 2012 corruption perception index ranks the country at 130th position out of 176 countries in the world; in Sub-Saharan Africa, the country ranked 30th out of 48 countries in the region.

And yet, if you ask what Lokodo has done to fight corruption, I honestly can point to nothing. In fact, I cannot remember the last time he ever sat next to the Ombudsman or civil society leaders at an anti-corruption event. Instead, he and the ministry have fomented the ‘sex panic’ that has gripped this country. First he launched a vitriolic and homophobic onslaught on sexual minorities, and then unleashed a major assault on mini-skirts. He played on the emotions of Members of Parliament with an alarmist appeal to pass the Anti-Pornography Act and now seeks to purchase porn-detection software

to be installed on electronic equipment, mobile phones, televisions, and computers – especially in Internet cafes.

Amidst Lokodo’s latest brouhaha, the words of Professor Joe Oloka-Onyango come to mind. The professor recently warned that there is a sexual and moral panic amongst the elite causing devastating consequences. You need not look further than the vocabulary of our laws, the types of legislation that we pass today, and the public policies that we seek to implement. And let’s look at the obscene strategy employed here. The porn-detectors will help to block six-year olds from watching raunchy fisting videos and the likes of you and I will be blocked from watching hardcore porn. Sounds good, right?

But it’s all a scary false alarm designed to get the government what it wants – censorship of the Internet. They did it on election day – February 18, 2016 – and now they want to make it a way of life to wantonly shut down any sites they choose.



UGANDA



We cannot afford to watch that happen.

This is a move to operationalise the Anti-Pornography Act, 2014 – a law being challenged in the Constitutional Court by civil rights defenders. The law vaguely defines pornography, creates overbroad offences capable of inciting harassment and mistreatment of women in public spaces, for supposedly indecent dress and hence denying them bodily autonomy, and legalises anti-porn raids by Anti-Pornography Committee members on any premises. This Anti-Pornography Committee is akin to Saudi Arabia’s mutaween – a religious police force that enforces respect of Islamic religious behaviour. Not only does the force block Valentine’s Day celebrations or eating pork, but in 2002, it caused the death of 15 young schoolgirls. Over 50 sustained serious injuries after it blocked them from escaping from a school building on fire because the girls were not wearing headscarves – that is, they were “indecently dressed” to leave the building.

“Any attire which exposes intimate parts of the human body, especially areas that are of erotic function, are outlawed. Anything above the knee is outlawed. If a woman wears a miniskirt, we will arrest her... men are normally not the object of attraction; they are the ones who are provoked. They can go bare-chested on the beach, but would you allow your daughter to go bare-chested?” – Uganda’s Minister of Ethics and Integrity, Simon Lokodo, asked.

If Lokodo has his way, the porn-detector will filter and block Ugandans from accessing a lot of useful information – most of which, the government will simply not want people to see. The government’s ultimate plan is clearly revealed in Lokodo’s statements ordering telecom companies to install ‘software filters’ to track and block public access to what he calls ‘pornographic material’. Basically, government is granting private firms unprecedented authorisation to decide what websites we may or may not access, the definition of chilling state-sponsored censorship.

To play ping-pong during the anticipated criticism on the clampdown on freedoms, the State has ‘outsourced’ the censorship and private firms are eating it up. The opt-in software that comes with the filters will further force Ugandans to reveal their private internet history. Surveillance programs such as ‘Fungua macho’ will easily track the types of websites you look at and such information can unfairly be used against you for blackmail and extortion.

Attempts to filter and block porn content will have the opposite effect. It is very likely to expose children and adults to far greater problems by giving porn sites huge publicity, support and traffic. The VPN experience during 2016 polls after social media was blocked offers a vivid example of one of the things that could happen. In this age, blocking a site does not make it inaccessible; it makes it popular.

Lokodo once told Stephen Fry in an interview that men raping girls is natural because ‘it is the right kind of’ rape. His apparent argument was that heterosexual rape is morally acceptable. This is not the kind of guy to be preaching to me about the dignity or dangers of pornography. I implore our legislators to block the ministry’s proposal to purchase porn-detecting software and spend that money on useful activities that will benefit Ugandans.

(July 2016)

Sitting down with the devil – talks with governments on ICT & innovation

Kigali is impressive. From its clean streets and new buildings to the ubiquitous sense of safety and order, it is today hailed as a model for capital cities across the continent. Similarly hailed is the Rwandan government, which has transformed the country, phoenix-like, from the ashes of the 1994 genocide into the rising star of Africa.

Last week, a network of bloggers on the continent, of which I am a part, was invited to a brainstorming session in Kigali over how to engage in policy discourses with governments on the subject of supporting digitally driven innovation across the continent. The Rwandan state has set itself up as a driving force in the field, with its President, Paul Kagame, chairing the board of Smart Africa, which seeks to “accelerate socio-economic development through information and communications technologies”. Many of the young, globe-trotting, idealistic individuals I met in these sessions were

passionate about the possibilities offered by ICT and the need to engage governments in the effort. However, while I did not doubt their sincerity, what I found disturbing was the seeming blindness to the dangers such engagement may pose.

Patrick Gathara



KENYA

At about the same time, 750km to the east, yet another State House summit was getting underway in Nairobi. According to press reports, President Uhuru Kenyatta had invited his administration’s “harshesht critics” to a televised pow-wow over corruption. Two specified critics - John Githongo and David Ndii - did not honor the summons, earning themselves a presidential rebuke and much ridicule from ruling party supporters. But I think the two experienced hands had seen something that my friends in Kigali seemed unwilling to acknowledge: that “engagement” is a two-way street.

In Kenya, as Ndii noted in an article explaining his absence, the problem is neither that government is unaware of corruption nor that it is ignorant of the questions raised about its custody of public finances. Its own agencies have documented much of this. The real problem is the lack of will within the governing elite, which perpetrates the looting, to do something about it. There is no appetite to prosecute friends and political allies, or more fundamentally, to restructure the state to eliminate the opportunities and impunity that incentivise graft.

In such an environment, the State House “engagements” would be of limited utility for those demanding reform and accountability while gifting the government a massive propaganda opportunity to burnish its anti-corruption credentials. In the end, the absence of Githongo and Ndii forced the spotlight back on the government’s lack of action rather than on its rhetoric, which dissolved in a flurry of buck-passing led by the responsibility-ducking commander-in-chief himself. #CryBabyPresident was how Kenyans on Twitter summarised it.



