Black Votes Don't Matter: The Shrinking Civic Space of African Immigrants in the US

The United States of America has excelled in projecting an extraordinary image of itself as a free nation with a thriving democracy, where anyone can come and work their way towards a better life through civic participation. However, what the past few years in particular have peeled away betrays a somewhat different truth: that voting in the United States is hard and getting steadily more so. And there's one group of people who face a particular set of difficulties when seeking to cast their ballot: African immigrants.

Some historic context is needed regarding voting issues within the US. First and foremost, there is a historic precedent of voter suppression in the US that is unequaled within the modern Western world. Much of the targeting of such efforts has directly affected African Americans and people of colour. After slavery was abolished, states would go to incredible lengths to suppress the black vote, including implementing taxes on voting, forcing black people to produce extraneous forms of personal and family identification and making would-be black voters pass vaguely worded and lengthy "literacy tests" in order to cast their ballot. These systems, a part of the infamous Jim Crow laws, were struck down as illegal in 1965 when the country passed the Voting Rights Act.

In the years that followed, those who sought to seek the vote sought out ways to

circumvent the law and keep the voter turnout low. Since the latter half of the 20th century, high voter turnout translated to a more liberal result. Take, for example, that a Republican presidential candidate has won the popular vote once since 1988 (George W. Bush in 2004). In the cases of the victories of Donald J. Trump in 2016 and George W. Bush, they skated to victory through the electoral college; a system that traces its roots to suppress the popular vote.

When looking at US politics, it isn't as much a matter of high voter turnout as it is *who* comprise the voters that are showing up to vote. The most telling demographic, the group with the highest disparity of aligning with Democrats over Republicans, is African Americans. Hillary Clinton carried the black vote by

an 80 point margin – 88 per cent to 8 per cent over Trump in the 2016 election. This margin, coupled with the United States becoming more, not less, diverse has left those seeking to suppress the vote scrambling for answers.

In 2013, efforts to suppress voters gained a major boost when the US Supreme Court overturned section 4(b) of the Voting Rights Act, which outlined that states and districts that had previously been involved in voting discrimination needed pre-clearance of the validity of their electoral processes. The conservative judges ruled this as unconstitutional, that the section "punished" states for past mistakes, not for possible future successes. Justice Ruth Bader Ginsberg dissented strongly, stating that "throwing out preclearance when it has worked and is continuing to work to stop discriminatory changes is like throwing away your umbrella in a rainstorm because you are not getting wet."

The Voting Rights Act had been brought before court in the wake of a series of issues across the US, primarily having to do with controversial voting ID laws, reports of voter suppression and other forms of disenfranchisement. In a theme that runs across America's election process, the black community was disproportionately affected.

This brings the issue to focus on African immigrants in the United States. The issue of immigration in the United States has currently brought the federal government to a shutdown for over a month. There is constant rhetoric from the Trump administration targeting illegal immigrants as a major obstacle to the security and economic future of the United States. The issues of building a border wall with Mexico and continuing to provide guaranteed safeties (such as the Deferred Action for Childhood Arrivals programme, which offers protections to the children of illegal immigrants into the US) are being used as bargaining chips at the government level.

A difficult time

It is a difficult time to be an immigrant in the US. For those of African descent, theirs is a rare combination of challenges, not only in becoming part of a new nation, but also in carrying the baggage that comes with being black in America.

African immigrants in the US are a small but rapidly rising group. The increase has been marked since 1970, especially amongst sub-Saharan Africans. According to the Pew Research Center, the number of African-born individuals heading to

the US increased nearly 250 per cent between 2000 and 2015, from 881,000 up to 2,060,000. Africans are also the fastest growing demographic among black immigrants, increasing by 137 per cent between 2000 and 2013.

It is a difficult time to be an immigrant in the US. For those of African descent, theirs is a rare combination of challenges, not only in becoming part of a new nation, but also in carrying the baggage that comes with being black in America.

In the US, a major aspect of any voting rights issue is where in the US you're living. Different states hold different standards, different regulations and varying requirements. When examining how voting standards impacts African immigrants, there needs to be a brief examination of where African immigrants live.

