

Regulating New Media in Africa

Politics, Law and Governance



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Introduction:

Regulating Digital Media in Africa – Politics, Law and Governance

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In May 2022, we, the editors of this collection, hosted a virtual conference named Regulating African Digital Media at the Birmingham Centre for Media and Cultural Research, Birmingham City University. We aimed to incorporate African perspectives into worldwide discussions regarding the governance of emerging media technologies. We saw the need to create a space for African scholars to network and share their research at a time when governments around the world are attempting to regulate digital media technologies, from social media to artificial intelligence. In the conference call for papers, we recognized the reality of the ‘regulatory turn’ (Flew et al. [2021](#)) – the increasing move by governments to institute digital regulation and not rely on the service terms of the major platforms, most notably Facebook (now Meta), Google, Apple, Amazon and Twitter (now X). This is also the case in many African countries, from Egypt to Zambia, where governments have introduced laws, guidelines and policies seeking to regulate the media ecosystem. In the conference call for papers, we argued that the shift towards greater regulation warrants investigation in scholarly circles as it exemplifies the struggle over the appropriation and exercise of power over collective voices, with consequences for democracy, plurality, independence, dissent and freedom.

This book collects some of the contributions from the conference. It is particularly noteworthy that the majority of the contributions included here are from scholars based in African institutions, pointing to the need to establish the book collection in the shared perspectives of researchers who are ‘on the ground’ and to promote localized sources of knowledge – as a way of bringing African voices to the centre. Also included in the collection are four interview transcripts that highlight the views of stakeholders in the digital media regulatory landscape in Africa. Our goal was to bring together conventional

scholarly works and the perspectives of stakeholders directly involved in journalistic and regulatory practice. As a whole, the contributions reflect Milan and Treré's call to de-westernize the fields of new media, data studies and social science in general and to explore 'the richness and the diversity of meanings, worldviews, and practices in the [Global] Souths, as well as their specific challenges and inherent problems' (Milan and Treré 2019: 323). We also note Sampaio-Dias et al.'s (2019: 3) argument on the relevance of 'decolonial shifts' in African scholarship, research and education. Although western empirical and theoretical perspectives offer important insights for researching digital media regulation in the Global South, we believe that attentiveness to contemporary regulatory trends and themes in Africa is fundamental. Again, such a focus is needed because of the tendency for academic work related to the internet and datafication – and their regulation – to be centred on liberal democracies of the West, while the Global South is neglected (Milan and Treré 2019).

We see this neglect in Flew and Martin's (2022) edited collection on 'global perspectives on internet governance' – perspectives that, although described as 'global', do not include examining regulatory practices and views from Africa. Instead, research on digital media regulation typically considers American debates relating to issues like the First Amendment (Fagan 2018) or Section 230 of the Communications Decency Act (Overton 2020), the emerging European approach of digital constitutionalism (Manganelli and Nicita 2022) or overt Chinese censorship (King et al. 2013). To some extent, this is portrayed in Bradford's (2023) work, which conceptualizes the American, European and Chinese regulatory systems as digital empires. Each of these empires has its regulatory model that it seeks to export to other parts of the world, either in material or abstract forms (Bradford 2023). For America, the goal is to export a free market idea of regulation; for China, it seeks to spread the notion of state-based regulation driven by its digital infrastructural export; and for Europe, the emphasis is on a right-based regulatory model that it aims to extend to the globe. Scholarly investigations such as these (Flew and Martin 2022) that take a broad sweep of global regulatory practices then overlook Africa, indicating that the continent largely exists as a recipient of regulatory ideologies that come from elsewhere.

