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# Retweeting Constitution of Zambia (Amendment) Bill Number 10 of 2019: Support and Outrage

Brian Chanda Chiluba<sup>1,2</sup>

<sup>1</sup> School of Health Sciences, University of Zambia, PO Box 50110, Lusaka, Zambia. E-mail: brian.chiluba@unza.zm;

<sup>2</sup> School of Medicine, University of North Carolina, United States of America. Email: brian.chiluba@med.unc.edu

## Abstract

At least to the majority of tweets, the Zambian Constitution of Zambian Amendment Bill number 10 if successfully passed into law could have greatly created uneven impacts on key sectors of society within Zambia. In trying to review the support and outrage of Bill 10 on Twitter, this article uses thematic analysis to investigate 600 Bill 10-related tweets from 21st June 2019 to 21st June 2020 that were retweeted at least 500. The statistical cybermetrics and thematic approaches used generated quick insights into widely resonating subjects of Bill 10 related issues at the time of debate in Zambia. The findings in this article are highly suggestive of the value of *Twitter* for disseminating information and in this case more especially about understandings, contents and contexts of governance issues of Bill 10. *Twitter* also offered or requested for support, the ability of many citizens with divergent views and different political affiliations to adjust to the process of the amendment of Bill 10, and information about the contents of the Bill in Zambia. This article highlights, that as gathered from *Twitter*, it is key to entrench fundamental principles in constitution amendment processes and such principles in a constitutional text, the idea is to firmly embed them, making them very difficult for any governing body to change for their own advantage. Bill 10 retweets shows that amendment procedures are vital for the protection of the underlying constitutional principles, and are generally considered to have a somewhat unassailable status. As shown by many tweets analysed, a government supporting amendment to the constitutional amendment procedure, could in itself be considered an abuse of power.

**Keywords:** Bill 10, constitution, *Twitter*, social media, retweeting, Zambia, thematic analysis

## Introduction

Zambian Constitutional Amendment Bill number 10 was released for public comment on 21 June 2019. Section 79 of the Constitution of Zambia provides that a Bill which seeks to amend the Constitution must be published in the Gazette 30 days before its first reading. The Bill must be approved by two-thirds of all members of the Assembly at the second and third readings. The changes proposed include the repeal of Article 63(2)(d) & (e) of the Constitution which states: “*The National Assembly shall oversee the performance of executive functions by: (d) Approving public debt before it is contracted; and (e) Approving international agreements and treaties before these are acceded to or ratified.*” In the buildup to the Zambian Constitution Amendment Bill number 10, a forum, known as the National Dialogue Forum (NDF), was created through legislation intended to make proposals to amend the Constitution, as well as to resolve the political impasse between political parties (Ndulo, 2020). This NDF comprised of members of parliament, opposition parties, civil society organisations, churches, as well as members of other members of the public. What is concerning is that although the NDF was enacted by parliament, it only had a life span of 10 days. From the parliamentary point of battle, the release of the Zambian Constitutional Amendment Bill number 10, became the battle between the Patriotic Front (PF), a party in government and the United Party for National Development (UPND), Zambia’s current main opposition. Most of the PFs members of

parliament were in support of Bill 10, while the outrage to Bill 10 came from the main opposition UPND and the National Democratic Congress (NDC) opposition political party of Mr. Chishimba Kambwili (a former minister in the PF government). They were also a few outrageous input from the independent members of parliament who formed ties with UPND. The PF garnered much support from 3 UPND members of parliament to boost their support for the Bill (Ndulo, 2003).

This article uses *Twitter* as a social media forum to understand the support and outrage of Bill number 10 debate in Zambia. *Twitter*, a 140-character microblogging service for social networking, has garnered interest among communication researchers and practitioners due to its tremendous information dissemination capacity (Savage, 2011). The influential status of *Twitter* as a knowledge source is connected to the nature of the *Twitter* network and the functionality that enables users to retweet. *Twitter* users are linked to each other as supporters and followers. This article further made use of retweeting as an indicator of interest in Bill number 10 of Zambia. *Twitter* is a common source of news (Tandoc Jr & Johnson, 2016), information and personal sharing (Boyd, *et al.*, 2010). If a tweet is retweeted many times, then it has probably resonated on a large scale. Depending on the content of the tweet, this might reflect agreement with its content, a desire to be visible in a debate, or a need to interact with others (Boyd, *et al.*, 2010). An individual tweet is more likely to be retweeted if the tweeter has many social links especially on social media through differing platforms (Lachlan, *et al.*, 2019) and thus some potentially relevant tweets about any subject get over-looked because they originate with less well-connected people. Retweeting, as stated in Metaxas (2015), has a preeminent importance in *Twitter*, since the fact of executing such action indicates not only interest in a given tweet, but also the level of confidence deposited in the original publisher and the support of the content.

