

Africa in the Wider World

Editor

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A Report of the CSIS Africa Program

July 2014

CSIS | CENTER FOR STRATEGIC &
INTERNATIONAL STUDIES

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ISBN: 978-1-4422-4026-1 (pb); 978-1-4422-4027-8 (eBook)

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13 | Africa Opening or Closing?

Sarah Mendelson

All but unknown and little discussed by the foreign policy community in Washington are two related phenomena playing out in Africa and other parts of the Global South: the opportunities of the open agenda and the formidable challenges of closing space around civil society.

While many inside and outside government focus on big-ticket items such as “Power Africa” and “Feed the Future,” these initiatives will be footnotes to history depending how opening and closing play out—especially in sub-Saharan Africa. In a world of greater opening, we could witness a wave of justice and prosperity sweep from the beaches of Mombasa across the continent to the mountains above Cape Town. Or alternatively, the closing space means the slow, drip-drip of stagnation, interrupted by spasms of violence, with citizens’ voices repressed and leaders who choose not to lead but never leave office.

President Obama recognized the seriousness of the situation last September in New York at an event the White House called “Stand for Civil Society!” While the main focus of the U.S.-Africa Leaders’ Summit will be heads of state, trade, and investments, it is an excellent opportunity for him to again elevate the merits of the open agenda and draw attention to the dangers of closing space for African prosperity and peace.

The Open Agenda Opportunity

The open agenda is a twenty-first-century approach to fighting corruption that among other things harnesses technology, holds governments accountable, and is generally beginning to change how mayors, governors, and even presidents govern and how citizens expect to be governed. The open agenda has traversed the globe, from Brazil to Indonesia, from Mexico to Ukraine.

Emblematic of the open agenda is the Open Government Partnership (OGP), launched by President Obama in September 2011 with 8 other countries and with a membership that today numbers 64. What is especially unique about the OGP is that it gives civil society an equal status with governments. While South Africa was one of the founding countries in the OGP, African states have been slow to embrace this movement even as their citizens have been catalytic in it, demanding more openness from their leaders. The transparency and accountability community is alive and well among African nongovernmental organizations (NGOs), but its champions inside governments, unlike in many parts of Asia and Latin America, are few and far between.

Core to the open agenda are budgetary and legislative transparency, access to information, open data, and openness in extractives. While threatening to those who embezzle or rule by *dictat*, this approach holds the promise of transforming Africa. In many ways, it already is; openness is fueled in part by game-changing, affordable information and communication technologies that have come to market. Any Silicon

Valley entrepreneur would be right at home in Nairobi's iHub. Platforms like South Africa's Mxit elevate the voice of Africans on issues of social justice. Having been in a "cyber café" in an African village that had neither cyber connectivity nor coffee, but an abundance of enthusiastic young activists wanting to make a difference, the open agenda has champions that do not even know they are part of a movement. That is another form of "power Africa."

The Closing Space Challenge

Not surprisingly, there is also a backlash. Even as the open agenda is catching on—or perhaps in response—a contagion is growing. According to the International Center for Not-for-Profit Law, in the last two years alone, worldwide 64 new laws restricting freedom of association, peaceful assembly, and expression have been introduced, with about 20 already enacted into law. The targets: NGOs and media organizations that help raise citizens' voices on issues such as transparency, accountability, and a range of human rights abuses. This phenomenon is known as "the closing space around civil society." Eleven of these laws have been introduced in Africa, by governments whose head of state will be in Washington.

Specifically, as citizens find new ways to organize and express themselves through the use of affordable technology, governments have found new ways to restrict public political space, suppress information, and label anything that they do not like as "foreign." Lateral learning has taken off—with laws being copied from Russia to Zimbabwe, from Ethiopia to Kenya. It is not an exaggeration to say that this countermovement is affecting the entire global community advancing social justice and human rights. Especially problematic, draconian laws affecting the rights of minority populations in many parts of the world, with Uganda's law criminalizing lesbian, gay, bisexual, and transgender people and any companies or organizations that support LGBT rights, standing out as especially heinous but not unique.

Why should the Washington foreign policy community care and why should African leaders rethink their approach to civil society? Closing space has multiple foreign and domestic policy ramifications ranging from health and humanitarian assistance to climate change and conflict prevention. Imagine, for example, that Kenya ultimately adopts laws that make it difficult for NGOs to receive funding from foreign sources. How do NGOs engage in vaccination campaigns when there is an epidemic? How do NGOs function when the next famine occurs? What will the next national election cycle look like if the hundreds of organizations that helped create citizen demand for a nonviolent election in 2013 no longer exist? If peaceful protest is made illegal, will individuals resort to violence?

Wanted: Role Models

In the lead-up to the summit, activists from across Africa have descended on Washington worried what their leaders will take away from a meeting that is mainly focused on trade and investment. They fear that closing space, corruption, and a range of abuses will be papered over. They know, even as we discuss what the United States can do to help support civil society in Africa, that ultimately it is up to Africans to grow environments in which civil society thrives, with African leaders having particular responsibility. Simply put, they want leaders who follow the rule of law and after serving

their term, leave office. There is even an incentive: the Ibrahim Prize for Achievement in African Leadership rewards (handsomely) those who rule democratically and then step down rather than stay in office for decades. That the prize, established in 2007, has only been awarded sporadically and not in the last two years despite many elections and aging presidents is just one indicator of the governance gap; the longer a leader is in power, apparently the more virulent the laws pertaining to civil society.

This is the continent that gave the world Nelson Mandela. If the open agenda brings a wave of justice and prosperity, it will depend not only on this generation of leaders but on whether a next generation of Nelson Mandelas emerges. As long as closing space trumps open, stagnation, war, and famine threaten to overtake the vibrancy we see today in many parts of Africa. President Obama can help shape the choices and legacies that this generation of leaders will leave their successors—hopefully sooner rather than later—if he raises these issues and does not just focus on the good news of trade and investment.