By compiling this edited collection, however, we make the case for de-westernizing and decolonizing the field, given that Africa possesses its unique regulatory context based on its history of media policy and state-citizen distrust (Ogbondah and Onyedike 1991; Obijiofor et al. 2016). What we know is that regulation on the continent tends to focus on censorship and the targeting of free speech, as the contributions to this collection demonstrate. Beyond this, we note that regulation also underscores the need to define acceptable

behaviour in online spaces and manage the influence that platforms wield – an exercise fraught with challenges, not least the allowance it could provide for states to introduce draconian policies that limit online freedoms. This points to the importance of designing regulatory solutions that strike the right balance between combatting digital media misuse and protecting civil liberties. Related here is the global balance of power realities that Africa faces in attempting to regulate the use of technologies headquartered outside the continent. These are the issues that the book collection focuses on, seeking to spark discussions on the approaches to regulation in Africa, how they contribute to global debates on regulation and the possible alternatives that African countries can consider in their attempt to regulate digital media technologies. And although we refer to digital media regulation in Africa generally, it is important to note that we do not see the continent as a monolithic bloc, where one rule of thumb applies across the board. This is why virtually all the contributions focus on individual cases and countries in Africa.

In seeking to catalyse these discussions, we acknowledge the contributions that previous compilations have made to understanding approaches to digital media regulation in Africa and their limitations. Examples include Chan-Mee-too's (2013) edited collection on media ethics and regulation in Africa. Having little to do with digital media regulation, the collection focuses on how journalists negotiate media regulation and imbibe the required ethics. Sampaio-Dias et al.'s (2019) special issue also follows the same theme, aiming to Africanize knowledge of media regulation. However, we note its overwhelming focus on regulation as it relates to journalism practice, not digital media regulation per se. There is also Dwyer and Molony's (2019) edited collection, which gives attention to how Africans use social media for political engagement and social movements, even though it also considers surveillance tactics and legislations like cybercrime laws used as means of repression. Kperogi's (2022) edited collection also follows the same line, exploring how people in Africa use social media to express themselves and resist state overreach and how governments respond using censorship tactics, including internet shutdowns.

Our collection builds on these previous compilations, but more importantly, it charts a bold line of inquiry into digital media regulation in Africa, identifying it as a primary concern. It is the close of a journey that we began three years ago when we released the call for the conference. Demonstrating the need to go beyond Global North perspectives, the collection extends our work (see Obia 2023a; Bah 2023) and draws broadly from political economy ideas to shed light on regulatory practices in African countries, their effect on people and the conceptualization by which all these can be understood as part of contributing to a fuller comprehension of global debates on digital media regulation.

Examining Political Economy and Power in Relation to Regulation

Seven months before our conference in May 2022, Facebook found itself amid what Rochefort (2020: 228) calls a ‘legal and social reckoning’. One of its former employees, Frances Haugen, had copied and leaked internal research files that show Facebook’s complicity in the spread of harmful content on its platform. On 5 October 2021, Haugen testified before the US Senate, noting that the underlying problem of online harms on Facebook was the profit-driven algorithmic design interface that the platform uses, describing it as Facebook ‘buying its profits with our safety’.¹ The conclusion of her statement was a call for stronger regulation of platforms like Facebook by the US government. This call has gained increasing acceptance in research and policy circles. We see this, for instance, in Flew and Gillett’s (2021) assertion that the hands-off approach to regulation has increasingly lost its appeal, given what they describe as the perceived failing of the self-regulatory paradigm. The Haugen story is then symptomatic of other crises moments that social media platforms have faced – the proliferation of ‘deepfakes’, for instance – reinforcing what Baccarella et al. (2019) see as the dark side of technology. Based on this, Flew (2022) submits that nation-state regulation of platforms will increasingly become the case in both liberal and authoritarian countries, as the demand for greater accountability and transparency grows.

