

Digital Era Governance and the Political Economy of Digital Communication Control in Tanzania

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Abstract

The advent of digital era governance which encapsulates both the enhanced role of digital technologies and non-state actors in governance processes in the 21st century has raised hopes for a more open government that caters for the interests of all groups. While this has been a mainstay for cyberlibertarians, critical political economists have demonstrated that digital technology is path dependent meaning that it is conditioned by traditional power structures that had kept the marginalized outside the political sphere. This paper revisits this debate by exploring the motives of digital communication control in Tanzania in the context of New Public Governance. It deploys the critical political economy approach to explore the experience of engagement in governance processes by two CSOs i.e., Twaweza and JamiiForums in Tanzania. The paper concludes that digital communication can temporarily transform dominant power structures that had traditionally kept the disempowered groups out of the public sphere and thus threatening the political and economic interests of elites. On the long run, however, the elites through the state are capable of controlling the transformative potential of digital communication to protect their political and economic interests like it had been the case for traditional media.

Keywords: Tanzania, Digital Communication; Digitalization; New Public Governance' Political Economy of Communication

1.0 Introduction

This paper attempts to answer the question why the state controls digital communication despite the realization that it is pivotal for enabling governance actors to participate in governance processes. The advent of multi-stakeholder governance in Tanzania since the past two decades has subjected the government to unprecedented involvement of external actors in the policy processes. This is a sharp contrast to the nature of governance experienced over three decades since the country became independent in 1961. During this period the government had been a sole actor under the mantra of socialism policy. The early 1990s marks the beginning of good governance reforms that ushered in institutional fragmentation within and without government. This fragmentation has existed in various forms; agencification, privatization, outsourcing, multipartyism, media pluralism, proliferation of civil society organizations and involvement of donors in governance processes.



The tendency toward institutional fragmentation has necessitated various forms of state control. They include the enduring central government appointment powers, budgetary control, co-optation, stateparty fusion, institutional restructuring and media control. Among this wide array of instruments of control, digital communication control has recently emerged as one of the most contentious aspect of government control of non-state actors in Tanzania. Digital communication control has attracted criticism for undermining the ability of governance stakeholders to advance governance processes such as fostering government transparency and accountability, participation in policy making processes and citizen monitoring of service provision. Digital communication control stands out as an interesting case worth exploration given its transformational potential to the old power structures that have perpetuated exclusion of ordinary citizens from the public sphere (Bevir and Rhodes, 2003). As Frantz et al (2020) note, digital repression lowers the cost of control and enhances the effectiveness of other forms of repression.

Tanzania's experience with digital control resounds the global paradigmatic shift in the realm of public administration. Literature suggests that public administration has passed through three major mechanisms of social coordination i.e. hierarchies, markets and networks. In this regard, the current dynamics of state control can be better understood by examining the way the three paradigms of public administration compete and complement each other. As Osborne et al (2013) posit, the current public management theory is inadequate to explain the dynamics of the emerging public administration paradigm which they term as New Public Governance (NPG). The authors argue that the increasingly fragmented and inter-organizational based approach of governance necessitates asking new questions rather than basing our inquiries on Old Public Administration (OPA) which is processual intensive and New Public Management (NPM) which is intra-organizationally oriented. Literature suggests that contemporary public management is characterized by multiplicity of actors and processes that changes the role of the state from controlling to coordinating. Some scholars have conceptualized this as network governance (Castells, 2000; Castells and Cardoso, 2005; Denhardt and Denhardt, 2001) public value management (Osborne et al, 2016, Pang et al, 2014), the New Public Governance, good governance and digital era governance (Dunleavy and Margetts, 2015).

Dunleavy et al (2005) summarizes the features of the NPG in their conceptual model which underscores the centrality of digital technology in transforming the policy arena. The model suggests that the state-civil society relations have been transformed by digital technology and thus allowing greater access to external actors to influence policy outcomes.

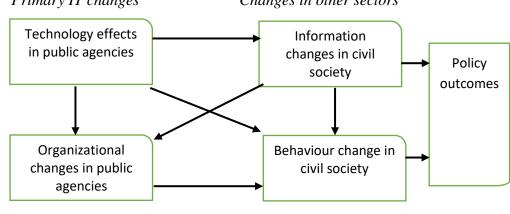


Figure 1: The Centrality of (IT) Changes in Contemporary Public Management Change Primary IT changes Changes in other sectors

Source: Dunleavy et al (2005, p.479).

Business sector changes

Changes in other sectors



Again, the model suggests that three forces shape the NPG. They include pluralism of actors, pluralism of processes and digital communication's enhancing effect of these processes. Some scholars suggest that, digital communication has enhanced the NPG processes by challenging the traditional government hierarchy and bureaucratic control and hence enhancing the influence of external actors to the policy processes. For instance, Bevir and Rhodes [Bevir and Rhodes, p.48] describe this shift as "a socio-cybernetic system" to suggest the declining power of central government actors. They further argue that "there is no longer a single sovereign authority and there is a blurred boundary between the public, private and voluntary sectors"

The foregoing description illuminates the view held by cyber libertarians who view digital technology as a remedy for dismantling of the hierarchic and opaque public administration. Cyber libertarians are generally of the view that digital communication is a democratizing force because it is associated with low cost of accessing information, hard to be regulated by the state, and it allows anonymous communication. Some scholars have conceptualized the potential of digital communication as the Fifth Estate to resound the influence of traditional media or the Fourth Estate had on the state (Al-Rodhan, 2007; Benkler, 2007; Benkler, 2011). This optimism, however, is not supported by empirical evidence from several countries that indicate that digital communication is under siege by the state (Frantz et al, (2020). The state uses a number of control measures to tame digital communication using both old and new techniques. This raises the question why the state control digital communication despite its salience in enhancing governance processes?

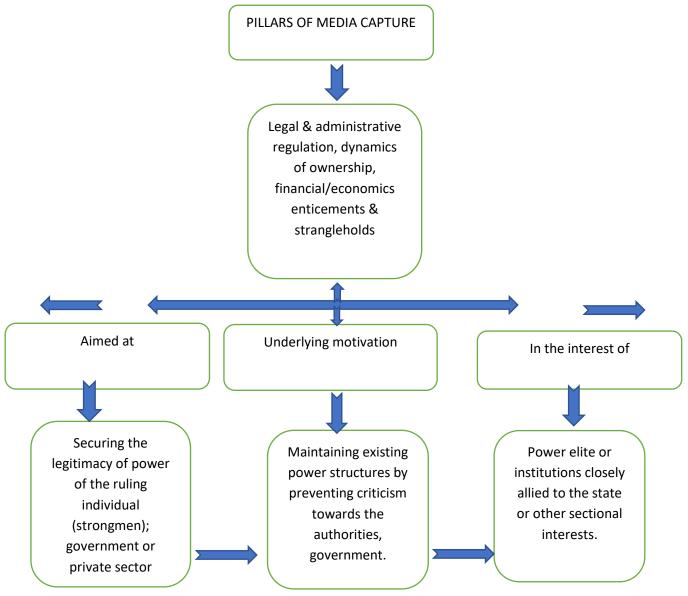
The NPG paradigm suggests that the new role of the state is to coordinate or steer networks of governance stakeholders toward realization of the public value. As regards to this, Bevir and Rhodes (2003) are of the view that although the state does not monopolize power under the NPG paradigm, it can steer the networks directly and imperfectly. Hughes (2010) also argues that the reduced steering ability of the state is overstated. According to him, government dependence on external stakeholders does not dilute its ability to steer the networks. Involvement of stakeholders is thus seen as complementary to the efforts to improve efficiency and effectiveness of public policies rather than diluting the power of the state. This enduring power of the state to steer governance networks provokes relevant questions on the role of the state in controlling networks. This has been a concern for critical political economists who view the current transformations as path dependent.