In Kigali, there seemed little understanding that the problems of poverty on the continent do not spring from a lack of knowledge or innovation but rather from a lack of accountability and democracy. The poor Africans my friends sought to help were largely impoverished by the very governments they sought to engage; who were stealing from them, fuelling the conflicts that displaced them and denying them a say in decisions affecting their lives. Apart from Kagame, the Smart Africa Board is peopled by such luminaries as Uganda's Yoweri Museveni, Gabon's Ali Bongo, South Sudan's Salva Kiir, Chad's Idriss Deby, and, of course, Kenya's Uhuru.

Engagement with such a gang risks affording them an opportunity to hide their sins under the carpet of innovation and broadband access. It risks moving the spotlight away from what they are actually doing to their own citizens and focusing it on their rhetoric of progress and inclusion. It is why, when addressing the meeting in Kigali, Jean Nsengimana, Rwanda's Minister for Youth and ICT, could bemoan the fact that the continent was not creating billion-dollar "unicorns" while ignoring that it was very proficient at creating billion-dollar politicians.

In fact, all the talk of transforming communities and making them smarter and more innovative seems to completely elide the fact that it is governments and the states they serve that require transformation. There is little talk of who actually benefits from the ICT hubs and events established and held across the continent, most in the wealthier parts of capital cities.

And speaking of capital cities, with all its impressive progressive, it is easy to miss what Kigali hides. The unspoken conversations, the disappearances and assassinations, the rounding up of street families so visiting potentates can enjoy a view unblemished by evidence of failure. Yes, Kigali is safe, but safe for whom? Yes, it is clean, but clean for whom? Yes, it works, but for whom?

These are questions anyone who purports to be interested in the welfare of the continent's people, rather than that of "Africa", must be willing to engage with. And while the answers may not necessarily preclude engagement with governments, they will certainly allow us to choose forums that are more likely to deliver real action and change for the people rather than a megaphone for their governments.

(October 2016)

Hate speech and legal overreach in South Africa

The intentions motivating the draft South African Hate Crimes and Hate Speech Bill are – as far as I can tell – entirely noble, but perhaps not entirely sound. If you don't know about the Bill, you can read Justice Minister Michael Masutha's justification for it on Daily Maverick, in which he says:

"It will provide additional tools to investigators and prosecutors to hold the perpetrators of hate crimes accountable and provide a means to monitor efforts and trends in addressing hate crimes."

The Bill is obviously (at least in part) a reaction to cases like that of Penny Sparrow and Chris Hart. As I argued at the time, though, there's a difference between hateful speech and hate speech, and I continue to believe that it is a distinction worth preserving.

This Bill seeks to define hate crimes as offences committed via motives premised:

Jacques Rousseau

"on the basis of that person's prejudice, bias or intolerance towards the victim of the hate crime in question because of one or more of the following characteristics or perceived characteristics of the victim..."

And it goes on to list a broad range of characteristics that include race, gender, sex, belief, religion, culture and "occupation or trade". Public comment is invited until December 1, and you can see how and where to submit your comment in the first link above.

I don't dispute for a moment that some South Africans are guilty of gross insensitivity, directing casual insults to others, and often of bigotry. As I've said many times in the past, I also can't dispute that I (as a white male) would experience far less of this – typically none – than the vast majority of our population.

Nevertheless, I see four broad problems with the Bill. First, it might be accused of overstating the problem. This is an empirical question, and as far as I'm aware, we have no good data on how frequently these "hate crimes"

occur (as a separate issue from what the threshold should be when legislation becomes justified).

Second, it's arguably both legal overreach and somewhat redundant. On the redundancy point, much of what it seeks to legislate seems already to be addressed in the Constitution or the Equality Act. On the overreach point, I'm concerned that too much is prohibited, and that the courts will waste lots of time on frivolous cases.

This is because read literally, the Bill would prohibit much satire (and I mean real satire, rather than fake news). On the





“occupation and trade” clause, would jokes about lawyers, politicians – or even philosophers! – not be something you could claim to be sufficiently offended by that you deemed the matter worthy of a court’s attention?

Given that “harm” is defined as including “any mental, psychological, physical or economic harm”, the bar for claiming that you’re a victim of a hate crime seems absurdly low. Which brings me to the third point, namely that the Bill could be accused of infantilising the population. One argument for free speech is that it’s precisely exposure to offensive speech that ultimately allows us to develop the resources to cope with asshats who choose to be offensive.

In my view, there are some things “up with which we should not put”, so I’m no free speech fundamentalist. Nevertheless, I believe that our default stance should be in favour of free speech, and that we should only restrict it when there is no other option. Hate speech is perhaps one such case, yes, but if our definition of hate speech is sufficiently broad, the harms from the general chilling of speech might well outweigh the harms experienced by individuals (on aggregate, obviously, rather than for those who are subjectively harmed by instances of hate speech).

To repeat a point made above, that’s what this law seems to do – to define hate crimes too broadly, where those individual victims are for the most part already covered by existing laws, and where covering those that are not seems to require a more conservative remedy than this. Finally, just as the Equality Act is arguably unconstitutional, this Bill would appear to suffer the same deficits in how it radically redefines what counts as hate speech in making the broad idea of “harm” sufficient to turn a speech act into a hate crime.

Interestingly, the Minister cites the example of Canada as one of the jurisdictions whose legislation on hate crimes has informed this Bill. Perhaps the Minister isn’t aware – or I’m misreading something – but the electronic communications sections of our proposed Bill look rather similar to Section 13 of the Canadian Human Rights Act, which was repealed in 2013 after being found to be unconstitutional.

(November 2016)

Malawi presidents and their naïve preference for press rallies

Writing in 2000, Francis Nyamnjoh, professor of anthropology at the University of Cape Town made the following observation on African media: “An examination of most legal frameworks in Africa, even after the liberalisation of media in the 1990s, reveals a craving to control that leaves little doubt of lawmakers perceiving journalists as potential troublemakers who must be policed.”

He added: “The tendency is for new laws [in Africa] to grant freedom in principle while providing, often by administrative nexus, the curtailment of press freedom in practice. Although strongest in Francophone Africa, this use of deplorable and clawback measures by the state to limit the right of the expression and press freedom is common throughout the continent.”