As if in tow, states and supranational entities have responded as predicted. Consequently, digital media regulation has emerged out of concerns regarding monopoly over the internet, fake news, online hate speech, abuse and harassment, and the need to stem the tide of terrorist and extremist content (Kaye 2019). From Australia with its News Media Bargaining Code to the European Union with its Digital Services Act, digital platforms have come under regulatory oversight from different quarters, even if the power ordering means that platforms still wield immense influence. This power ordering points to political economy considerations and the role that platformization plays in concretizing platform power in the digital ecosystem (Mansell 2004; Balkin 2004). It underlines rapid developments in digital media technologies, resulting in what Glasius and Michaelsen described as a ‘renegotiation of the boundaries of state power’ (Glasius and Michaelsen 2018: 2). Political economy is, therefore, central to much of the discussion in the chapters of this collection, as it underscores the examination of ‘how media and communications are organised and in doing so pay particular regard to regulations and governance’ (Hardy 2014: 177).

For African countries, we note that political economy points to power imbalances that they face, first in relation to platforms and then in relation to Global North countries (Obia 2023a). When it comes to platforms, Fuchs and Sandoval (2015) observe that social media networks have essentially become oligopolies,

dominating social media use and making it difficult for alternatives (e.g. non-corporate social media) – that question the capitalist model on which they are founded – to be developed. Platforms also set the rules of engagement in their terms of service, which Suzor (2018) describes as constitutional documents that affect how our social spaces are governed, placing considerable power in the hands of platforms and serving their business interests. The reality, therefore, is what Klonick (2018) refers to in calling platforms the New Governors of online speech. These Governors service the needs of users across the globe, and they draw on this reach as a way to deter state regulation:

The New Governors are part of a new model of free expression: a triadic model. In this new model, online speech platforms sit between the state and speakers and publishers. They have the role of empowering both individual speakers and publishers (as well as arguably minimizing the necessity of publishers to speaking and amplification), and their transnational private infrastructure tempers the power of the state to censor.

(Klonick 2018: 1664)

We note the relevance of the transnational influence that Klonick (2018) refers to, since this is perhaps the greatest limitation that African countries face in their attempt to design a regulatory architecture for the internet. Hence, we see that the regulatory relationship that African governments share with internet service providers (ISPs) is different from their relationship with digital platforms. For ISPs, they primarily operate within the national context and are subject to a political-economic ordering that specifies that they can be put out of business should they refuse to submit to government control – a reality that the contributions to the collection underscore in the way that internet shutdowns are implemented in Africa. The case is different for platforms that enjoy enormous power, backed up, in part, by the difficulties that issues of jurisdiction present. Schlesinger and Kretschmer (2020), for instance, point out that the United Kingdom, with the Online Safety Act, will have to grapple with jurisdictional challenges since the tech companies that it intends to regulate are based primarily in the United States or China or other European countries. For African countries, the disadvantage that issues of jurisdiction present is even more pronounced since the platform power imbalance is even more stark.

What this underscores, therefore, is the link between platform power and the power of the countries where they are based. Kwet alludes to this by noting that the ownership and control of pillars of the digital ecosystem – software, hardware and network connectivity – ‘vest the United States with immense political, economic, and social power’ (Kwet 2019: 4). An example is the way that American legal

principles such as the First Amendment and Section 230 of the Communications Decency Act have shaped how digital media technologies are used and governed (Klonick 2018) and how this affects Africans, who have no say in American constitutional affairs. We explore this theme in the collection by considering references the chapters made to the imbalance that African countries face – a pointer to the continuation of Galtung’s (1971) structural imperialism. This is a situation where decisions related to digital media technologies are largely made by platforms and governments in Global North countries, while those in Global South regions such as Africa supply obedience. It is perhaps for this reason – the inability of African governments to wield control over multinational digital platforms given the global balance of power realities – that they turn instead to target their citizens with regulatory measures that border on censorship and repression.