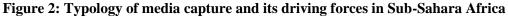
Literature suggests a number of motivations for state control of digital communication. They range from dealing with misinformation (De Paor and Heravi, 2020; Fernandez, 2018; Li and Scott, 2020) combating sedition (Kaur, 2020) to protection of cultural values and morals (Rodan, 1998). Others have indicated the need for preserving religious harmony and protection of political stability by maintaining security and order (Gunitsky, 2015; Rodan, 1998), combating cybercrimes such as fraud, money laundry and identity theft [48,70]. Some states justify digital communication control as a move to curb hate speech (Banks, 2010; Iglezakis, 2016) while others aim at shielding the young from exposure to pornography and child pornography (Corra et la 2012; Milana, 2012). In addition to this privacy of individuals (Lokot, 2020) and prevention of terrorism Bertram, 2016; Keene, 2011) have been at the heart of digital communication control.

While the above repertoire of motivations for digital communication control sounds reasonable to justify state control, the critical political economy of communication (CPEC) views these motivations as a superstructure to guise genuine interests of economic and political elites. According to this view, it is economic and power interests that are at stake rather than the desire to protect the society from the hazards of digital communication [36]. Digital communication control is seen as a mechanism for the economic and political class to produce and reproduce itself by creating structures that ensure maintenance of the status quo. While digital communication has been deemed as empowering the majority to participate in governance processes, the ruling elites are using the state to control governance



processes by weakening the democratizing potential of digital communication. Thus, digital communication control is path dependent meaning that it is motivated by similar motives behind traditional media control (Allmer, 2015).





Source: Mabweazara et al (2020, p.9).

The conceptual model above summarizes the CPEC view of the motives for the state to control digital communication. It suggests that rather than promoting the public good, digital communication control caters for reproducing and producing power structures in the digital era as a way to counter the democratizing power of digital communication that initially but temporarily changed the balance of power between the state and civil society. This is consistent with Frantz et al (2020) argument that digital repression is a mechanism for lowering the cost and increasing the effectiveness of long-standing repression tactics.



2.0 The Political and Economic Context of Digital Era Governance in Tanzania

The evolution of public administration and the media industry in Tanzania reflects some correlation with the global trend highlighted above. Since Tanzania started to engage in socialist oriented policies as reflected in the Arusha Declaration of 1967, the state had been controlling the economy. In the wake of the Arusha Declaration, the government nationalized private companies and converted them into parastatal organizations (Lufunyo, 2013). The government aimed at investing in the economy with the aim of building economic capacity for financing public services in the more equitable and accessible manner to the public. The government monopolized the media and civil societies organizations were either banned or co-opted (Rioba, 2008). Also, multipartyism was abolished making the state through public administration to advance socialist ideals. By the late 1970s, however, following the economic crisis and other factors, the public sector fell into crisis. Patronage, corruption, underperformance, low wages among other factors crippled the public service sector. As a result, by mid-mid 1980s Tanzania had to yield to the Washington Consensus¹.

The Washington Consensus policies initially aimed at reforming the macroeconomic policies of Tanzania toward the adoption of the market economy. This came in the name of Structural Adjustment Programs (SAPs). SAPs aimed at creating the market economy in Tanzania by promoting economic liberalization policies such as privatization of public enterprises, fiscal policy reforms, trade liberalization, deregulation, and promotion of foreign direct investments. By the late 1980s it was realized that SAPs could not succeed without effective political and administrative reforms. Thus, since the early 1990s both administrative and political reforms were initiated in developing countries including Tanzania (Mutahaba et al, 2017). This entailed reforming the public sector by introducing the NPM for reforming the public service in Tanzania. The NPM reforms in Tanzania came in the name of Civil Service Reform Programme (CSRP) which was conceived since 1991 and effectively implemented between 1993 and 1999 (Lufunyo, 2013). The CSRP/NPM reforms were driven by public sector efficiency and effectiveness through redefining the role of the state from running the economy and focus on policy and regulatory role. The CSRP/NPM reforms in Tanzania.

Along the CSRP/NPM reforms was the political reform that came under the umbrella of good governance, which was coined by the World Bank in 1992 (World Bank, 1992). The World Bank argued that macro-economic or market-oriented reforms cannot be effective without good governance. Good governance includes adoption of governance processes aiming at promoting accountability, participation, consensus orientation, information and transparency, and rule of law. In order to fulfill the conditionality of good governance, the President appointed a Presidential Commission in February 1991 dubbed the Nyalali Commission to assess whether Tanzania should adopt multiparty or single party system. The Commission was also tasked to analyze the laws of the country in order to evaluate their compatibility with the new political direction (Tambila, 1995). The Nyalali Commission recommended that Tanzania should adopt multipartyism, allow registration of private media companies and free operation of CSOs. This reform phase, therefore, introduced governance stakeholders' pluralism (opposition political parties, private media, private companies and CSOs) and well as media pluralism (Jeremia, 2011).

The CSRP/NPM reforms were replaced by the Public Sector Reform Programme (PSRP) that spanned the period between 2000 and 2012. The PSRP/NPG reforms must be understood in the context of poverty reduction efforts. PSRP constitutes the new response by the International Financial Institutions (IFIs) and the donor community given criticism of the SAPs approach that had exacerbated poverty in developing countries. This scenario had necessitated debt relief initiative for Highly Indebted Poor

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¹ This is a set of ten economic policy prescriptions considered to constitute the "standard" reform package promoted for crisiswracked developing countries by Washington, D.C.-based institutions such as the International Monetary Fund (IMF), the World Bank and the United States Department of the Treasury.



Countries (HIPC) of which Tanzania qualified. To qualify for the initiative, the HIPC countries were required to prepare Poverty Reduction Strategy Papers (PSRP) so as to qualify for the World Bank and International Monetary Fund's (IMF) loans. All donors also started to use PRSPs as a condition for aid. The PSRP was composed of five principles or conditionalities. Some of these conditionalities included a requirement of governments to involve a broad-based participation of civil society and the private sector in all operational steps. Another principle required partnership-oriented involvement of development partners (bilateral, and nongovernmental) (The United Republic of Tanzania, 2015, p.4).