I reflected on this following the recent fallout between media institutions in Malawi and the Malawi government, led by the country’s two paramount media bodies, NAMISA and the Media Council of Malawi. The media, most privately owned, are up against the presence of political party officials and supporters, often in large numbers, at presidential press conferences. The role of these party members at presidential press conferences is not officially defined but these party members jeer and intimidate journalists who supposedly ask difficult, embarrassing or awkward questions. In essence, they mock journalists for doing their job.

Jimmy Kainja



MALAWI

The latest case was President Peter Mutharika’s press conference held at State House in Lilongwe to brief the country on his official trip to the United Nations General Assembly. The press conference was tense due to the president’s unexplained prolonged stay in America, a development that triggered rumours and speculation about his health. Yet, it is important to recall that such press conferences, or “press rallies” as others have called them, are not peculiar to the Mutharika government. Former president Joyce Banda held a similar “press rally” on her return from abroad when she anticipated tough questions from the media on what was then news revelations on Cashgate in 2013. Before Banda, the late president, Bingu wa

Mutharika, held his own “press rally” when he returned from holiday in Hong Kong in 2011.

The trend seems to be that these “press rallies” take place when state presidents are trying to avoid unwelcome questions and avoiding accountability. When faced with such a situation the tendency has, unfortunately, been to shift blame and portray journalists as troublemakers, as Nyamnjoh has observed. Meanwhile, these “press rallies” are not just aimed at intimidating and bullying the media into submission; it is also a way of limiting freedom of expression while national legal frameworks permit it.



Noam Chomsky made a key observation on these tactics, arguing: “the smartest way to keep people passive and obedient is to strictly limit the spectrum of acceptable opinion, but allow very lively debate within that spectrum.” The government strategy is to allow journalists to come to the press conference in the spirit of freedom of press and expression, yet limit them on what they can ask and say.

Unfortunately, the state machinery has completely misread the script. The once submissive local media that for 30 years of Kamuzu Banda’s dictatorship could only report what the governing authorities wanted has overcome the post-Kamuzu hangover. They now realise that they owe their allegiance to the nation, not the state and so demanding accountability and transparency is their key duty.

As it is, the onus is on the government to also realise that bullying tactics of the old will no longer hold sway. Coercion is always futile in open societies where ideas work. This is why the government needs good public relations people in place. It should be clear for those who care to see it that the genesis of the current standoff between the government and private media institutions is the result of poor communication systems on the part of the government.

It is painfully clear that the Malawi government is oblivious to changes in communication systems and cannot adapt accordingly. Live broadcasting, especially television, has been a game changer in political communication for some time now. The state machinery may not be aware of this, but live broadcasting is one of the key factors why, from Bingu wa Mutharika, through Joyce Banda to Peter Mutharika, the presidential communication team always gets agitated about press conferences.

A live press conference means that the public can make up their own minds as the president responds to questions. The public does not have to wait for media institutions to repackage the information for them. In this case both the media and, crucially, the state, lose control over information. Then it is difficult even for a heavily partisan, state controlled institution like the Malawi Broadcasting Corporation to change people’s perceptions.

The odds here are against the state if intimidation is the way they want to go, as it seems the case at the moment. Instead of intimidating journalists and cursing freedom of the press and expression, the government would do well to have people in place who understand the increasingly changing communication environment. Being in control of communication no longer means having a spokesperson that can speak the loudest: it means understanding increasingly complex communication systems. Most importantly, the government can just be honest, open and transparent – that way it wouldn’t have to worry about the media. As they say, it is better to light a lamp than to curse the dark.

(November 2016)

Zambia's gender-based violence cases shoot to alarming level

Cases of gender based violence (GBV) have reached alarming levels in Zambia, to the extent that school-going girls are now being taught not to allow their older brothers or fathers to touch them.

GBV is so common that the media in the country has made it one of the stories most often given prominence in the news. This situation has led to activists, government and interested parties funding prevention programmes and erecting huge billboards to try and fight the vice. Defilement, which forms part of GBV, is the most prominent form. A recently released annual survey by the Zambia Police Service has revealed that in the year 2015, the country recorded 18,088 defilement cases which resulted in a 16.2% increase, compared with 15,153 cases the previous year.

These figures keep rising despite massive radio, TV and newspaper sensitization and the rural programmes the women's movement is currently implementing. According to the police report, other forms of GBV, aside from defilement, have also seen a rise in cases reported. "Topping the list of cases reported were 6,205 Assault OABH (Occasioning Actual Bodily Harm), 2,759 defilement cases, 1,569 cases of neglecting to provide and 1,378 failing to provide cases. Other commonly reported gender based violence cases included "rape, assault on a child, indecent assault, murder, incest, sexual harassment, child desertion and unlawful wounding," read part of the report.

Paul Shalala



ZAMBIA

However, these figures are only a fraction of what actually happens countrywide. Most GBV cases in the rural areas are not reported to the authorities due to fear of reprisals from the community or because of cultural practices. According to some activists, men who defile girls as young as two or three years do so because of false health beliefs. "Some men believe that when they have HIV/Aids and sleep with a child, they will be cured of the disease, which is the reason you see men defiling children as young as two months," said an activist who spoke on condition of anonymity.

As a way of fighting the cultural part of the GBV cases, traditional leaders have been incorporated to try and discourage their subjects from marrying off under-age girls. In August last year, Zambia joined the 'HeForShe' campaign, an international campaign to fight GBV which has so far incorporated chiefs and civic leaders to spearhead the fight against abuse of girls and boys. So far, the campaign has been introduced in most rural parts of the country with bicycles being distributed to those at the core of its implementation.

Recently, Zambia's Gender Minister, Nkandu Luo, while addressing chiefs in the north of the country, disclosed that one-stop centres had been set up in several communities where GBV cases can be reported and dealt with. Professor Luo

said: "The centres will be furnished and computers will be bought to allow for easy tracking of cases. We know that more needs to be done but for a start, we thought of establishing the offices first."

One of traditional leaders who has taken up the fight against GBV personally is Senior Chief Nkula of the majority Bemba speaking people. At the entrance to his palace in the town of Chinsali are inscriptions in the local Bemba language warning his subjects against marrying off their school-going children. Inside his palace, the chief has decorated his sitting room with several certificates he has been awarded for standing up for the rights of girls.