The five states with the highest African immigrant population are California, New York, Texas, Maryland and Virginia. Cities such as Atlanta, Georgia and Minneapolis also have high numbers of such migrants. This is where context becomes even more important; California and New York are known as more immigrant-friendly destinations, and their major metropolitan areas are regarded as "sanctuary cities" for illegal immigrants. New York and Minnesota don't require a photo ID whereas California may require one for a first-time voter (newly-naturalised US citizens are always first-time voters). Maryland holds a similar policy.

Texas, Virginia and Georgia, on the other hand, are a different matter entirely. Virginia requires a valid photo ID in order for an individual to vote in person. Texas and Georgia are both mired in controversy over the stringent regulations put in place regarding the standards for voter IDs. The state of Texas is currently mired in litigation over the voter ID laws, with opponents arguing that it disproportionately impacts minorities.

In Georgia, where over 70,000 African immigrants reside in the Atlanta metropolitan area, the man who was presiding as the Secretary of State (the office which controls the conducting of elections, a possible conflict of interest) won narrowly and controversially over Stacey Abrams, who would have been the first black woman elected to be a state governor in the US. Abrams repeatedly made claims that there was voter interference, particularly amongst black precincts, where electronic voting was in disarray and reports of voter

suppression were rampant. These claims had much of their basis in and around Atlanta, Georgia.

Why does voter ID matter and how does it affect Africans living in America? For starters, the path to US citizenship (which is needed to vote in America) is extremely arduous, long and difficult. The paperwork hoops to jump through are staggering. On average, it takes an immigrant a minimum of five years of continuous residency to become a naturalised US citizen. In cases that need further legal counsel, it can take even longer as the legal side of American immigration courts have become steadily more choked and congested in the new millennium.

Why does voter ID matter and how does it affect Africans living in America? For starters, the path to US citizenship (which is needed to vote in America) is extremely arduous, long and difficult.

For immigrants, the issues surrounding voter ID can often be much murkier. For instance, immigrants can gain driver's licenses within the United States, which is one of the key forms of identification needed in states with more stringent regulations. This doesn't mean that immigrants have the appropriate information explained to them regarding the IDs being obtained. The African Advocacy Network of California notes that although driver's licenses are applied for successfully by immigrants who aren't naturalised, the fact that they are still unable to vote due to their status isn't explained to them. This can lead to immigrants attempting to vote, unknowingly engaging in an illegal act of fraud. The penalties for such fraud in the US are harsh. Both illegal and legal immigrants can face deportation if found to be involved in fraudulent voting. Cases of actual voter fraud involving illegal immigrants are incredibly rare, but that doesn't stop Trump from repeatedly claiming that Hillary Clinton won the popular vote because of millions of "illegals" somehow managing to cast ballots.

Illegal immigrants in Trump's America

The Obama administration was noted for its strict approach to illegal immigration, deporting hundreds of thousands between 2009 and 2017. That same administration, however, did focus on expanding a programme called the H1-B visa, which encouraged workers from outside of the United States to enter the country to work. Many prominent corporations, including Amazon, Google and

Microsoft, heavily leaned on the programme as it eased the transition for professionals to gain a foothold in the US workforce. In addition, the H1-B programme made the path to a Green Card visa (an initial step towards US citizenship) markedly smoother, encouraging immigrants to engage in the process of becoming a citizen.

The Trump administration, on the other hand, has taken a significantly different approach. The current White House passed an executive order titled "Buy American, Hire American" that directly encourages American companies to hire only the most skilled workers from outside of the United States. This will have a long-term impact on the number of H-1B applicants who can head down the path of gaining citizenship.

The Obama administration had an unfortunate track record of harshness regarding immigration, including reopening and examining case files of naturalised citizens (immigrants who gained their citizenship in the US). The Trump White House has, of course, seized on this idea and expanded it. Under this administration, the U.S. Citizenship and Immigration Service (U.S.C.I.S.) has created a new task force to look into cases and possibly "denaturalise" citizens for often muddied reasons, such as making a clerical mistake on a form. In essence, this leaves millions of naturalised United States citizens' status at the discretion of officials appointed under the Trump administration, one noted for its blatantly anti-immigrant rhetoric.

A prominent path to Green Card visas for African immigrants is the Diversity Lottery programme, which grants visas to citizens from all over the world. Given the administration's track record, it comes as little surprise that the White House has looked repeatedly into cutting the programme entirely. As egregious as this is, perhaps the repeated ransom holding of the so-called "dreamers" (children of illegal immigrants born in the United States and granted legal protections) is even more insidious. Trump has made a repeated talking point of ending protections for the dreamers, even going so far as to offer continued protection as a bargaining chip for $5.7 billion of funding for a border wall in January of this year.