In addition to the introduction of pluralism in the public sector, the PRSP/NPG and good governance reforms since the year 2000 embraced the use of digital communication to foster government transparency and accountability, citizen participation and engagement and CSOs' evidence-driven policy advocacy (Therkildsen, 2000). This is reflected in the Tanzania Vision 2025, the SDGs 2030, the Five-Year Medium-Term Plans and various policies and legislations. In this context, Tanzania like other countries has been pursuing digital transformation since the early 2000s with the adoption of the Information and Communications Technology Policy of 2003, which was revised in 2016. The government has also established the Tanzania Communications Regulatory Authority (TCRA) under the TCRA Act No. 12 of 2003 to regulate the postal, broadcasting and electronic Communications industries.

Despite this impressive progress made by the government toward reforming the public sector and promoting digital communication to support access to information by various governance stakeholders in Tanzania, it is increasingly realized that digital communication is failing to advance the governance processes contrary to the expectations and the goals of the government and development partners supporting this development. Increasing criticism is being leveled against repressive and vague digital communication regulatory framework [46,57,58] withdrawal of Tanzania from the Open Government Partnership (OGP) in July 2017 [40] and the enhanced state surveillance capabilities and activities (Makulilo, 2011; Makulilo, 2020; Ndossy, 2014; Privacy International, 2015).

3.0 Methods

This paper has been drawn from a PhD thesis. It deployed a qualitative case study design and data collection through in-depth interviews was carried out in Dar es Salaam between July 2017 to January 2018. Further data collection was carried out through document review. Two CSOs namely JamiiForums and TWAWEZA were purposively selected as they are typical representation of active civil society organizations deploying digital communication to advance governance processes in Tanzania. Informants were obtained through saturation sampling method whereby a total of 42 informants were interviewed.

The study deployed process tracing approach to establish the motives of political and economic actors to adopt measures for digital communication control in Tanzania. Process tracing aims at gaining deeper understanding of causal dynamics that produced an outcome of a particular historical case. In order to get this historical data, historical documents were reviewed to trace events that triggered political economy responses towards adoption of various tailor-made control measures to deter governance stakeholders from using various digital communication channels to advance governance agenda. As such, process tracing enabled the author to synthesize and link Jamii Forums and TWAWEZA governance activities with the ensuing laws, rules, regulations and other actions geared towards controlling the use of digital communication to engage in governance processes in Tanzania. Table 1 below summarizes a road map toward the evolution of the process leading to digital communication control in Tanzania.



in Tanzania.							
Milestone Historical Changes in Public Sector Management	Periodization	Empirical Manifestation	Political Economy Responses Sinc 2015 onwards				
Adoption of New Public Governance in Tanzania	2000-2015	-Political pluralism and increased involvement of the private and the third sector in governance processes	- Criminalization of Open Governmen through th				
Adoptionof2000PovertyReductionPapersImplementationof2000-2015MDGs2000-2010PublicSector2000-2010Reforms	-Adoption of PPP arrangements -Increased role of governance stakeholders in policy	Statistics Act 2015. Criminalization Digital Whist blowing throug the Cyber Crim Act of 2015. -Quitting the Ope					
	processes. -Adoption of open governance processes such as OGP.						
	-Establishment of Digital Communication Regulatory Body						
Adoption of e- Government Strategy	2013	-Open Government Processes leading to disclosure of political scandals (RADAR,	Government Arrangement 2017				
-Digital Migration	2005	RICHMOND, TEGETA ESCROW, etc. -Increased Citizen Monitoring of Service Provision	-Proliferation of Harassment of Governance Stakeholders i Courts, Arresting Detaining due to Digital Activities. -Proliferation of Digital Communication Control Laws an				

Table 1: Process Tracing Strategy for the Political Economy of Digital Communication Control in Tonzonio

Source: Compiled by author.

The author triangulated these results with in-depth interviews to ascertain and filling missing data and evidence. Purposive sampling was deployed to target digital governance stakeholders with greater knowledge and influence potential on digital communication control as well as New Public Governance (NPG) processes in Tanzania.

4.0 Co-production of Information Services in Tanzania: The Case of JamiiForums

JamiiForums, a whistle blowing blog in Tanzania, was founded in the year 2006. The site has been a useful platform for critical political discussion by different subscribers most of whom register on the site using pseudonyms to shield their identity. Due to its strong position, some commentators have dubbed it the "Swahili Wiki Leaks". As the CEO of the platform, Mr. Maxence Melo asserts; "[The reason] there are still whistleblowers on Jamiiforums is because they believe we can protect them," (JamiiForums, 2016). Since its inception, the blog has played a critical role of informing the citizens especially through online whistleblowing. Whistleblowing information leaked on the blog by anonymous users has been critical for government accountability and efforts to curb corruption in Tanzania.



Whistleblowing activities of JamiiForums can be conceptualized as information service co-production in the governance context.

Service co-production is one of the dimensions of participatory governance which regard service users as not only passive recipients of government services but active contributors in the production of services in collaboration or along government professionals (Alves, 2013; Gregory, 2012; Hamilton, 2015; Osborne et al, 2016; Rosen, 2008). Traditionally, information service provision had been the responsibility of the central government of Tanzania, but from the early 1990s the government liberalized information service provision by private media companies. Further liberalization of information service provision started to evolve since the early 2000s whereby the role of information service provision extended to voluntary citizens who had previously been passive consumers of information. The development of the blogosphere and social media in Tanzania, has transformed information consumers into both consumers and producers of information. Government acceptance of co-production and voluntarism in information service provision justifies the role played by bloggers and social media users in fulfilling government constitutional responsibility of informing the people.

Information service co-production through voluntary bloggers and social media users in Tanzania has bolstered government transparency through online whistle blowing. Whistle blowing is defined as "the disclosure by organization members (former or current) of illegal, immoral or illegitimate practices under their employers, to persons or organizations that may be able to affect action" (Janet, 1985). Whistle blowing is critically important in improving government transparency and accountability (Monika and Grimes, 2012). It is one of the tools for fighting corruption and improving good governance. Whistle blowing is championed by the global development community in the fight against corruption (Apaza and Chang, 2008). Literature suggests that effective whistle blowing is correlated with the existence of whistleblower protection laws to shield whistleblowers against retaliation from their employers (Mechtenberg et al, 2020; Worth, 2013). In the absence of strong whistleblower protection, online anonymity stands out as an alternative technological solution to whistleblower protection (Nissenbaum, 1999; Sarda et al, 2019; Veliz, 2019).

Online anonymity has been a positive incentive for online whistle blowers because it apparently guarantees non-trackability (Mathews, 2010), non-identifiability Wallace, 1999), and non-reachability (Nisenbaum, 1999). Nissenbaum argues that "the value of anonymity lies in the possibility of acting or participating while remaining out of reach, remaining unreachable" (Ibid., p.142). This non-traceability has created incentives for early adopters of internet to engage in online whistle blowing in Tanzania as the *JamiiForums* case shows below. These early naïve users on JamiiForums were trapped in what Sardá et al (2019) call "the opportunity to employ pseudonym and anonymity to play freely with their identities"(Sarda et al, 2019).

The forum management has also assured members that none of their identifying information such as IP addresses, phone numbers or email addresses would be availed to any law enforcement officer or any third party. In addition, the site is hosted under a *.com domain* whose servers are hosted abroad. Given this strong assurance for users' anonymity, individuals have gained trust in the platform making it one of the major whistleblowing sites in the country.