(February 2016)



Beyond representation: maybe it is okay for some women to be “dummies”

During the first presidential debate, Maureen Kyalya Waluube – the only woman in the 2016 Uganda presidential race – said that some of the women in power are “dummies.”

I suspect some of those women might have been horrified, especially given that it was coming from a fellow woman, one who has been in power at that (Kyalya has served as a presidential adviser). In Uganda, as in much of the world, the participation of women remains an important issue, and the manifestos of the candidates reflected this. A look through them shows that women’s issues featured prominently. For Amama Mbabazi and Kizza Besigye – two of the contestants for the presidency – it was an evaluation of women’s participation post-1995. The most important concern shown by the women’s question was and remains: how are we doing beyond numbers?

Rebecca Rwakabukoza

Twenty years ago, in 1995, Uganda got a constitution that for the first time in the country’s history took extra effort to cater for women. Among the many women-friendly provisions was the allocation of women’s seats in parliament – for every district, for example, a woman representative, referred to as a Woman MP, is elected. There are also seats reserved for women in the election of MPs to represent youths, the army and workers.

The recent campaigns of these woman representatives were filled with promises for female constituents. They would be the voice in the legislature – and when they meet in their Uganda Women Parliamentarians Association, the conversation will be about women’s rights and women-specific issues.

It is important to note that these representatives are not two-dimensional characters. Many of them also belong to party structures and thus serve several masters: their constituencies and their parties. Some of them are interested in more than women’s rights, and have every right to devote power and attention to other facets of the lives that women and other

citizens lead in this country. Still, some of them are guardians of the patriarchal system and used woman-negative language on the campaign trail against their opponents. Just because they are representatives of women does not mean they are beyond reproach and are what we have fought for: a voice for women.

Additionally, several of those women representatives have since 1995 either been appointed to or contested even more prominent positions. Specioza Kazibwe was vice-president and Rebecca Kadaga is the current speaker of parliament. These elevations are cited as achievements in the women’s movement and there is hardly any room for questions. Kyalya’s comment exposes how narrowly we conceive of women in the movement. We assign to them just that role of fighting for women’s rights and have little tolerance for the fact that many are a product of the same system we fight.





We excuse a lot because “they are women.” For example, did the appointment of Kazibwe start the much-needed critique of the position of vice-president in Uganda? Kazibwe, a very capable woman, was underutilized in that position; the problem was the position, not her. But to start a conversation on the position would most likely, as we know how things go with conversations involving women, then start to be about her and not the position. To abstain from critique is therefore safer and extends to Kazibwe’s several corruption scandals while in government.

So yes, Kyalya is right to have opened that can of worms. This is not to argue that we have achieved representation. We are not even close to doing that. When Museveni appointed a team of 36 lawyers to represent him in the Constitutional Court case against the presidential election results, all the lawyers were men. Yet there are many capable women lawyers and the bench hearing the case also has excellent women judges. The irony of all this is that Museveni’s government has been particularly vocal about how good it has been for women: from appointments to affirmative action policies to funding allocations. So could he not even think of one woman to be part of his team? That, now, is a question of representation.

We need to talk about the numbers, but also about what we are getting out of it. It is after all pointless to have women in the room if they never get to participate. When Maureen Kyalya ran for top office, she always emphasised that she was a woman, a mother. Most of the articles written about her - this one included - will always cite “the only woman running” in the 2016 presidential elections. But then to be president is to govern an entire country. So in addition to being aware of the fact that her race (for president, not genetic stock) differs from say, Benon Biraaro’s because of her gender, she still has to be judged on how she would be president. My mother told me she wanted to vote for her “because she is a woman” but she was concerned that after hearing her speak, mostly about one region, she would not make a good president.

Kyalya’s former position in government, as a presidential adviser, has come under scrutiny for being “largely dependent on political and other interests rather than professional and technical merit or competence.” It is, basically, a “dummy” position. Her mother, on the other hand, serves as an ambassador to the UAE – and ambassador positions are usually given to election losers who stood in polls on the ruling party ticket. Both men and women are appointed to these dummy positions. But we need to talk about these appointments, especially women who are good at celebrating them – and prone to being constantly reminded by government about the increasing numbers. But what do the increasing numbers really mean? If they mean that women are corruptible, or that women leaders are collecting salaries just for holding positions, what do we do with that?

It is great that Kyalya started this conversation. It will have to be an uncomfortable conversation that will continuously remind us that women are not two-dimensional characters and neither are their positions. That the women’s movement can handle some critique, and even grow from it. That women are human beings, and yes, “first woman” to do this and “only woman” to do that, can be seen as dummies.

(March 2016)

Of women, nudity and socio-cultural issues

On Thursday morning at 4.30am I woke up to go and join a group of women feminists for a power walk. The walk started at Lugogo parking lot, went through upper Kololo terrace, Prince Charles Drive up Elizabeth Avenue, down Hill Lane back to Prince Charles Drive, Ekobo Avenue onto York Terrace, back to Upper Kololo terrace, through Lugogo bypass and ended back at Lugogo Shoprite parking lot. It took us about 65 minutes to do that stretch because we were walking and talking. It was the first time I was doing this – I came as a sponge, ready to listen and learn as much as I could. There were about 10 of us ranging from 60 years of age to 25.

The conversations were diverse, but were mainly about feminism and women empowerment and what that means today. One of the walkers said: “Are we comfortable with our nakedness – but also do we know how naked we are in public? That baring of the soul, which is what we do on a daily basis, of this is who I am. Women give so much – they love to be in the moment, are able to express and articulate themselves – is that not nakedness or do we not recognise that? The ability of one to bare their soul.”

Ruth Aine



UGANDA

Another woman said when her mother was sick in hospital, she was more ashamed and embarrassed about her nakedness than she was about the pain. As an old mother she was unable to do anything on her own and her daughter thinks the shame of having someone clean her and look after her is what killed her faster than her pain. We have been taught how to relate to our bodies – you should not breastfeed in public, you shouldn't wear this, you cannot wear that, you have small legs, you're too thin, or too plump – there are hundreds of guidelines, invisible rules and strictures.

Nudity over the last couple of weeks in Uganda has become one of the most popular topics, after Dr Stella Nyanzi chose to speak with her body. Some thought it was vulgar while others disagreed. The conversation was more about her nudity than it was about the issues raised because the society that we live in dictates what can and cannot be said, when and to whom when it comes to women's issues. The concept of who the African woman is and her place in society seems to be already set and defined. And we are very uneasy about changing the status quo, because it turns the spotlight on us and not the issue at hand.