The Obama administration had an unfortunate track record of harshness regarding immigration, including reopening and examining case files of naturalised citizens (immigrants who gained their citizenship in the US). The

So how does this apply to African immigrants, specifically? The numbers indicate that immigrants from sub-Saharan Africa are the fastest growing group, and that the vast majority of this immigration has occurred after 1960. This translates into African immigrants having less of an established civic network than other immigrant groups in the US.

Less civic engagement

Less network means less community engagement and less protection for Africans now calling the US their home. This, in turn, translates into issues surrounding social integration facing Africans in America. Those in questionable status are likely to eschew anything to do with getting on the record, including engaging in civic discourse. One example saw the city of San Francisco engaging with members of the African immigrant community to get involved with the local school board elections, despite many holding illegal immigrant status. Illegal immigrants worry about what will happen to their information and whether it will end up in the hands of Immigration and Customs Enforcement (ICE).

This is compounded by the constant shifting and swirling of regulations surrounding immigration within the US. Frankly put, in America, thing currently seem extremely uncertain. Those who would have gained the path to citizenship by being granted immigration visas are suddenly on the outside looking in. Immigrants from Libya, Sudan and Somalia (the three African nations affected under the Trump administration's travel ban targeting Muslim-majority nations) are suddenly unsure of their status.

Noticeably, despite all of his talk of walls and increased military presence, Trump has not issued a travel ban to a Latin American country. The current administration is seemingly preoccupied with all things immigration, how to stop it, how to grandstand from it, how to flex political muscle by stopping it. In fact, in 2017, despite overall numbers of deportations falling, ICE deported a record number of African immigrants, more than double of the total from 2016. There were reported instances of poor treatment and abuse of deportees by ICE agents. While the numbers are comparatively small, increases in deportation can push African immigrant communities even farther outside of the democratic process. What was the number one country for African immigrant deportations from the

US? Somalia.

> *Less network means less community engagement and less protection for Africans now calling the US their home. This, in turn, translates into issues surrounding social integration facing Africans in America. Those in questionable status are likely to eschew anything to do with getting on the record, including engaging in civic discourse.*

Ilhan Omar, herself a Somali immigrant to the US, is now a first-term Congresswoman from Minneapolis, Minnesota. Her election is an indication of a potential future of US politics: that African immigrants can find a voice in politics, in part due to the rallying of their communities. She's become an outspoken advocate for the Somali community in Minnesota while continually deriding the Trump administration's anti-immigration policies.

Since her election, Omar has been a frequent target of scathing criticism from the conservative media and the Republican Party, who have even claimed that some of her pro-Palestine comments are blatantly anti-Semitic. While her election to the US Congress is historically significant (she's the first African-born refugee in the history of the United States Congress), Omar is still just one member of Congress, one voice for an ever-growing population that seems ever-more targeted by executive orders of the Trump administration. Think of it this way: Omar wouldn't be able to enter the US under the travel ban of Muslim majority countries passed down by Trump.

In essence, this message to newcomers to the US is: DON'T BOTHER GETTING ENGAGED BECAUSE THE CONSEQUENCES COULD OUTWEIGH YOUR EFFORTS. To those emigrating to the US from Africa, this messaging can appear even more insidious, as Adoubou Traore (who himself emigrated from the Ivory Coast), the director of the African Advocacy Network in San Francisco outlines: "Many Africans have inherent doubts about the legitimacy of elections, they're a headache, their experience makes them not believe that their voices matter. When there is no guarantee that their information won't be subject to being exploited, from their view: what's the point?" There isn't much that would prevent them from holding such views in America. It becomes a community question of why organise if doing so can only lead to more headache?

With issues surrounding racism against black people in America being dissected

and moved further towards prominence in national dialogue, it would, at least on the surface, seem as though the communities of African Americans would provide a steady ally for Africans adjusting to life in America. Unfortunately, this is often not the case. There is a noted divide between Africans and black Americans, one that many coming to the US find difficult to bridge. Some of this gap is historically entrenched, some of it is due to the truly lacking breadth of coverage in the US education system regarding African history and culture. The awkward truth is: Africa as a topic in the US is regarded as a monolithic punch line to a bad joke, and is hardly rendered an after-thought in terms of democratic engagement.