Since its inception, the forum has been responsible for the major leaks of political scandals some of which have led to accountability of some government officials. The Richmond Scandal is one of the landmark whistleblowing case in Tanzania that was disclosed in the year 2008 on the JamiiForums blog. The documents released on the platform led to the disclosure of a corrupt energy deal between the government of Tanzania and an American company, Richmond Development Company. Later the Richmond Scandal was debated in the Parliament leading to the formation of the Parliamentary probe team to investigate the scandal. The parliamentary probe team was headed by Hon. Harrsion



Mwakyembe. The probe team released the report to the Parliament and after some deliberations the then Prime Minister, Mr. Edward Lowassa, was forced to resign on February 7, 2008 along the minister for Energy and Minerals, Mr. Nazir Karamagi, and the Attorney General, Mr. Johnson Mwanyika ((Tanzania Affairs, 2008).

Another equally important political scandal is the Escrow Scandal that was initially leaked through *JamiiForums* platform from an anonymous whistle blower and later publicized by the Citizen newspaper through a series of investigative reports. The scandal was ultimately disclosed in Parliament by Hon. David Kafulila (MP) on May 8, 2014. The Parliament through the Parliamentary Public Accounts Committee (PAC) tasked the Prevention and Combating of Corruption Bureau (PCCB) and the Controller and Auditor General (CAG) to investigate the scandal.

4.1 Political Economy Issues Arising from JamiiForums' Whistleblowing

The above political scandals that were disclosed through *JamiiForums* whistleblowing platform indicate the presence of vested political and economic interests among some political and bureaucratic elites. While the Richmond scandal led to high level political accountability, it is interesting to note that this was followed by harassment of *JamiiForums*' staff by the government.

On February 18, 2008, just one week after the resignations of the Prime Minister and other government officials due to the Richmond Scandal, the police arrested Mr. Maxence Melo and Mr. Mike Mushi who were hosting the *JamiiForums*. The two were interrogated by the police throughout the night over several postings on *JamiiForums* that criticized the government ((Balancing Act, 2008). The Police confiscated the computers used to run the website and the site went off for five days (CIPESA, 2016). Local journalists associated the arrest with political motives given the whistle blowing role played by the forum. The contract between the Tanzania Electric Supply Company Limited (TANESCO) and Richmond Development Company had been published in full on *JamiiForums*' site. Tundu Lissu, who was acting as *JamiiForum*'s lawyer, confirmed that his clients were interrogated by the police specifically on the posting of the Richmond Contract. He noted that the order to arrest them came from the President's office. Furthermore, the then Inspector General of the Police, Said Mwema, in a press conference in February 20, 2008 testified that the two were arrested because of "disseminating of wrong information" on *JamiiForums* blog (Balancing Act, 2008).

The police's move to arrest *JamiiForums* founders as indicated above reveals the political and economic influence on the control patterns of digital communication. The Richmond Contract v. TANESCO was a PPP arrangement that allowed the private company to provide energy services on behalf of TANESCO - the government. The Richmond scandal reveals that those who are politically powerful have vested economic interests in the PPPs arrangements. For instance, how could the IGP refer to the posting of the Richmond Contract on *JamiiForums* as posting 'wrong information' while the same information had already led to the resignation of the Prime Minister and other government officials? Also, the involvement of the President's office in the arrest of the two online whistle blowing advocates brings doubts on the political and economic motives surrounding the Richmond Scandal. This reflects that the government was not happy with the patriotic act of *JamiiForums*' whistle blowing about the corrupt energy deal as this incidence was perceived as a threat to some government officials' economic and political interests.

The second scandal exposed on JamiiForums is the Tegeta Escrow Scandal. This scandal also echoes vested political and economic interests of some government officials. The main issue about the Escrow Scandal had been whether the money deposited by TANESCO in the Tegeta Escrow Account belonged to the government or IPTL. The PAC report, however, confirmed that some of the money withdrawn from the Central Bank of Tanzania (BOT) where the Tegeta Escrow Account was hosted



belonged to the public. However, this money was withdrawn and freely distributed among a few influential individuals (John and Lamtey, 2015).

After deliberating on the PAC report, the Parliament endorsed 8 resolutions from the PAC report and tasked the government to implement them. Some of these resolutions included dismissal and prosecution of the key government officials involved in the scandal, investigating two banks and two High Court judges involved, reviewing all power generating contracts and nationalizing the IPTL power plant. However, the negative reaction of the government to the 8 Parliamentary resolutions reveals that some political and bureaucratic elites had vested political and economic interests. This was revealed in the President's speech delivered on 22nd December 2014 in which he argued that the money withdrawn from the Tegeta Escrow Account belonged to IPTL and thus it was not public money. He also noted that IPTL's assets cannot be nationalized as this would send a negative message to foreign investors. The President also whitewashed most of government officials who were supposed to be accountable as per PAC's recommendations.

The main lesson from the two scandals illustrated above is that because of vested economic and political interests in the PPP deals, some corrupt government officials are not interested in supporting whistle blowing in particular and information services co-production in general. By extension, they are most likely to devise and support control measures aiming at eliminating anonymity of whistleblowers to deter them from exposing government misconduct in the future. The ensuing government measures to deanonymize digital communication discussed in the below give evidence to the authenticity of this claim.

As the Escrow Scandal crystallized by the end of 2014, the early 2015 saw the proliferation of measures geared towards controlling online information co-production apparently with the ultimate goal of stifling anonymous whistleblowing on *JamiiForums* platform in particular and any other potential online whistleblowing platforms in general. These measures included physical repression, raising entry barriers against information service co-production, online censorship/surveillance laws and de-anonymization of digital communication. Below, each control method is discussed in some details.

4.1.1 Physical Repression

Physical repression aiming at discouraging online whistle blowing has taken different forms including arresting, detaining, and prosecuting of the founders of *JamiiForums*. For instance, Maxence Melo, the founder and the CEO of *JamiiForums* has been arrested, detained and interrogated by the police several times. Melo and his co-founder, Mike Mushi, have been charged on three different cases since December 16, 2016 under the Cyber Crimes Act of 2015. Below are the details of *JamiiForums* cases.

On December 13 2016, Maxence Melo was arrested by the police and held in custody on allegations of complaints from unidentified people who claimed to have been affected by some posts and discussions on *JamiiForums* blog. The police asked him to disclose the identity of subscribers who posted 'controversial debates' over several alleged 'corruption deals' on two separate periods; from May 10, 2015 to December 2016 and from April 1, 2016 to December 13, 2016. Mr. Melo, however, declined to disclose the identity of subscribers to the police arguing that doing that violates digital privacy and confidentiality laws and the right to privacy as provided under Article 18 of the Constitution of the United Republic of Tanzania.