This leads me to a conversation that we had this morning on one of the WhatsApp groups that I am in. A friend wrote about the 'all male panels' that we see a lot of on our TV stations and hear on our radio stations. We also have a problem with the all-white panels talking about African affairs, but that is a conversation for another day. One of the gentlemen from Kenya then said: women are not willing to go on shows at 9pm. Most of them will say that they need to be home. According to him, the problem is more societal than it is a creation of the media houses. And we all agreed it is a socio-

cultural issue that will take time to debunk. But that does not in any way give media practitioners an excuse to constitute all- male panels.

And I see that a lot in Uganda as well. There have been complaints about all male panels. In one of those conversations, I remember a woman relating that she had to help her colleague buy dinner for her family so that she could be on an evening show. She was not going to be able to get home in time to cook. And a colleague from Zimbabwe asked: where was the man? Couldn't he just that one time organise dinner for the kids? But you see society in so many ways doesn't support that. We will never know why she couldn't ask her husband to help out. Society will react to people who transgress certain norms. We have set guidelines about what life is all about. When growing up I was told that girls never ride bicycles. If you did, you were referred to as 'endeme'. I got the shock of my life when I started to travel and the choice was either to ride a bicycle to work or part with 60 euros a month for public transport. And guess what? I had to pay the money.

We never ask why things are the way they are, or how they became accepted. The onus is on us to interrogate and try to change how we are perceived in society. And hopefully we shall be able to debunk these socio-cultural trends and start to support women in society.

(May 2016)



This 'fro: when is it politics and when is it fashion?

I have worn my hair in a messy Afro for most of the last six years. It was the easiest way to survive dark days in college when I couldn't be bothered to remove the three little twist braids after an all-nighter of reading. It was convenient and cooler in Kampala, allowing me to stand under the shower whenever I needed to.

Of course, there were lots of comments. A lot of: "Are you seriously leaving the house like that?" from the sisters to sighs from my mother. Eventually they decided that college had damaged me too much and they now had a mad sister/daughter. "That is how she is," they started to explain to friends. And later in the workplace, they would tell me "but that is how you are" as though this should never be contested when I would relate to something a colleague had said.

My family's main contention though, was not that my hair was natural. It was that I refused to mould its natural state into a socially acceptable form. There were many options for my kinky African hair, they felt. I could blow dry it into a ponytail, braid it or learn, as they did, to take care of permed hair. But was it political?

No, not at the beginning. My hair choice quickly became political because I had to defend it. Every. Single. Time. Because unfortunately, the world is not structured to celebrate, or even to allow, the existence of a black woman's hair. It must be explained because it is not normal. It is assumed to be political because it goes against the expected codes of being. And when many embrace it, everyone side-eyes and starts to tsk and say, "Young women these days...".

Last month, the students of Pretoria High School for Girls in South Africa protested against the school's code of conduct that basically deemed Afros "untidy". One student was quoted in The Guardian saying that a teacher told her her Afro was "distracting others from learning." The protest by the brave high school girls received much attention and many concerned people took

to Twitter with the hashtag #StopRacismAtPretoriaGirlsHigh.

The code of conduct is available to download from the school's website. It does not specifically state that an Afro is banned. It does state how hair should be worn, and none of it is compatible with the Afro that cannot be "tight with no loose hair" or "be worn in the neck, and not on top of the head." This can be taken a little further, to see the need to police people's bodies under the guise of rules, and for girls' schools especially, "neatness." In my own high school here in Uganda, we were not allowed to run or walk on grass. The calm girls walking around the compound, with the lush green, undisturbed lawns might have seemed impressive to visitors, but what does it mean for the bodies that we are forced to do all this? Because these are rules that are enforced on the very body of a human being.



Rebecca Rwakabukoza



UGANDA

Before anyone defends the preservation of the lawns, I should state that my school was missionary-founded and was started for the purpose of educating girls so that they might make good wives and mothers for the men that were coming out of the boys' schools (the boys were educated to be clerks for the colonial government). And we dare not have a wife who runs and jumps over benches, or even dares to raise her voice across the room. There was no place for such in the world. Schools have continued with this fabric. Pretoria High School for Girls only started admitting black girls after the end of apartheid in 1994. And while they may be admitted there now, do they have a place in the school? Can they exist in the system without folding their bodies (and hair) into an acceptable code that refuses to recognise them?

For these girls, and all African women, natural hair is not fashion. It is not a style. It is how the hair comes out of our heads. That's how it grows. Its least manipulated form is probably the Afro. And yet, it continues to be a political choice because we have to continuously prove to the world that we belong here, and we should not have to twist ourselves into an acceptable form first to take our place in the world.

(September 2016)



The unwritten rule that fosters corruption in Malawi

It is now two years since Malawi was rocked by its biggest government corruption scandal in history: the systematic looting of public coffers by civil servants, private contractors and politicians saw them steal US\$31 million from government coffers.

It is estimated that about 35% of government funds have been stolen over the past decade. The country's national budget for 2013-14 was about US\$1.3 billion (630.5 billion Kwachas) at today's exchange rate. But has the country learnt anything from its biggest scandal that saw donors withdraw support?

The University of Malawi's Blessings Chinsinga recently pointed out: "... efforts to root out corruption do not stick because the existing institutional milieu makes it almost impossible to introduce changes that can effectively stamp out corruption." The observation is instructive in that the scandal spans two political administrations. Malawi was led by the late president Bingu wa Mutharika in 2004 and the scandal unravelled on the watch of Joyce Banda in 2013. A number of factors contribute to the current state of affairs. There is no clear distinction between a party in power and government activities in Malawi, unlike in established democracies. In Malawi, the party in power is the de facto government. In Malawi, a party in power calls itself boma (a government). Ordinary Malawians look at abuse of state resources by those in power as acceptable. It is almost impossible to tell a party in power from the government.

Even more serious is the fact that political parties in Malawi are not mandated to declare their sources of funding. This breeds corruption and fosters abuse of public resources. This is not unique to Malawi. But in countries like Botswana, hailed as one of the model democracies on the continent, they at least have a debate on political party funding. Debates are also taking place in Nigeria and South Africa, respectively the continent's largest and second largest economies.