In terms of vulnerability to less-than-democratic interests, there are myriad of groups in the United States that could use additional legal and outreach protections. Practically anywhere in America that can't be categorised as white and suburban finds itself victim to voter suppression efforts. In the US context, the black community is systematically targeted the most.

Laws are seemingly rolled out in force yearly in dozens of states, implementing further restrictions and using scare tactics, lies and intimidation to influence local and national elections with a conservative slant.

The unavoidable truth is that Africans in the US find themselves at an ugly modern crossroads: the centuries of subversive efforts to reduce the so-called "urban" vote at a crossroads with the modern iteration of all-American xenophobic fervour. Though growing fast in population, the democratic influence has not kept stride.

Always Behind: Kenya's Languishing Creative Industry

What was South Korea in the late 1970s? Say around 1979, during the first year of Daniel arap Moi's presidency? It was a military state, run by a soon-to-be-assassinated autocratic leader, General Park Chung-hee, and still eight years away from becoming a presidential republic. It was a state in flux: the killing of

Gen Chung-hee left a power vacuum, with political factions vying for superiority amongst the ruins of his toppled dictatorship. By any stretch of the word, South Korea entering the 1980s, and for much of that decade, could be described as a nation in turmoil, politically, economically and developmentally. It was a state at risk of falling back into chaos and becoming a cautionary tale.

Kenya, on the other hand, had new leadership. At the beginning of the 1980s, it was viewed by the international community as a shining example of a post-independence African state that looked set to be an economic powerhouse of the future. At that time, Nigeria was still under a military junta and South Africa was regressing into the bloodiest period of anti-apartheid action.

Yet, by the tail end of the decade, Seoul was hosting the 1988 Olympics, and less than four decades on, in 2016, South Korea had the 11th highest GDP on earth, behind Canada and ahead of Australia. According to the United Nations, in the same year Kenya was ranked 75th, just behind Uzbekistan and ahead of Guatemala.

What happened? A major factor is South Korea's investment in the creative economy versus the Kenyan government's approach of letting the entire sector be deprioritised and left to flounder alone.

In the case of South Korea's film industry, one major shift occurred in 1994. At the time Hollywood films controlled most of the market while locally produced films controlled less than one-fifth. The government took a decision to invest in and emphasise locally-made films. Since then, the South Korean film industry, when coupled with K-Pop, has seen the rise of the "Korean wave", a globally influential and massively profitable enterprise. It remains the modern model of the need for government support for the local creative industries.

With regards to K-pop (the Korean brand of bubble gum-style pop songs), the Government of South Korea played a direct hand in sustaining the momentum of this global musical force. A Ministry of Culture was formed in 1998, including a specified department exclusively overseeing the development of the nation's music, with millions of dollars pouring in. Where the difference is further highlighted was the government's targeting of music as a potential cash cow for the languishing economy. Much of Asia had been sucked into a whirlwind of economic turmoil in the late 90s, and the government needed alternatives for

employment, taxable revenue and global influence. The government also ensured protection through effective policies and engaging with music industry members. Fast-forward two decades, and K-Pop is a US$ 5 billion industry.

In the case of South Korea's film industry, one major shift occurred in 1994. At the time Hollywood films controlled most of the market while locally produced films controlled less than one-fifth. The government took a decision to invest in and emphasise locally-made films. Since then, the South Korean film industry, when coupled with K-Pop, has seen the rise of the "Korean wave", a globally influential and massively profitable enterprise.

The creative economy has been defined as the ultimate economic resource within a nation. It's the umbrella under which art, architecture, film, television, music, poetry, sculpture and writing exist. Kenya's creative sector is a vibrant one, brimming with talent and possibility, especially when looked at through the opportunities it affords to the youth of the country.

Such opportunities are not exclusive to the Kenyan economy as the world is becoming modernised, and the creative sector is often an accompanying industry to modernity. In fact, the United Nations Educational, Scientific and Cultural Organization (UNESCO) has [stated](#) that the economic potential of the global creative sector was worth more than US$ 2.2 trillion in 2015. The creative industry has undeniably massive impact upon a nation's potential GDP and can offer a built-in solution to lingering questions of "development". A 2013 [report](#) from UNESCO outlines that the cultural sector is a vital aspect of the sustainable development of a nation, as the creative sector is not only one of the fastest growing sectors in the world, but also can be highly transformative in terms of income generation, job creation and a nation's earnings through export. A 2010 policy statement released by the United Cities and Local Governments (UCLG) further reflects this, stating that culture is the fourth pillar of sustainable development for any nation.