On December 16, 2016, the Resident Magistrate Court of Dar-es-Salaam at Kisutu charged Mr. Maxence Melo under three sets of charges: "obstruction of a police investigation" under the 2015 Cyber Crimes Act; for "not complying with an order of disclosure of data" (cases No. 456 and 457); as well as "managing a domain not registered in Tanzania" in contravention of Section 79(c) of the Electronics and Postal Communications (2010) Act (case No. 458) (World Organization Against Torture, 2020). The case No.456 is based on Melo's reluctance to furnish personal data of subscribers who posted and contributed



on 'controversial debates' between May 10, 2015 and December 13, 2016 about 'corrupt deals.' The State Attorney brought a witness on May 2, 2017 to testify the allegations. The witness was a Deputy Zonal Officer (DZO), Mr. Ramadhan Kingai. The DZO claimed that on 19th February 2016, Mr. Usama Mohammed- the retail officer of Oilcom Company - complained to the police that he had read some information on *JamiiForums* that accused Oilcom Company for tax evasion at the Dar es Salaam Port. Mr. Usama complained to the police that the allegations against Oilcom were false. The DZO recorded the details and opened a file No.DSMZ/CID/PE/64/2016 for compiling investigation to ascertain the allegations by Mr. Usama. As part of the investigation, the police wrote a letter to *JamiiForums* inquiring for disclosure of the subscriber who used the pseudonym of "FUHRER JF". *JamiiForums* responded to the police letter denying disclosure of the subscribers' identity (JamiiForums, 2017).

Since then, the case had been postponed for a period of over three years because of lack of witnesses from the Republic. Eventually the case was closed on April 8, 2020 by convicting Mr. Maxence Melo on a charge of "obstruction of a police investigation" (under Section 22(1) of the Cyber Crimes Act, 2015). Stating the judgment Mr. Thomas Simba, acknowledged that Mr. Melo was not obliged to disclose subscribers' personal data. He further noted that Mr. Melo was guilty for acknowledging that he was the CEO and founder of *JamiiForums* which means he knew that the police were conducting investigations but he decided to delay their efforts. Mr. Melo was sentenced one year in prison or to pay a fine of three million Tanzania shillings. He paid the fine and filed a notice of appeal before the High Court of Tanzania (JamiiForums, 2020).

On case number 457 (Republic v. Maxence Melo and Mike Mushi) *JamiiForums'* founders were charged for obstruction of investigations by not disclosing the identities of whistle blowers who leaked the information on the *JamiiForums* platform about tax evasion at the Dar es Salaam port by two companies – CUSNA Investment and Ocean Link. The companies were also alleged to oppress Tanzanian workers while favouring their foreign counterparts. On June 1, 2018, the case was closed by the judge because of lack of witnesses on the part of the Republic.

The last case is case No.458 which is about *JamiiForums*' violation of Section 79(c) of the Electronics and Postal Communications Act of 2010 that requires registration of all local websites under the *.tz domain* - Tanzania's top-level domain. Another charge under this case entailed failure of *JamiiForums* owners to disclose the identity of a whistle blower who posted on *JamiiForums* platform claiming that the CRDB Bank, a Tanzanian bank, over-charged bank transactions. The witness was Investigation Officer from the Cyber Crimes Investigation Department at the police headquarters, Inspector Beatrice Majule. On 23 March, 2020, the case was postponed until April 23, 2020 because the Republic had no further witness. The judge, Mr. Hakimu Shaidi expressed dissatisfaction with prolonged postponement of this case for over a period of one year and demanded the Republic to demonstrate a firm position on the case (JamiiForums, 2018). On November 17, 2020, Mr. Melo was acquitted on charges of operating a website hosted outside Tanzania. He was convicted, however, for obstructing justice by failing to disclose the details of JamiiForums whistleblowers.

A close look at all the three cases against the founders of *JamiiForums* suggests that they are motivated by political and economic interests. First, it is interesting to note that although the police claim that people who have been affected by the posts and discussions on *JamiiForums* had channeled their complaints to the police because the information posted is wrong, none of these individuals or companies had come into public to demand *JamiiForums* to justify the information or else they face defamation cases. Some of the companies that have been mentioned in these cases include Oilcom Company LTD, Lake Oil, World Oil, Camel Oil, CUSNA Investment, Ocean Link and CRDB. None of these companies have opened a defamation case against Jamii Media Company or denied the allegations in public or asked Jamii Media to make clarifications on the allegations. Second, all the cases are undermined by a lack of witnesses to justify the allegations. Case number 457 was closed for a lack of witnesses which is the



similar problem that prolonged case number 458. Why do these companies whose reputations have been tarnished by 'false' posts and discussions fail to appear in court to furnish witness?

As a *JamiiForums* lawyer suggests, arbitrary arrests, detention, frequent requests for personal data of JamiiForums subscribers and prosecution in court all crystallize into intimidation tactics against both JamiiForums management as well as to contributors on the platforms. The *JamiiForums* lawyer is of the view that the government is intimidating *JamiiForums* because it had previously an ongoing case on the constitutionality of the Cyber Crimes Act of 2015 (CIPESA, 2016). *JamiiForums* had opened a case in 2016 to challenge the constitutionality of sections 32 and 38 of the Cyber Crimes Act of 2015 which empower the police to compel online content providers to disclose identities of their subscribers to the security officers when conducting criminal investigation. *JamiiForums* instituted this case so as to protect the rights of whistleblowers given that the police had been writing to *JamiiForums* demanding for the names of individuals posting sensitive issues including grand corruption and tax evasion. On March 8, 2017, the court ruled in favour of the position that the two sections are constitutional. However, Mr. Melo argues that "*With this kind of ruling … I don't think whistleblowers will be safe"* (Dar Post, 2017). It can be inferred, therefore, that these forms of government intimidations create the chilling effects to both content providers and their subscribers. It also raises questions on whether the government is interested in protecting whistle blowers or political economy interests are at stake.

4.1.2 Raising Entry Barriers for Information Service Co-Production

Literature suggests that information service co-production is not only facilitated by the anonymous nature of digital communication but also by low entry barriers such as financial resources, technical skills, geographical constraints and temporal constraints (Cooper, 2006; McGuinness, 2016). According to Gillmor (2006), the era of information service co-production is "a time of incredible exploration" to suggest democratic access to inexpensive and ubiquitous publishing tools. This supports the philosophy underlying co-production of services that involve voluntarism and free news production. While early adoption of information co-production was in line with this view, the findings in Tanzania reveal that political economy-motivated reforms have skewed the balance toward high entry barriers.

cense	Applicati on fees (TZS)	Initial License Fees (TZS	Annual License Fees (TZS)	Renewable Fees (TZS)	Duration of License (TZS)
News &	100,000	1,000,000	1,000,000	1,000,000	3 years
	100.000		F 000 000	500.000	2
Entertainment	100,000	500,000	5,000,000	500,000	3 years
Education or	100,000	500,000	5,000,000	500,000	3 years
Religious					
Simulcasting Television License		200,000	200,000	200,000	3 years
(streaming content on the internet) Simulcasting Radio License (streaming content)		200,000	200,000	200,000	3 years
	News & Current Affairs Entertainment Education or Religious evision License ent on the dio License	News & (TZS)News & Current Affairs Entertainment100,000Education or Religious evision License ent on the50,000	on fees (TZS)License Fees (TZS)News & Current Affairs100,0001,000,000Entertainment100,000500,000Education or Religious evision License50,000200,000dio License50,000200,000	on fees (TZS) License Fees (TZS) License Fees (TZS) News & Current Affairs 100,000 1,000,000 1,000,000 Entertainment 100,000 500,000 5,000,000 Education or Religious 100,000 500,000 5,000,000 evision License 50,000 200,000 200,000 dio License 50,000 200,000 200,000	On fees (TZS) License Fees (TZS) License Fees (TZS) Fees (TZS) Fees (TZS) News & Current Affairs 100,000 1,000,000 1,000,000 1,000,000 1,000,000 Entertainment 100,000 500,000 5,000,000 500,000 Education or Religious 100,000 500,000 5,000,000 500,000 evision License 50,000 200,000 200,000 200,000 dio License 50,000 200,000 200,000 200,000

Table 2: Revised Online Content Service Fees

Source: Tanzania Communications Regulatory Authority (TCRA) (2020, p.14).