Another contributing factor is that after 21 years of multiparty democracy, governance in Malawi remains heavily centralised. Although the country has been independent since 1964, it only became a democracy in 1994. Until then, it had been a one-party state decreed by its first post-colonial leader Kamuzu Banda, who banned political parties. He became president for life in 1971. Since 1994, the country has had local government representation for only six years – from 1999 to 2004 and from 2014 to now.

The central government has been reluctant to relinquish some of its powers. The president makes even the smallest of decisions and undertakes mundane tasks that should be reserved for line ministries. This encourages a system of patronage. Lastly, government contracts, tenders and board memberships all go to sympathisers of the party in power

Jimmy Kainja



MALAWI



and not necessarily to the best bidder or the most competent applicant. Government sympathisers or ruling party members get contracts regardless of their levels of competence.

This unfairly benefits the incumbents and weakens opposition parties. Businesspeople are afraid of funding opposition parties because they could lose state contracts and other business opportunities. Malawians have always known that corruption is rife in the country. But the sheer size of the Cashgate scandal, both in terms of the amount and the wide number of people involved, has shown how deeply rooted the problem is.

The involvement of the country's political class in the scandal is in stark contradiction to their penchant for standing on political campaign podiums promising to fight corruption with all their might. Most of the people implicated in the Cashgate scandal were either members of the then-ruling People's Party or its sympathisers. There is an unwritten rule in Malawi that successful businesspeople align themselves with the governing party in order to protect their property and gain more contracts.

An aunt of Oswald Lutepo, thus far the main Cashgate convict, who is serving 11 years in jail, was heard in court lamenting that her nephew was advised that he did not need to join politics as he was already a successful businessman and multimillionaire. At the time of his arrest Lutepo was deputy director of recruitment in the People's Party. His aunt's lament is instructive: people join politics in Malawi mainly to make money. In terms of this logic, the 37-year-old Lutepo was already a millionaire. He should have stayed out of it.

But he could not escape the lure of more riches that flow from being close to those in power. He knew the unwritten rule for success in Malawi only too well: if you are unsuccessful, support the ruling party because this is where opportunities are. Malawi is still learning to cope without support from donors and the jury is still out on whether it has learnt anything from its biggest scandal. A recent article in African Arguments underlines the hopeless feeling that Cashgate has left among most Malawians. "Malawi's self-enriching officials need to know they will be judged not just by an imperfect judicial system, but by generation upon future generation of their compatriots."

(October 2015)

Why civil society must stand together to protect freedoms

As the parliamentary committee considered the then NGO Bill 2015, Pastor Joseph Serwadda and other faith leaders vehemently argued a case for the removal of Faith-Based Organisations (FBO) from the NGO law. He knew the house was on fire. NGOs were under unprecedented attack.

Well, after some engagements, he finally had his way. I must say I admire his resilience. He succeeded in getting FBOs away from the jaws of a ministry of guns, teargas and prisons – where no civil society group should be. At several of the committee's sessions that I attended, I was taken aback at how the man of God would seek to save 'his own' and watch his neighbours – the NGOs – being dragged to the slaughter.

Isolated, NGOs came under serious attack. You only need to address your mind to the original NGO Bill 2015. All the same, NGOs fought the good fight and salvaged what they could in the circumstances. For example, they managed to reduce imprisonment for doing their work from eight to three years for NGO directors and staff for vague crimes – still a horrifying prospect. The special obligations, which Minister of State of Internal Affairs James Baba rightly describes as the 'heart of the Bill', were passed in the new law.

Masake Anthony



UGANDA

Ugandan civil society must now work together to challenge the restrictive provisions in the NGO Act 2016 – either through dialogue or legal action leading to amendments. Instead of standing with NGOs – if for no other reason, because their activities principally revolve around the exercise of freedom – the faith-based groups sought to distance themselves. As divine institutions, faith groups certainly deserve special consideration but they should have stayed with NGOs at the frontline during the legislative process. Now, the chickens have come home to roost. The Ethics and Integrity Ministry has embarked on a process of putting in place a law for FBOs. The question is, will it be designed to regulate or control?

Would the State, for example, have an interest in profiling and investigating a church or mosque providing close spiritual support to FDC's 'defiance' campaign? I opine that the State has an equal interest in controlling faith-based groups because of the clout they wield. It is because of fear of a backlash – and God – that they gloss over and skirt around, often with patronage as the grease. All said and done, FBOs engage in a wide range of activities that squarely fall under the NGO Act 2016. Inevitably, the currents will suck them from the shores into the storm.

What this new law can regulate are matters of God, Allah, and other matters of faith, for instance ceremonies such as weddings. Nothing more. In fact, it may fall short of regulating traditionally well-established faith organisations such

as the Roman Catholic and Anglican churches. When freedoms are threatened, civil society organisations must stand together and challenge the attack. To scatter is to weaken its resolve and allow an advancing oppressor to pick off members of the civil society one by one – without a fight. For this, I will stand with FBOs and speak out to protect the freedoms of people who seek to associate as such.

As members of society, our strength in the defence of values and principles is in our collective will as a people. We cannot afford to walk away from an injustice. When you stand by and watch a leopard eat your neighbour's goat because yours is safe, remember that after it's done, it will still need to eat again.

(April 2016)



The shame that is Kenya's post-election violence victims

A few weeks ago, I visited the Jewish Holocaust Memorial in Berlin together with about 15 colleagues from the #AfricaBlogging network. We were in Berlin for the annual digital conference and decided to go on a guided city tour. The tour included visits to important historical sites in Berlin, which included this breath-taking piece of architecture.

2,700 rectangular slabs of various heights running from north to south and east to west giving you that feeling of confusion which symbolically represents an ordered system that lost touch with human reason. They represent the more than 6 million Jews who were murdered across Europe during the Nazi reign. The Jewish holocaust is one of Germany and Europe's most shameful acts in history. A later visit to the Wansee Memorial House that day would even make the events preceding the horrific butchering of Jewish men, women and children more vivid.

Daniel Okoth



KENYA

What struck me though was that as shameful as this part of European history was, they gave it a monument – a lifetime reminder of a moment when German society sank to its lowest ebb. Back home in Kenya, the events of December 2007 and January 2008 are still vivid in our memories. It was a moment when we sank to our lowest point. We butchered each other just because we had different last names and 1,300 lives were lost. Hundreds of thousands were forced to become refugees in their own country.