So with all of this potential, why does the creative sector in Kenya languish? Why has Kenya not taken the leap into the void of the sector, that same leap that has produced billions for other nations, including within Africa?

The state of Kenya's creative industry

An all too common complaint among artists within Kenya is that the creative industry is simply not a "serious" entity to be pursued as a path to a successful and lucrative career. This "lack of seriousness" has resulted in one of the worst policy frameworks for the arts in the developing world. Concerts go unattended, books are not bought (if they can be published at all), grants are not delivered, artistic facilities remain unfinished and draconian regulations are imposed on the content that can be produced. Radio stations play music from abroad and theatres show foreign films. As Nairobi-based singer-songwriter, Tetu Shani says of the current situation, "The day that Kenyan artists start living like politicians is the day you'll see a shift in public perception and consumption."

This issue is exemplified by the lack of policy and effective implementation of regulations surrounding the creative industry. When examining the music industry, the crux of the issue comes down to copyright. Most casual fans of Kenyan music are familiar with the story of the band Elani, which had a smash album and multiple hits in 2013 and 2014 after the release of their record *Barua ya Dunia.* The airplay was steady and the singles very successful. In 2016, Elani criticised the Music Copyright Society of Kenya (MCSK), stating that the organisation had only paid them royalties totaling Sh31,000. MCSK has been embroiled in constant legal and legislative turmoils, and had its capacity to collect, track and distribute royalties to Kenyan artists revoked due to a court order in 2018. MCSK has since been replaced by the Music Publishers Association of Kenya (MPAKE) in the role, yet the headlines and legal issues remain.

The ones who seem to get lost in the shuffle are the artists. The example of Elani is at the core of the problems that face the creative industries in Kenya; while there might be growth of the sector on paper, the artists or creators themselves don't see the benefits materialising within their wallets. At an even more micro level, take the example of the National Environment Management Authority of Kenya (NEMA) enforcing noise pollution regulations against DJs in Kenya; security forces routinely go into clubs, arrest DJs for exceeding "noise restrictions", even as they spin on the decks, and haul them off to jail. Such enforcements were not communicated effectively to the members of the music industry.

Again, the issues surrounding the enforcement of regulations continue when examining the burgeoning film industry in Kenya. Some estimates contend that over 90 per cent of films in Kenya are pirated, with the heavy-handed

punishments outlined by legislation being rarely enforced.

On top of this, the head of the Kenya Film Classification Board (KFCB), Dr. Ezekiel Mutua, has made free expression through film and television markedly more difficult. Beyond his public criticisms of "gay lions" and cutting the release timeframe of *Rafiki*, the highest profile Kenyan film since 2011's *Nairobi Half-Life,* down to less than a week (just enough time to qualify for the Academy Awards), Dr. Mutua has enacted steep license fees that have reduced the industry's ability to operate independently, including the hoop-like requirement of filmmakers needing multiple licenses to film in multiple counties. It has become common for Kenya-based films and content to be filmed in South Africa. Indeed, Mutua's attempts to enforce his dictates on theatre as well as the film industry have led content creators to further eschew any connection with the government.

Kenya had a booming fashion industry in the 1980s, which contributed 30 per cent to the manufacturing sector. Since the 1980s, the continual influx of *mitumba* (second-hand clothes) has cut this employment severely. The change was brought about by the government cutting regulations and import tariffs in the late 1980s, cutting down on the cotton and garment sectors. This led to an increase in the *jua kali* nature of the sector, with members of the garment industry having to find their own work after the majority of the cotton production mills shut down. In turn, this contributed to much of the textile industry being a separate entity from that of the clothing production industry – an issue exacerbated by the lack of a unified industry body to advocate for the fashion sector.

This last point regarding the fashion industry of Kenya is truly a key issue that swirls around the creative sector in Kenya. Much of the industry remains

fragmented, splintered and run by independent individuals and micro-organisations operating unofficially outside of government taxation or influence. The lack of a structured unified body is reflected in other creative industries, which lessens the sector's ability to engage in any sort of meaningful dialogue with the government. These issues of associational divide were echoed by [HIVOS in 2016](#), which stated that "the current state of associations in East Africa is that they are fragmented, disunited and lack a consistent agenda on how to engage the government and different industries to ensure the standards of the industry consistently improve".