The Approach to Digital Media Regulation in Africa

The discussion above outlines how regulation finds expression in the context of platform power and the influence wielded by Global North countries, and this is a theme that the contributions to the collection explore. However, we are mindful of the overwhelming emphasis that contributors gave in examining state power in relation to the control that African governments seek to maintain over the information space. Again, this underscores the importance of political economy since it considers how digital media content and systems are related to broader structures in African societies. This includes investigating how, why and in whose interest governments act or fail to act. It is a theme that the collection pursues, particularly in demonstrating the existence of an ulterior motive in the regulations that African governments prescribe. Related here is the political economy of media capture, where, as Cardenas et al. (2017) observe, the media in regions such as Africa cannot afford to report on information that is displeasing to state authorities. Legislations can then be introduced to facilitate media capture by promoting a system built on self-censorship as journalists become wary of violating vague provisions, usually based on national security. What the contributions to the collections show, therefore, is that a similar level of repression has been extended to online media outlets. Sulayman Bah, in Chapter 11, for instance, points to a policy of incorporation (a kind of revolving door strategy) in The Gambia, where prominent journalists are employed by the media regulator to become defenders of repressive digital media laws. Our interview in Chapter 9 with Churchill Otieno, a veteran online journalist, also highlights draconian laws that limit journalism practice in places like Kenya and Uganda.

What our collection points to, therefore, is an approach to regulation that is based on state overreach. Cunliffe-Jones et al. (2021) refer to this in their report

on misinformation laws in Africa. They found that one-third of the laws penalize publications regardless of whether harm may be caused. Also, the laws and regulations do not address the key types, drivers or originators of harmful false information and they have minimal effect in curbing harm. This is related to what we present here, emphasizing the fact that although regulations are justified on the need to combat harmful online content, they, in effect, serve as censorship tools. Cunliffe-Jones et al. (2021) further refer to the application of broad and vague terms, which make misinformation laws on the continent open to partisan abuse. Beyond laws, there is also the use of overt censorship tools such as internet shutdowns. Kaun and Treré describe these as ‘digital connection as repression’ (Kaun and Treré 2020: 704), highlighting its top-down nature and its collective consequences for people. We also note the political undertone that shutdowns come with since they serve as ‘communicative ruptures’ typically implemented around politically sensitive periods such as elections (Wagner 2018: 3919) – a point that Hayes Mabwezara reiterates in Chapter 1. Related also is the increasing attention that African governments are giving to surveillance laws and practices (Roberts et al. 2021) by sometimes enacting duplicitous laws. The discussion of these regulatory practices is what we consider in this collection.

Overall, our argument, based on the aggregation of contributions, is that while there is a need to combat the use of digital media technologies to spread harmful content, African governments tend to see this need as an opportunity to introduce legal and technical measures that stifle free expression and reinforce their control over the information landscape. As a result, governments cannot strike the nuanced balance needed to introduce the kind of regulation that citizens want – regulation that combats online harms and protect civil liberty concerns such as freedom of expression and privacy. This scenario exacerbates state-citizen distrust as far as regulation is concerned, further widening the gap between the government and the governed.

The Way Forward

Beyond considering the approach to digital media regulation in Africa, our collection further seeks to map the way forward for policy and research in the field. In doing this, we recognize McMillan’s (2019) submission that state regulation of any kind is bound to limit free expression. The point is that regulation happens in living systems and cannot be separated from political interests (Lodge and Wegrich 2012). Regardless, the singular bold call that our collection makes is for research that highlights the role that the ruling elites in Africa have to subject their political and economic interests to the service of the broader social good as far as digital

media regulation is concerned. Kobina Bedu-Addo, in Chapter 6, highlights the central nature of this in observing the need for the Ghanaian government to update digital broadcasting laws – something which can only happen if the elites place national interest above their political and economic considerations. As long as this does not materialize, an ulterior motive in regulation will prevail; the effect is that people second-guess government regulatory intent and are poised to resist state action. We see this in the Kenyan example, where Esther King’ori and Maureen Syallow, in Chapter 8, note that civil society groups have organized opposition to cyber legislation both online and in the courts.