Even though there was a political settlement of the issues that brought the deaths and displacement, there isn't much to write home about as far as retribution for the victims is concerned. The cases at the International Criminal Court (ICC) have since collapsed due to political interference and witness tampering. Even as the cases abroad collapsed, there is little going on back at home. There are no proceedings against the so-called mid-level perpetrators and only laughable and discriminatory compensation.

Let me however go back to the memorial.

Today Germany is a very racially sensitive country. The citizens learnt their lessons and the memorial site together with other historical monuments around Berlin and Germany as a whole remain as reminders of a time they never want to go back to. In Kenya, not a single slab has been erected for the victims of the post-election violence. Why? We have put up monuments for less significant things – we have a monument for the victims of the Sachewang' oil tanker explosion. Even the KDF soldiers who died in Somalia in February had a monument put up in their honour in a record two weeks.

Today as I put this piece together, the ethnic divisions in Kenya are probably worse than in 2007. The political temperature is at an all-time high. Have we forgotten how these same things landed us in trouble? Perhaps nobody died

in the 2007 – 2008 post-election violence. Perhaps if people died it was nothing to do with politics. In fact we can say the 1,300 people committed suicide and the hundreds of thousands of internally displaced persons were just tired of living in their houses and wanted to enjoy camping in public places. Yet we all know this is not true. These victims are just a shame we don't want to admit to, but the truth is that until we own our shame, we cannot move forward as a society. We will keep going back to that ugly past, and right now we can vividly see signs that we are heading back there.

(May 2016)



Child marriages, curse of Africa's poverty?

Ioveness Mudzuru (19) and Ruvimbo Tsopodzi (18) became celebrities overnight after challenging the Customary Marriages Act, a Zimbabwean law which was silent on the minimum age for marriage. Zimbabwe's Customary Marriages Act had no minimum age for marriage, while the Marriage Act, which governs monogamous marriages, states that girls under 16 cannot marry without the written consent of the justice minister.

Before this judgment, Zimbabwe had conflicting legal provisions on the minimum age for marriage. The Criminal Law (Codification and Reform) Act made it a criminal offence for anyone to promise a girl under 18 in marriage or to force a girl or woman to enter into a marriage against her will. The Act said any adult man who has sexual relations with a willing child between ages 12 and 15 will be charged with statutory rape, arguing that children in this age group are considered too immature to make informed decisions about their sexual behaviour. The contradiction was that if the person is married to a child under 16, having sexual relations with the spouse is not statutory rape.

Blessing Vava

On 20 January 2016, Zimbabwe's deputy chief justice Luke Malaba and eight other Constitutional Court judges outlawed child marriages, and struck off section 22(1) of the Marriage Act, which, for decades, had allowed children under the age of 18 years to formally get married. This has been lauded as a paradigm altering victory for the former child brides, their Civil Society backers and organisations like ROOTS, Veritas (which initiated the court challenge) and other critics of the law. But I'm still holding on to the confetti for now.

The court case was triggered by the escalation of child marriages especially in Zimbabwe's rural areas, which has negatively impacted the lives of young girls, robbing them of their future and the right to education. Child marriage, defined as a formal marriage or informal union before 18, is a reality for both boys and girls, although girls are disproportionately the most affected. UNICEF says in Sub-Saharan Africa, 41% of girls are married before the age of 18 years, while in Zimbabwe, one in three girls are married before the age of 18. The United Nations Population Fund (UNFPA) report has revealed that

31% of Zimbabwean girls under the age of 18 were victims of forced marriages with 15% of them getting married at the age of 15.

In Zimbabwe, as in many other African countries, cultural practices are often blamed as the driving force behind child marriages, a position which I consider an act of denial that does not help matters at all. 'Traditionalists' view attempts to halt the practice as attempts at cultural imperialism. However, I think that this is simply a deliberate attempt to avoid a truthful diagnosis of the real challenge that is escalating child marriages, among many other social ills. Poverty is the underlying factor that triggers child marriages in Africa.





We can no longer deny that child marriages are manifestations of socio-economic and political turmoil. The impending drought over much of Southern Africa only exacerbates the situation, at least in Zimbabwe. A 2013 report by UNICEF, titled 'Ending child marriages: progress and prospects', notes that there is a substantial gap in the prevalence of child marriage between the poorest and richest. Females in the poorest quintile are 2.5 times more likely to marry in childhood than those living in the wealthiest quintile. Further, the UNICEF report gives an interesting analysis of other developing countries outside Africa where child marriages are rife, notably the Dominican Republic. The report observed that at least half of the poorest women entered into their first marriage or union at about 17, compared to richer women, who only married after 21. According to statistics, one third of girls in the developing world are married before the age of 18, and 1 in 9 are married before the age of 15. Africa is home to 15 out of 20 countries with the highest rates of child marriage.

Research conducted by Médecins Sans Frontières Belgium-Zimbabwe and the University of Zimbabwe's Centre of Applied Science found that poverty makes young girls more vulnerable, and 65% of rural girls are married or impregnated before the age of 19. This has been the trend in Zimbabwe, as most rural areas are hard hit by poverty, lack of adequate information, and depend on education and health delivery systems that are in a poor state. Droughts have made it worse as they continue exposing communities to a lack of food and proper standards of living, thereby triggering social ills like child marriages. In most of these poverty-stricken communities, fathers marry off their children prematurely, or at times young girls seeking economic refuge elope with potential husbands. This is mostly done by men who are successful in such communities, and that success is often measured by the number of cows.

Polygamy is rife and they take advantage to marry young girls from vulnerable families. According to a UNFPA report, girls are viewed as economic burdens, as a commodity, as a means for settling familial debts or disputes, or securing social, economic or political alliances. Customary requirements such as dowries or bride prices may also enter into families' considerations, especially in communities where families can give a lower dowry for younger brides. Zimbabwe is currently facing a serious drought, worsened by the El Niño weather phenomenon which has also affected South Africa, Malawi and Zambia, destroying crops and livestock. As a result, Zimbabwe's government has estimated that about four million Zimbabweans are in need of food aid. I visited some of the affected areas and was saddened by the dire situation villagers are facing because of the lack of rain. Most of them are now selling their livestock for very little in a bid to salvage something before the drought destroys everything.