So what does all of this amount to? There is one commonality: the utter lack of possible taxable revenue as a result of obtuse and inadequate policy. According to PricewaterhouseCoopers, the entertainment industries are growing across the board; revenues are up, as is Internet access and the number of viewers within the Kenyan market. However, Kenya is trailing far behind other nations that have capitalised on the bolstering of income from the creative sector.

Kenya vs other major African markets

The stagnant creative sector in Kenyan becomes apparent when examining the state of other African creative sectors. When looking through the lens of the two other leading sub-Saharan African markets (Nigeria and South Africa) the differences and gaps becomes stark.

Both South Africa and Nigeria have music industry infrastructure that focuses on the regulations of the industy. This includes promoting local artists while protecting their ability to garner revenue from their work and punishing those who take advantage. Within Nigeria, artists are promoted, DJs play the latest local tracks and help to encourage grassroots growth of new musical artists.

The most glaring example of a creative economy's potential is the constant streaming of Nollywood movies on Kenyan televisions. How exactly did the Nigerian film industry become so massive in recent decades, dominating the African market and influencing global media beyond the continent? It is a remarkable story of growth, with Nollywood's early roots tracing back to the colonial era of the early 20th century.

The independence of Nigeria from British rule in 1960 resulted in further

expansion of the film industry. The key moment came in 1972, when the Indigenization Decree was issued by Yakubu Gowon, the Head of the Federal Military Government. The original intent of the decree was to reduce foreign influence and pour wealth back into the hands of Nigerian citizens. The international business community publicly complained, threatened to pull out, and in some cases reduced their investment. The Indigenization Decree led to hundreds of theatres having ownership transferred from foreign hands to Nigerian ownership.

In the years that followed, widespread graft was discovered in multiple industries (much due to foreigners paying for corporate "fronts" while secretly maintaining control). Gowon was deposed while abroad in 1975 and the film industry continued to grow. New theatre owners started to show more and more local productions, with the result being Nollywood experiencing a further expansion across the next decade as Nigerian citizens were suddenly directly involved in not only the control of the theatres, but also in what Nigerian audiences were more likely to buy a ticket to see, buy a VHS of, and later buy a DVD or stream: local content. Out of the ashes of colonialism, a bloody civil war and a military junta rule, Nollywood grew organically, hand over fist, year after year.

By the mid-1980s, Nigeria was producing massively profitable blockbusters and revenues grew to over [US$11 billion](#) (Sh1.1 trillion) by 2013. The industry also employs an eye-popping one million people, estimated to be second only to agriculture in terms of number of employees within Nigeria.

In the 21st century, the Government of Nigeria has taken further notice, mostly through the recognition of the massive benefits to the nation that the local film industry provides. Currently the government is working in conjunction with the National Television Authority of Nigeria to expand the industry, offering grants, expanding infrastructure and constructing a production facility. Perhaps most notable was the 2010 signing by former President Goodluck Jonathan of a US$200 million **"Creative and Entertainment Industry Intervention Fund" in order to encourage the growth of Nollywood and other creative industries.** Put another way, Kenya's GDP is approximately one-fifth that of Nigeria's, but there has been no US$40 million fund signed by the government towards the nation's creative sector.

By the mid-1980s, Nigeria was producing massively profitable blockbusters and

revenues grew to over US$11 billion (Sh1.1 trillion) by 2013. The industry also employs an eye-popping one million people, estimated to be second only to agriculture in terms of number of employees within Nigeria.

This is the point where naysayers to the potential of the creative economy will argue that corruption is endemic in Kenya, and therefore, reaching the heights of Nollywood is inherently impossible. This is a fallacy: Transparency International in 2017 ranked Kenya 143 out of 180 in terms of corruption and Nigeria came in at 148. Despite obvious governmental and corruption shortcomings in Nigeria, when it comes to the film industry, one thing has certainly been recognised: that money talks.