Cyber legislations have become increasingly widespread in Africa, and perhaps for good reason – safeguarding cybersecurity and critical national information infrastructure should be a priority. But as Youngson Ndwana, Joanne Knowles and Elastus Mambwe show in Chapter 4, the cybercrime law in Zambia has been used to introduce punitive measures that violate civil liberties. Going forward, therefore, one key concern that policymakers on the continent will have is ensuring that cybercrime and other digital media legislations are robust enough to address the challenges that online harms pose while being sensitive enough to protect constitutional rights, especially freedom of expression. It points to the need to maintain the precarious balance between state policy and human rights – preserving the thin line between necessary regulation and punitive censorship. And for that to happen, our collection shows that political interests and regime security must be subdued.

Minimizing political considerations also means broadening the pool of stakeholders who shape digital media regulatory policies on the continent, an argument that King’ori and Syallow emphasize in Chapter 8. This points to multi-stakeholderism. To make it work, Guilherme Canela, in Chapter 2, emphasizes the need for meaningful participation by all stakeholders, including civil society actors. It also means including other stakeholders, such as academia, policy experts, and the general citizenry, in national policymaking to build regulatory trust and acceptance. The goal here is for policymakers on the continent to go beyond tokenistic inclusive measures to ensure that policy actions are co-created from the start with all groups. Again, it emphasizes the salience of placing the broader national interest above narrow political considerations. Multi-stakeholderism is also required globally, with Obia (2023b) suggesting that African governments need to advocate a protocol that is inclusive, systemic and flexible. Without this inclusivity, we note that African governments will likely not have much of a say in shaping regulatory outcomes at multistakeholder bodies like the Internet Governance Forum, a point that Calandro et al. (2016) buttress.

For research, it remains important for scholars working on digital media regulation in Africa to continue to investigate the issues highlighted above, especially in relation to decolonialization and de-westernization as scholars have canvassed

for (Mano and Milton 2021; Govenden 2023). Winston Mano particularly emphasized this focus on decolonization, including the importance of elevating African voices, in the concluding chapter of this collection. We also note the need for researchers to extend the scholarship in aspects such as the contest of competing interests, ulterior motives, censorship and broad-based participation. Relevant here is an examination of how to create a balance between regulating online harms and protecting civil liberties. But, as Vincent Obia notes in Chapter 3, researchers will need to go beyond these areas to investigate the global balance of power dynamics as far as regulation is concerned. It will equally be important to expand the focus of regulation from state policymaking to the various ways that regulation occurs in interpersonal and group settings and how these interplay with formal regulation. Finally, the collection urges for scholars to expand their focus to consider emerging areas of technology and digital media regulation in Africa in relation to areas such as data privacy, artificial intelligence and the Internet of Things. By doing this and more, scholars will be contributing to giving Africa the place it deserves in global conversations on the regulation of digital media technologies.

Structure of This Collection

This collection is divided into three parts comprising 11 contributions to capture scholarship on digital media regulation and practices in Africa and map the way forward for researching the field. All three parts contain seven manuscripts and four interviews with Guilherme Canela, Latifa Akharbach, Churchill Otieno and David Diaz-Jogeix. We have gone with this approach to place academic work on regulation side by side with the perspectives of stakeholders and experts who are directly involved in these activities. Our goal is to provide an avenue for the researchers and stakeholders to be in conversation and we hope that readers will appreciate the structure we have provided for this. Readers should note that we transcribed the interviews verbatim, although we edited the transcripts for added clarity and comprehension. It is also important to recognize that the transcripts vary in tone, style and depth of expression. This was down to the manner and language form in which each interviewee responded to our questions. The first part, ‘Regulatory Trends and the Research Landscape’, contains one of the verbatim interviews. The part explores the regulatory landscape in Africa and maps the state of research into internet governance on the continent. It begins with Hayes Mabweazara’s conceptual interrogation, which was the keynote speech at our 2022 conference. Mabweazara traces the history of internet governance, from the techno-optimist era of the late 1990s and the early 2000s to the present moment,

where platform power and online harms now underscore the need for regulation of social media and broader internet usage. But African states have missed it by introducing repressive regulatory measures that limit freedom of expression, pointing to what we see as the need to explore appropriate regulations that are attuned to Africa's realities and not merely a rehash of western approaches, even as they remain consistent with prevailing international principles.