Some of my relatives from the area narrated how the past two years have been the most difficult because of the drought and poverty. One headman, Ngwenyeni of Malipati village, also spoke about how poverty has driven a majority of the young girls either into early marriages or prostitution. When I asked if they were aware of the new court ruling, the headman said it will be difficult to enforce because, as a result of the economic situation, parents will be keen to marry off their children. During my visit, I was referred to a child bride, whose story seemingly justified why child marriages are persistent in the area.



The child bride, who only identified herself as Mercy, is 16 years old. She is married to a 22 year old man who also grew up in the same area and she is already four months pregnant. Mercy was left in the custody of one her uncles in 2014, after her parents died of an HIV/Aids related illness. She was only in form 2 (grade 9). Unfortunately she dropped out of school in 2015 and could not proceed, as the uncle told her that he had no money to pay for her fees. Mercy's situation worsened in 2015, as food became scarce at her uncle's homestead, where she lived with eight other children. She opted to elope with her boyfriend, who later paid a bride price of two beasts to her uncle last year. Her story is no different from those of many of the young girls in these communities.

With more than four million people in need of drought relief, Zimbabwe is likely going to face an upsurge in child marriages. Child marriage is also a strategy for economic survival as families marry off their daughters early to reduce their economic burden. The government of Zimbabwe has no clue on how it is going to address the drought situation and provide relief for its people. Therefore, it would be foolhardy to think that child marriages will be eliminated just by educating communities or rather passing laws that bar such practices, without tackling the fundamental issue: poverty. The fight against child marriages is an enormous task that should start by combating the root causes which, in turn, can be addressed by ending the government corruption that has collapsed many economies in Africa. The uneven distribution of national wealth has left some communities underdeveloped, thereby exacerbating the poverty cycle.

It is clear that there is a relationship between practices like child marriages and poverty in Africa. In reality, poverty creates a state of misery and frustration that leads to immoral and illegal solutions. Fortunately, the African Union has raised the stakes to fight child marriages. It is commendable that in May 2014, the African Union launched the first-ever campaign, End Child Marriage in Africa. The African Union's Agenda 2063, a fifty-year vision for the development of the continent, identified stopping child marriages as one of its top priorities. However success is only possible if we focus more on addressing the socio-economic factors, tackling issues like wars, political instability, poverty, the rule of law and democracy.

The very first step to eliminate poverty and tactically reduce armed conflicts in Africa is good governance and leadership. African governments should deal with issues like prioritising basic services such as education and health, specifically in the rural areas; attention should also go to solving unemployment, economically empowering communities, especially young people, and providing social welfare to citizens. Education enhances productivity and creativity. If these issues are addressed then the fight against child marriages can be achieved. Governments should also develop mechanisms that broaden the scope of choices for orphaned young girls.

(May 2016)

Blogger Profiles

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Daniel Ominde is both a blogger and journalist based in Kisumu, a small city in the western part of Kenya. He writes about socio-economic and political issues affecting his readers and strives to give his audiences a balanced and objective perspective into issues that affect them.

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Shawn Mubiru is a Communications Associate at public think tank Great Lakes Institute for Strategic Studies - GLISS. On his blog, Shawn Diaries he writes about human rights, governance and electoral and constitutional reforms in Uganda.

Patrick Gathara (gathara.blogspot.com | [@gathara](https://twitter.com/gathara))

Patrick Gathara is a Kenyan journalist, cartoonist and writer.



His blog covers Kenyan and international affairs and has been nominated for the Best Political Blog section of the Bloggers Association of Kenya Awards. He is also a regularly published commentator on regional and international affairs.

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Takura Zhangazha is a Zimbabwean civil society activist. He has worked in the fields of media freedom advocacy and media self-regulation via organizations such as MISA-Zimbabwe, the Voluntary Media Council of Zimbabwe (VMCZ) and also with broader social movements. He is currently a member of a Zimbabwean social movement, the Committee of the Peoples Charter.

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Maggid Mjengwa is a Kiswahili political blogger in Tanzania and a columnist in various respected local newspapers like Mwananchi and Raia Mwema. He studied and lived in Sweden for 12 years and is now executive director of Ikolo, a new media production company that produces kwanzaJamii online radio and publishes Kwanza Jamii print and online newspaper.





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Ruth Aine Tindyebwa lives in Kampala, Uganda where she is a freelance blogger, editor and online journalist. Aside from her personal blog, she also blogs for Future Challenges, Foresight for Development, PC-Tech Magazine and other platforms. Due to her vast experience with blogging and social media, she is the United Nations Social Good Connector for Uganda – a champion of young people that are using tech and social media for good.

Raymond Mpubani (@Mpubani)



Raymond Mpubani is a Ugandan journalist who was chosen as a KAS Media Africa Scholar in 2014 when he read for an Honours degree in Journalism and Media Studies at the University of the Witwatersrand. He went on to complete an MA in Media and Politics at Wits in 2015.

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Masake Anthony works at Chapter Four Uganda, an independent Ugandan civil liberties group. Masake is a socio-political blogger and several of his blog posts have been published in Uganda's local daily newspapers like Daily Monitor and New Vision, corporate magazines such as the Uganda Law Society Magazine and other online platforms.

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Jimmy Kainja is a full time academic, teaching media and communications at University of Malawi, Chancellor College. He is also a blogger and sociopolitical analyst, with an interest in Sub-Saharan Africa but specializing on Malawi. He has contributed to several local and international media outlets such as The Guardian, New African, The Conversation and The Nation Publications.

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Paul Shalala is a TV journalist and blogger who works for the Zambia National Broadcasting Corporation. He has been blogging on politics, elections and governance at The Zambian Analyst since 2010 and has won one local and two international media awards for his stories. He was trained in politics and good governance reporting at the International Institute for Journalism in Berlin, Germany.

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Rebecca Rwakabukoza's writing focuses primarily on the Ugandan woman. She runs Mon pi Mon, a blog that she describes as 'an online space where we question, appreciate, dissect, and share issues that affect women in Uganda'. Her writing has also appeared on Her Zimbabwe and in Uganda's Daily Monitor.

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Blessing Vava is one of two 2015 KAS Media Africa scholars who studied for an Honours Degree in Journalism at the University of the Witwatersrand and he has since completed a Masters of Arts Degree there. He served as the National Spokesperson for Zimbabwe National Students Union (ZINASU) and on the secretariat of the National Constitutional Assembly (NCA). He is also the publicist for Chimurenga Music.



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