The licensing and registration of bloggers constitutes both a financial and procedural barrier for current and novel citizen journalists in Tanzania. The Electronic and Postal Communications (Content) Regulations of 2018 and the updated version of 2020 impose heavy annual license payments for owners of social media platforms. In addition to this, the regulations disproportionately target news and current affairs content providers. There is no justification as to why news and current affairs content providers are excessively charged as compared to other categories. This implies that running a social media, a YouTube channel or any other social media platform should be aiming at generating revenue so as to be able to pay for annual licenses. But this is in contrast to the philosophy underlying citizen journalism which is defined by the features of voluntarism and free information sharing. In other words, not all citizen journalists are doing it for profit generation. In March 2022, the Minister for The Ministry of Information, Communication and Information Technology further amended the Regulations by abolishing the requirement for licensing of online content providers are still required to apply for annual license fees though the licensing cost has been reduced halfway (The Chanzo Initiative, 2022).

Interview with one of the bloggers indicated that financial constraints are forcing bloggers to become victims of state and market capture.

You know some will be able to pay the fees but paying the fees does not mean that you are guaranteed to get registration. You can pay and still the TCRA can reject your application based on your political inclinations. If your content is critical to the government this is a chance to discipline you on the annual basis. In my view this financial burden will force majority of us to be lured by politicians to pursue their political agenda because we need to get annual licenses and money to pay the fees. Some bloggers are more concerned with boosting Google advertisements to increase revenue than providing quality news. It seems gossip content attract more audience than emancipating information. So, everyone struggles to increase subscribers to attract more advertisements and revenue. This is all because of the financial pressure. It is no longer affordable to run free online content (Interview, 22.08. 2018).

Financial hurdles on citizen journalism can be broadly interpreted as a move to exclude those who are economically disempowered from the realm of information production, processing and dissemination. Those who dominate the traditional media politically and economically are likely to dominate the social media news production by creating political and economic hurdles for current and new entrants. This signifies that those with economic and political power will continue to dominate news production industry and shape public opinion.

4.1.3 Laws Enabling Online Censorship and Surveillance

The Cyber Crimes Act o, has been dubbed by various analysts as the "Jamii Forums Law" (Mutahi, 2020) to signify that it was strategically designed to control social media platforms that operated or planned to operate under the JamiiForums' model. This law among other concerns introduced conditions for facilitating online censorship and surveillance of users. Information censorship entails restricting public access to information that governments and corporations would not like to share with citizens for inherent political and commercial interests. Surveillance virtually removes the anonymity element of digital platforms that had made digital technologies more secure for information sharing. Surveillance for example, increases vulnerability of whistleblowers and thus decreasing their potential to disclose information. Section 16 of the Cyber Crimes Act of 2015 is the most used to justify arrest, detaining, compelling deletion of online content and even taking to court of the suspected individuals. Section 16 of the Cybercrimes Act reads:



Any person who publishes information or data presented in a picture, text, symbol or any other or inaccurate, and with intent to defame, threaten, abuse, insult, or otherwise deceive or mislead the public or counseling commission of an offence, commits an offence, and shall on conviction be liable to a fine of not less than five million shillings or to imprisonment for a term of not less than three years or to both (The Parliament of Tanzania, 2015).

In addition to this, online surveillance has been enabled by legislation to create vulnerability for online content providers. The Electronic and Postal Communications (Content) Regulations of 2018 under section 9, sets out obligations for internet cafés to adhere to a set of obligations all of which facilitates surveillance on internet users. Section 9 of the Regulations reads:

Subject to Regulation 5, every internet café or business center shall have the following obligations:

- (a) to ensure that all computers used for public internet access at the café are assigned public static IP addresses;
- (b) establish and publish a safe internet use policy for safe use of the internet with regards to online content and post it on conspicuous place; computer home screen or display the same on a visible area for users to read before using the service;
- (c) to put in place mechanism to filter access to prohibited content;
- (d) to install surveillance camera to record and archive activities inside the cafe.
- (e) to keep a proper service user register and ensure every person using internet service is registered upon showing a recognized identity card.
- (2) The images recorded by surveillance camera and the register of users recorded pursuant to sub regulation 1 shall be kept for a period of twelve months (URT, 2018).

This shows that internet cafés are empowered to conduct surveillance on their customers on behalf of the government. It is interesting to also note that the regulations do encourage censorship of information that the customer may want to access. Filtration technologies are against the freedom to access information. Also, data retention for the period of twelve months is so long and can have a chilling effect for users. One respondent (R2) revealed how some politicians' speeches imply that the government is conducting mass surveillance by accessing their stored online information.

Don't pretend that you don't know this. You are a Tanzanian, right? When you hear a politician saying that he can read the messages of his subordinates...what meaning do you get? I think we need more awareness about this because no one seems to care (Interview, 06.02. 2018).

It is interesting to note that, surveillance is done with impunity as politicians do not fear to expose the fact that they are actually conducting surveillance on digital communication users.

4.1.4 De-anonymization of Digital Communication

As a response to anonymous whistleblowing facilitated by JamiiForums, attempts have been underway to decimate digital anonymity. For instance, in December 13, 2016, Maxence Melo, the founder of *JamiiForums*, was arrested and detained by the police after failing to disclose the identity of Jamii Forums contributors who posted sensitive information on the *JamiiForums* blog. In an interview conducted by The Citizen with Mr. Melo's lawyer, said:

The police have been writing to the company management [for the past three months] demanding the disclosure of the names of individuals providing sensitive information. They



claim what has been posted; include the theft of fuel at the Dar es Salaam Port, corruption in public offices and tax evasion. Probably, those named in the reports complained to the police, wanting the disclosure of the names of subscribers (TWAWEZA, 2017).

In December 2016, Jamii Media was charged under case number 457 for failure to register the *JamiiForums* blog on the .tz domain, Tanzania's Top-Level Domain (ccTLD) as required by section 79 of the EPOCA. Jamii Media had challenged in court sections 32 and 38 of the Cyber Crimes Act of 2015 which require intermediaries to disclose identities of their contributors (Kolumbia, 2016). The case was dismissed on the grounds that although the responsible minister had not yet enacted the regulations to operationalize the Cyber Crimes Act, still the provisions were legally binding. After this case, the minister enacted the Online Content Regulations of 2018 to operationalize sections 32 and 38 and thus removing an excuse for online service providers' failure to disclose identities of their subscribers to law enforcement authorities. Also, requiring bloggers to register on the domestic .tz domain implies that authorities aim at conducting surveillance on subscribers' information and thus undermining their anonymity.