Following this, in Chapter 2, Guilherme Canela of UNESCO extols the importance of human rights in the enactment of digital media laws, arguing that the concern of regulators should be how to balance regulation with freedom of expression considerations. This balance, Canela observes, requires a complex arrangement where different approaches exist side by side, approaches such as platform self-regulation, co-regulation, user empowerment and multistakeholder governance. The key thing, therefore, is to ensure that all stakeholders are able to participate meaningfully in multistakeholder dialogues and that information is seen as a public good. The first part ends with Vincent Obia's systematic analysis, which maps the research field, finding that research into digital media regulation in Africa can be classified into five broad areas: laws or policies targeting free expression, internet shutdowns, online harms, internet governance/multi-stakeholderism and data privacy in that order. The result, Obia argues, underscores the focus that African scholars have given to matters related to censorship and internet bans. Obia further discusses the findings in light of issues around research methodology, place, publication types and time, outlining what these portend for the future of research into digital media regulation in Africa.

In Part 2 of the collection, we turn our focus to 'State Policy Approaches and Regulatory Challenges', as we consider policy and legal instruments that restrict digital freedoms and the perspectives of regulators on the prospects and challenges of digital policymaking. These legal instruments prohibit specific online content including incitement to violence, indecency, hate speech, seditious publications, libellous speech, blasphemy, terrorism promotion, threat to national security and political dissent. The part begins, in Chapter 4, with Youngson Ndawana, Joanne Knowles and Elastus Mambwe, who focus on cybersecurity laws and media freedoms in Zambia. Their chapter investigates the 2021 Cyber Security and Cyber Crimes Act, which they argue, points to media repression, vague legislations and digital authoritarianism (including internet shutdown), representing the government's desire to maintain control over the public sphere. Ndawana and colleagues further observe that the Act has consequences for freedom of expression, privacy and the balance between regulation and securitization, especially as it relates to the securitization of morality. Following this is Chapter 5, an interview with Latifa Akharbach, president of the High Authority for Audiovisual Communication (HACA), the media regulator in Morocco. Akharbach provides insights into

Morocco's approach to regulating digital media, noting that the country seeks to balance innovation and economic growth with the protection of users' rights and the public interest. She adds that while a specific legal framework for social media platforms is still under debate and discussions around an AI strategy are ongoing, existing laws covering areas like personal data and hate speech are in operation. There is also a focus on Pan-African cooperation and global digital governance, especially regarding the accountability of major tech platforms.

Next is Kobina Bedu-Addo's chapter on digital broadcasting in Ghana and the need for convergence in the regulatory framework. Bedu-Addo shows that Ghana's broadcasting regulation has not caught up with the changes that digitalization and convergence have brought, and this is because the political and economic elites want it so. Even though Ghana implemented the digital switchover in 2020, the government has continued with the regulatory status quo (with laws that were established in the 1990s), implying that analogue-era regulation is still being used in the digital era. This effectively means that there has been convergence in the way the media operates, but not in the regulation. Bedu-Addo argues that this state of affairs serves the interest of the political and economic class who want to maintain control over broadcast media practices, even in the era of digital transition. To end Part 2, Yemisi Akinbobola, Vincent Obia and Trust Matsilele consider the regulation of traditional and online broadcasting in Nigeria and South Africa in the years after the transition to democratic governance, following the legacies of military rule and apartheid, respectively. The chapter finds that the regulations in both countries revolve around themes such as vague interpretation, contradictions and (in)dependence of the regulators. It also analyses stakeholder remarks regarding how broad the regulations are, the inconsistencies in enforcement and ulterior motive concerns, with consequences for state-media relations. The chapter synthesizes all these to argue that what matters in evaluating the nature of traditional and online broadcasting regulation in post-transition countries like Nigeria and South Africa is the character of the political system, not necessarily whether the system is democratic or autocratic.