South Africa took a different route towards becoming a creative sector powerhouse on an international scale. This is best exemplified when examining the music industry of the country. Once again, the roots of the explosion of South African musical influence can be traced back to a government development programme – the Bantu Radio initiative, which, it must be stated, was put into place in 1960 by the apartheid government in what can best be described as a campaign to further segregate the country. The aim of the programme was to promote tribal music in the hopes that it would reinforce pre-colonial cultural barriers between different communities. It also had the not-so-subtle goal of establishing what black South Africans enjoyed in order to aid the apartheid government in further profiting off of them. The regime believed that the radio stations would play exclusively folk music, but the result was somewhat different. Bantu Radio began broadcasting more than a dozen different genres of music, among them Afro-jazz, kwela and isicathamiya. These genres exploded in popularity, bringing fame, recognition and influence to many South African music industry figures.

The South African Broadcasting Corporation was soon brought in to monitor and regulate the music being produced to ensure that the messages of the music didn't criticise the apartheid regime or its policies of systemic racism. Further regulatory bodies were established to control the music being played. They did so effectively on the Bantu Radio network, but had also inadvertently "let the cat out of the bag". There had been a long history of rebellious action through music in South Africa, but now there was an audience of millions who had several genres in mind on what to pursue. Popular artists who were censored on the radio took

their messages directly to their audiences. There was an exodus of musicians who left South Africa in order to make music against the apartheid regime without censorship or reprisal. In 1982, the Botswana Festival of Culture and Resistance was held with much of the attendance made up of South African exiled musicians. At the conference, it was decided that the primary weapon of the struggle against apartheid would be culture.

Accidentally, through an attempt to further exploit and divide, the regime had laid the groundwork for both widely popular musical genres with a captive local audience. By 1994, when the last remnants of apartheid were finally thrown aside, the music industry grew massively and continues to be a dominant presence into the 21st century.

Anti-apartheid films, rising from South African independent cinema experiencing a boom in the early-80s – the same period when there was a proliferation of video cassette recorders – allowed the viewing of "subversive" productions. Some of these same anti-apartheid films (banned by the regime), such as 1984's *Place for Weeping*, gained international traction and helped to establish South Africa's film industries as influential outside of the borders of the apartheid regime.

What the creative industry has done for other nations

A UNESCO convention in 2005 stated that there is still a need for governmental frameworks that focus on "emphasizing the need to incorporate culture as a strategic element in national and international development policies, as well as in international development cooperation". By this standard, the example of South Korea once again stands out. Just how did South Korea springboard its culture into a massive entertainment and creative sector in such a short period of time? The answer is fairly straightforward: the progress of South Korea's entertainment sectors centres around heavy governmental support, funding and infrastructural management. The government designed and implemented a multi-stage plan towards increasing the profile, impact and economic viability of its entertainment industries.

With the example set, it becomes all the more glaring that the Government of Kenya has turned its back on its own creative industry. The Korean problem of foreign influence is a Kenyan one; foreign acts are flown in and given top billing, foreign media houses dominate the telling of Kenyan stories, and the latest

Marvel films always find themselves on movie-house posters. Ask yourself, when is the last time you saw a Kenyan-made film on an IMAX screen playing to a packed audience? The lines are there, but who are there to see?

The state of regulation and progress within the creative sector in Kenya reflects an acute failure of the state to implement the very policies it has outlined. One needs to look no further than the Kenyan Constitution of 2010 and the Vision 2030 Development Goals to find evidence of this.

> *With the example set, it becomes all the more glaring that the Government of Kenya has turned its back on its own creative industry. The Korean problem of foreign influence is a Kenyan one; foreign acts are flown in and given top billing, foreign media houses dominate the telling of Kenyan stories, and the latest Marvel films always find themselves on movie-house posters.*

In Kenya, a nation that jailed poets and playwrights only two decades ago, the promotion of the creative arts is evolving too slowly. While the Constitution included the mandatory promotion of the arts and cultural sectors, it has taken close to a decade to pass legislation regarding these industries. The government itself has acknowledged these disconnects: the National Music Policy of 2015 states that the Government of Kenya has not adequately enacted policy relating to the creative sector, which in turn has promoted a disconnect in communication and stymied the potential for growth within the industry.

Addressing the state of the creative industries in Kenya, UNESCO contends that there is no facilitative policy framework regarding the creative sector. Or, more bluntly: talk is cheap. The Government of Kenya is definitely aware of the potential impact of growing these specialised industries; it just avoids enacting any meaningful regulation surrounding them. Take the film industry for example. While the talk has been big, there has been no sign of the promised public investment.