This kind of digital communication control poses two major threats to digital communication users. First, demanding intermediaries to furnish identities of their subscribers is an attempt to decimate online anonymity which is an important feature of digital communication that empowers users to express themselves without fear of retribution. Online anonymity is a technological advantage for whistle blower protection. The move to remove this protection is counter government transparency and the right to privacy among whistleblowers. Second, given a weak legal protection framework for whistleblowers in Tanzania, removing online anonymity further erodes the potential of digital communication to improve information flow for the ultimate purpose of improving government transparency and the fight against corruption.

5. Citizen Monitoring and Evaluation of Public Services through Digital Communication: The Case of Uwezo Initiative

5.1 Background to Uwezo Initiative

Uwezo Initiative has been run by Twaweza Initiative which is a regional initiative operating at the East African level. TWAWEZA Initiative is an initiative hosted by Hivos Tanzania which is a non-profit company limited registered in Tanzania. It is a 10-year initiative aiming at promoting citizen involvement and public accountability in East Africa. The vision of Twaweza is to have a society in which its citizens are informed and active, and making a difference to improve their lives and hold their governments to account. TWAWEZA Initiative is funded primarily by grants from international agencies including an own contribution from Hivos Head Office in The Hague, Netherlands. The Initiative has funding agreements with Hivos Netherlands, SNV Netherlands, The Hewlett Foundation USA, DFID Tanzania, and Sida Tanzania (Hivos Tanzania, 2010).

Uwezo is a Swahili word which means 'capability'. It is an initiative in which competencies of school-aged children in Kenya, Tanzania and Uganda are measured to obtain information that encourages changes in educational policy and practice. Uwezo began as a four-year initiative (2009-2013) with a potential to extend for a period of five more years. Uwezo Initiative is founded on the vision that citizens must be informed and engaged in order to hold their governments accountable and exert pressure for change. In order to exert policy influence, Uwezo has used a variety of media outlets to disseminate the findings. One of the most preferred media outlets is the use of radio especially for reaching parents and teachers (Uwezo, 2014). Uwezo surveys have also been communicated through newspapers and through SMS messaging to the database of education stakeholders commonly known as 'friends of education' (The Center for Global Education Monitoring, 2014).



5.2 Uwezo Initiative and Citizen Monitoring of Service Provision

Twaweza's Uwezo Initiative has been conducting national surveys with the goal of ascertaining whether students are learning in primary schools since the year 2009. The Initiative covered three East African countries; Kenya, Uganda and Tanzania. Through surveys, the project has been collecting data from children aged 6 to 16 to ascertain their numeracy and literacy skills. In practice, Uwezo surveys aimed at evaluating the outcome of promoting Universal Primary Education (UPE) through the donor funded Primary Education Development Programme (PEDP) since 2001. Under the PEDP governments have made it mandatory for children between 7 and 15 to enroll for primary education. Also, the PEDP eliminated school fees in public schools to encourage enrollment. The UPE had been an aspiration of the MDGs 2015 and its current successor SDGs 2030.

While the PEDP has enabled increased primary school enrollment for about 94%, the Uwezo surveys conducted by TWAWEZA between 2009 and 2014 have consistently indicated that students are not learning in terms of acquiring basic numeracy and literacy skills. The surveys indicate that students are below their capacity to read. For example, many standard-7 pupils could not read Kiswahili texts while some could not pronounce words or recognize some syllables. Furthermore, the statistics released by the World Bank in 2016 reveal high absenteeism rate among primary school teachers in Tanzania. The report indicates that more often teachers are absent from schools at a percentage of 14 per day at the time of surprise school visit. However, even those who were present about 37% of them were not in the classroom teaching. This makes a total of absenteeism rate to be a total of 47% nationally. By approximation, at any point in time, the absenteeism rate in Tanzania is close to half of all teachers (Kalemera, 2018).

TWAWEZA and other governance stakeholders have been sharing such eye-opening information on various digital platforms in effort to empower citizens to demand accountability from service providers and policy makers. As mentioned above, education, health and water sectors have been the focus of government transparency. For example, as table 5.1 indicates below, a number of open data portals have been established to allow free access to both demand and supply side data on service delivery in the sectors of health, education and water. The key characteristics of open data is that it should be open both technically and legally to allow anyone to use and interpret the way they want.

SN.	Open Data Portal	Publisher	Portal Description
	http://opendata.go.tz/	Government of Tanzania	Hosts a collection of data, available "to be used and re-used by anybody," including extensive data on health, education and water services.
2.	https://dataportal.opendataforafr ica.org/mlxpcke/tanzania-at-a- glance	African Development Bank Group	Compiles social economic database for various years
3.	http://nso.tanzania.opendatafora frica.org/yolzjif/national- summary-data-page-nsdp	International Monetary Fund	Contains submissions of data and metadata by Fund members that subscribe to the IMF Data Standards Initiatives.
,	https://www.twaweza.org/ go/uwezo-datasets	TWAWEZA	Compiles data on education service provision by Tanzania, Kenya and Uganda since 2009 to 2015
Sou	rce: Author's compilation		and Uganda since 2009 to 2015

Table 2. Tangania Onan Data Dartala



While both demand and supply side information are empowering the citizens to be able to monitor the quality, quantity and access to public services, policy makers and service providers are often unease with this kind of scrutiny. This information empowers both the poor and the donors to demand accountability from policy makers which ultimately threatens the latter's political and economic interests. As the following section shows, this has motivated political economy-motivated responses from the government to control digital communication technologies that are enabling this kind of government transparency.

5.3 Criminalization of Open Data Dissemination

By definition, open data is the data that is available for anybody; academics, the media, CSOs, donors, and ordinary citizens. Also, the published data should meet the definition of open data which entails two elements. First, the data should be legally open meaning that it should be published in the public domain with no (or very minimal) restrictions on how it may be used. Second, it must be technically open meaning that it should be published in electronic formats that are readable by a machine i.e. spreadsheets or similar files (URT, 2014). The idea behind the openness criteria of open data is to facilitate citizen engagement with data to demand government accountability for service provision.

Although the OGP arrangement is not a legally binding agreement it has been used to legitimize open data sharing within the criteria identified above. In practice, the OGP champions in Tanzania had been campaigning for the enaction of the Access to Information Law to legalize the principles of open data among others. Access to Information Act (ATI) featured as one of the priorities of the OGP Action Plan 2014/2016 and it was enacted in 2016. However, both the ATI and the Statistics Act of 2015 have been criticized for constraining information access in contrast to the expectations of governance stakeholders. The two Acts have been associated with political economy-oriented motives to criminalize open data sharing.