Following this is Part 3, titled 'Digital Media Censorship: Frictions, Tensions, Reaction'. Here, we highlight the perspectives of those who are the targets of regulation (e.g. journalists) and others who campaign for 'good' regulation (e.g. civil society actors) to demonstrate the tensions that digital media regulation precipitates and how people respond. The part begins, in Chapter 8, with Esther King'ori and Maureen Syallow's chapter on the analysis of Kenya's Computer Misuse and Cybercrimes Act of 2018. They examine the intentions behind the law, the process that led to it, the stakeholders who took part in the process and the complaints that arose after the law was enacted. Describing the law as repressive and overly broad, they note that the drafting of the Act lacked broad-based participation as

it excluded the voices of citizens, civil society, social media influencers, bloggers and international organizations. In their argument, they suggest that although the law is needed for cybersecurity, drafters took advantage of this window to introduce politically motivated provisions to limit freedom of expression. After this, we present an interview with Churchill Otieno, a veteran online media journalist, who offers his perspective on digital regulation as it affects citizens and journalists in countries like Kenya. Otieno's interview reminds us that there are laws in the statute books that can be adapted to the digital space, noting that the new laws being introduced for social media internet communication largely serve the interest of the ruling elite. The solution, for Otieno, includes self-regulation and ethical standards for the media. But more than this, what is needed is not just user empowerment but also user agency – the people themselves must assert their rights when necessary to guard against state encroachment and protect civil liberties in online spaces.

Next is an interview with David Diaz-Jogeix of Article 19 on digital media regulation and freedom of expression in Senegal. Diaz-Jogeix sheds light on the regulatory landscape, highlighting both positive aspects like media diversity and negative aspects such as state interference and restrictive press codes. The interview also explores the challenges faced by online media, the role of government in censorship and the impact on citizen journalists. It further considers the importance of aligning Senegalese legal frameworks with international standards, the need for self-regulation, the potential for regional cooperation through bodies like ECOWAS and the African Union and a realistic appraisal of digital media regulation in Senegal in the future. Sulayman Bah ends the part, with a focus on what he terms 'evasive journalism', where online journalists circumvent regulation in The Gambia in order to report the news. The central law that the chapter interrogates is the 2013 Information and Communication Act, which The Gambian government has used to censor journalists in the country and beyond. Bah also notes that successive Gambian governments have maintained colonial-era laws such as sedition and criminal defamation, with which they repress the media, pointing to postcolonial influences and the need to decolonize digital media regulation in Africa. The reaction of Gambian journalists has been to evade censorship by establishing online news websites that operate from the diaspora – Bah conceptualizes this as 'evasive journalism'. But the government also responds by introducing strict laws and instituting a policy of incorporation, where prominent journalists are brought into government as a form of media capture – pointing to the underlying state–citizen distrust that makes 'good' digital media regulation difficult to achieve in Africa.

To conclude this book collection, Winston Mano brings together all the above discussions, emphasizing the importance of a decolonial approach based on Afrokology. This includes a call for African policymakers to institute human rights and public

interest principles in digital regulation on the continent. It is also a rallying cry against digital colonialism, not only through regulatory capture in Africa but also in the influence that the Global North bears on African decisions. Altogether, the focus on Afrokolology underscores the need to consider other tech knowledges and lived experiences outside of the West, bearing in mind that pluriversality contributes to a decentring of the West in order that ideas from elsewhere, Africa inclusive, can find collegiate expression. This need to shift African conversations from the margins to the mainstream is what our book collection signifies as part of facilitating a greater understanding of research, policy and the practice of digital media regulation on the continent.

NOTE

1. Frances Haugen opening statement before the US Senate on the effects of social media use on children on 5 October 2021, <https://www.rev.com/blog/transcripts/facebook-whistleblower-frances-haugen-opening-statement-transcript-senate-hearing-on-children-social-media>. Accessed 26 October 2023.

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