The creative sector has long been associated been with the employment of youth. The United Nations has released a series of reports contending that a key path towards combating youth unemployment is through the promotion of the creative industries. Unfortunately, it seems that the Government of Kenya is yet to take heed of creative-driven solutions. The country is currently mired with massive youth unemployment, with rates of over 20 per cent, dwarfing the levels of

unemployed young people elsewhere in the East African region. It is clear that from an economic standpoint, the policies of industrialisation have long since proven themselves to be insufficient in terms of impacting the youth of Kenya in any sort of meaningful way.

One reason why the government is reluctant to promote the arts is because of its delicate sensibilities: it fears supporting creative minds that may turn out to be critical of it. This is evident across the archaic policies of the KFCB, the exodus of locally produced textiles for fashion, the lack of funding for the National Theatre, the government stake in Safaricom, which is currently facing a backlash for the [low rates of compensation](#) given to musicians streamed on its ring-back tunes application, Skiza.

On the basis of the examples given, the lessons to be learned from South Africa can only be to lean harder into criticism of the government. While this seems to be an oft-visited theme throughout the creative sectors in Kenya, the apartheid era of South Africa's music industry remains a solid reminder: that there's no point backing off if the government refuses to change.

This rings doubly true in cases such as that of Ezekiel Mutua, who seems hell-bent on smothering the Kenyan film, theatre and television industries to death through self-claimed piety. His crusade against homosexuality and what he describes as "immorality" must be viewed as a neocolonial one; its aim is to kill off grassroots Kenyan enterprising creative expression. The efforts against him should focus on his willful draining of the Kenyan economy's untold economic and cultural potential.

The best long-term solution in Kenya's case is a sort of middle-ground between the policies of localised emphasis of the 1970s and the government of South Korea in the 1980s and 1990s. Ideally, the Ministry of Sports, Culture and the Arts would be divided towards being specialized; the government would either put in or find real public and private funding for the arts and then actually implement and regulate the policies, such as the [National Music Policy of 2015](#), which outlines a mandated quota for Kenyan-made content to make up 60 per cent of the music aired by the media within the country. They would enforce the regulations but let artists do their own thing as a private enterprise, as they know the ins and outs of the industry. When grievances arise, representatives from the creative sector would have a meaningful seat at the table to dialogue with the

government. Unfortunately, none of these solutions are being sought.

This rings doubly true in cases such as that of Ezekiel Mutua, who seems hell-bent on smothering the Kenyan film, theatre and television industries to death through self-claimed piety. His crusade against homosexuality and what he describes as "immorality" must be viewed as a neocolonial one; its aim is to kill off grassroots Kenyan enterprising creative expression. The efforts against him should focus on his willful draining of the Kenyan economy's untold economic and cultural potential.

The issue remains that while Kenya's creative industry is at par with nearly any other in the region, the continent or the developing world in terms of potential, it is being systemically held back from reaching the heights of its peers. Both South Africa and Nigeria's situations can be viewed as the regimes having stumbled into a goldmine of creative industry potential during brutal regimes, but in both cases there was at least an initial search for the vein (racist though South Africa's was). In the case of South Korea, there was almost a resolute desperation to never return from whence they came. They were willing to try outside-the-box solutions to get there and to put their money where their mouth was. All three situations in 1979 stood on a precipice, and all three could have easily changed course into further crackdown or lack of interest and being left devoid of a cultural sector. Kenya's creative sector situation is dire. This constraining of creativity must be viewed in the light that it is impeding Kenya's progress in the opening decades of the new millennium.

The artistic industries in Kenya are currently at a crossroads. Though ideas, products and creativity coming from the country are only growing in terms of influence and quality, without support, all potential is destined to languish in obscurity. Seventeen years since the transition out of the Moi regime, there has been no golden age of the arts, no explosion of international influence and possibility. The talent is there; the infrastructure of community radio, self-starter production houses and subversive literary talent is pervasive in Kenya. However, the government is simply too afraid or too obtuse to put anything behind these efforts.

What will the economy of Kenya 40 years on into the future look like? As things stand, without the government at least trying something different, South Africa,

Nigeria and South Korea will continue to lap Kenya, toasting to their home-grown billions of dollars and expanded economic influence. Will Kenya's government officials continue to pretend to scratch their heads in search of "new solutions" when the answer is literally painting the picture before them?