The Statistics Act for example, has been criticized for promoting government monopoly of statistics and criminalizing collection, processing, storing and disseminating of statistics. The Act also puts restrictions on communicating statistics on digital communication platforms. The Statistics Act of 2015 discourages collection and communicating statistics by non-governmental agencies. The designation of statistics in categories of "official" and "unofficial statistics" aims at excluding non-governmental agencies from dealing with government statistics. Article 20 defines official statistics as:

- (1) The official statistics shall, subject to subsection (2) be body of statistical information produced, validated, compiled and disseminated by-
 - (a) The Bureau;
 - (b) Government institutions; and
 - (c) Agencies [defined as research institutions, non-governmental organizations, development partners or any other user or producer of statistics].
- The statistics produced under subsection

 (1)(c) shall qualify to be official statistics if they meet the criteria and standards set by the Bureau and approved by the Director General (The Parliament of Tanzania, 2015).

This implies that only the National Bureau of Statistics (NBS) and government agencies are allowed to produce and use statistics. Other actors as indicated in subsection 2 are implicitly not allowed to do the same save after complying with the NBS standards and being approved by the Director General of the NBS. The approval requirement is attuned to censor and deny publication of any embarrassing statistics to the government.



Not only does the Act limit pluralism of actors in the realm of evidence-based policy advocacy but also limits the medium to be used to disseminate statistics and in this case digital communication. Section 5 of Article 37 puts limits on the use of communication media. It states that "A Director, Manager, Controller or any other person who is concerned with the management of any communication media, allow or cause to be published false statistical information ... commits an offence." In section 7 of Article 37 'communication media' is defined to include "radio station, television station, newspaper or magazine, website or any other media" This section restricts publication of statistics on both traditional and new media. Given the convergence of traditional and new media after digital migration in Tanzania, this means all communication media are covered by the new law. Also, the law gives broad discretion to the Director of the NBS to determine which is 'false' and 'true' statistics. Thus, any statistics that does not sit well with government officials is likely to be interpreted as 'false' and whoever communicates such statistics commits a crime.

As Justin Sandefur argues with reference to the enactment of the Statistics Act of 2015:

The foreign aid donors who finance much of the independent data on Tanzania's development are beyond the reach of this new crackdown — but the Tanzanian researchers, journalists, and activists who are pioneering a more open, evidence-based policy conversation may not be so lucky (Sandefur, 2015).

In practice, Tanzania's withdrawal from the OGP initiative in July 2017 is a continuation of efforts to criminalize open data collection and dissemination through digital communication. As noted above, the OGP takes digital communication as a key component for facilitating information collection, processing and dissemination. Withdrawing from the OGP initiative is a critical blow to all initiatives geared towards promoting government transparency and accountability. Interview with one of the OGP activist indicated that the government was not comfortable with the demand side government transparency.

I have learnt that the government embraces the OGP partially because of the need to keep warm relationships with donors. But in real sense, government officials have shown mistrust in open data activists. They think we are exposing their weaknesses to the public and the donors. Open data is a good undertaking when it is about getting donor funding but when it is used for meaningful engagement with governance stakeholders, then mistrust arises (Interview, 18. 12. 2017).

Given that transparency comes with accountability, donors and citizens who are funding development projects, would like to see value for money. Open governance initiatives expose underperformance in service delivery which requires accountability among service providers and policy makers. At another level, governance stakeholders share these statistics with the public through various online and offline channels to empower them with information for demanding accountability from the government. Given that accountability threatens the political and economic interests of policy makers and service providers, the government response to government transparency has been negative.

6. Discussion

6.1 Situating the Findings in Mabweazara H.M. et al (2020)'s Conceptual Framework

The findings presented in this paper reveal that economic and political interests dictate the enactment of control measures of digital communication which is consistent with Mabweazara et al's typology of media capture and its driving forces in Sub-Sahara Africa. The cases of *JamiiForums* and TWAWEZA have revealed that digital communication has a potential to radically transform the dominant power structures. Evidence from the *JamiiForums* case indicates that digital whistle blowing has enabled



whistleblowers to perform their patriotic duty fearlessly and thus leading to unprecedented government transparency as well as accountability. The involvement of some government elites in these scandals implies that they have economic interests to safeguard by keeping the scandalous information secret. Digital whistle blowing is an obvious enemy to the sustained economic benefits of government elites extracted from the leaked scandals.

In addition to that, the case of TWAWEZA has also transformed citizen monitoring of public service provision by using digital statistics to cross-check government claims of improved service delivery. Through the use of demand side information, TWAWEZA has revealed that although enrollment rates have risen, our children are not learning. This raises questions on the value for money and whether the goal of education for all (EFA) could be met. This is also calling for government accountability to the citizens and donors who are financing these projects. Political accountability can take many forms which include government being voted out of power for failure to deliver public services. Also, it can entail loss of financial resources from donors. In order to keep a tight grip on power, therefore, the government decided to enact control measures of digital communication so that it can serve the interests of government elites.

In this respect, digital communication control has been achieved through three major forms. First, through enactment of the Cyber Crimes Act of 2015 to contain digital whistle blowing for the case of *JamiiForums* and the Statistics Act of 2015 and Access to Information Act of 2016 for the case of *TWAWEZA*. The Cyber Crimes Act of 2015 law has aimed at weakening or eradicating of digital anonymity so as to expose and deter potential whistle blowers while the latter laws aim at criminalizing of sharing government statistics. Secondly, raising entry barriers for bloggers and other social media users so as to attract co-optation of digital media firms by politicians and business men. When digital media depends on political favours and finances from advertisers, their behaviour is automatically re-oriented toward serving the political and economic interests rather than challenging power structures that are perpetuating poverty and inequalities. The state has also resorted to coercion to supplement the legal framework. Frequent harassment of bloggers by arresting, prosecuting, fining and detaining them practically aim at creating the atmosphere of fear and compliance into the mainstream or old practices.

Conclusion

The findings in this paper have illustrated the politics and economics of the digital era governance and their influence on the nature of the control patterns of digital communication. The findings suggest a linkage between digital communication control patterns such as physical repression (arresting, detaining, prosecuting of digital communication users), and the restrictive legal framework with the resulting political economy motives of some political elites. The governance processes have triggered different responses from the political and economic elites aiming at preserving the status quo. First, information co-production as illustrated by the *JamiiForums*' case, has revealed the empowering potential of digital communication specifically the blogosphere. Citizen generated information has played a significant role in improving government transparency which has consequentially enabled citizens to invoke government accountability. The ensuing control measures against the blogosphere reflect the aspirations of the political and economic elites who would like to preserve their political and economic power positions.

A similar pattern has been observed with regard to citizen monitoring and evaluation of public service provision through TWAWEZA's Uwezo Intitiative. This kind of involvement of multiple stakeholders in policy making, implementation, monitoring and evaluation has been perceived by the political and economic elites as a threat to their political and economic interests. In order to maintain the status quo, the elites have devised control mechanisms aiming at limiting the potential of governance stakeholders to share empowering information with citizens. By criminalizing collection, processing and



dissemination of information using digital communication, the political and economic elites aim at securing their dominant positions. The paper concludes that digital communication can temporarily transform dominant power structures that had traditionally kept the disempowered groups out of the public sphere and thus threatening the political and economic interests of elites. On the long run, however, the elites through the state are capable of controlling the transformative potential of digital communication to protect their political and economic interests like it had been the case for traditional media.

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