Social media have the potential to support many useful activities including governance issues for any given country, including social and informational (Ellis, Katie, Mike, 2016). Interpersonal interactions on the social web can help people understand issues that are otherwise easy to understand on your own and this can bring about a formation of identities among communities through social connections. Platforms such as *Twitter* can bring about the likemindedness of citizens or people in either support or outrage (Sweet *et al.*, 2020), to gain support against or join in an outrage and publish their own self-descriptions and narratives (Gale, Fran, Bolzan, Natalie, 2016). This can extend to online activism, coordinating and publicising through social media sites and online news platforms (Pearson, Charlotte, Trevisan, Fillipo, 2015).

This article is about gaining the insights into the perspective surrounding issues of Bill 10 and the need to understand the role of *Twitter* in support or outrage of the mentioned Bill. In order to achieve this, the study uses partly, a qualitative fast reaction method: a thematic analysis of highly retweeted tweets about Bill 10, reviewing the support and outrage to the Bill. Such a quick method like this one is needed so that the results can be published in time to inform the reaction to the citizenry but also to national leaders as well as various interest groups such as political parties and the like. This method exploits the free availability of tweets and the widespread use of *Twitter* across Zambia to the discussion of Bill 10 support versus outrage at the time of the debates.

## Methods

Tweets about Bill 10 in English were collected from the *Twitter* Applications Programming Interface (API) using the queries Bill 10 from 21<sup>st</sup> June 2019 to 21<sup>st</sup> June 2020, 2020. The prior pilot testing on June 9<sup>th</sup> 2019 had found “Bill 10” as a query to be the main ways in which Bill 10 support and outrage was mentioned on *Twitter*. The tweets downloaded were processed to identify those about Bill 10 by selecting those containing the text segments, “Bill”, “Bill 10”, “amend of constitution”. These segments were identified by browsing tweets containing the terms electoral process, financial management, religion, legislature.

This produced a set of Bill 10 tweets accounting for 0.1% of the unique 954 tweets, but after eliminating duplicate tweets, such as retweets of the same original tweet, and near-duplicates, which are two tweets that are identical except for hashtags and @ usernames, only 600 tweets and 500 retweets were retained. The 954 tweets were extracted from the original set of 1,317 downloaded. Only tweets in English were analysed to give a coherent set.

Retweeted tweets were extracted from the Bill 10 tweets when the retweet count was above 5. This minimum was chosen heuristically to allow a moderate number of tweets to be analysed.

About a 150 highly retweeted Bill 10 tweets were analysed using thematic analysis. This qualitative method is appropriate because it is exploratory and so can be applied to new contexts without prior expectations about the outcomes (Braun, Virginia; Clarke, Victoria, 2016). Since Bill 10 newly emerged, there is no research about it from which to form prior expectations and so an exploratory method was appropriate. Thematic analysis is suitable because it is not theory-driven and therefore fits the exploratory goals better than other approaches, such as grounded theory.

For the thematic analysis, the author read all the tweets twice, including on *Twitter.com* to see any associated pictures or links, and assigned them initial codes reflecting their main contents. The tweets were then re-coded after reflecting on the initial codes. The tweets were then clustered by theme and recoded three times, adjusting the codes to make them more uniform and generalised to allow similar tweets to fit within common themes as much as possible. In some cases, Bill 10 was mentioned in a tweet alongside other factors, such as name of ruling part in Zambia, PF or UPND, which is the main opposition political party as earlier mentioned and the critical opposers (outrage) of Bill 10. In all cases Bill 10 was judged to be a core part of the tweet so no tweets were rejected on the basis of limited relevance. Although thematic analysis usually involves multiple coders, as a fast reaction article only a single coder was used as this study only had one author. The themes are reported in the results section.

### **Ethics**

The topic of this study raises potential ethical issues. Nevertheless, although there is no consensus on internet-based ethics (Golder; Ahmed; Norman; Booth, 2017), the current study was exempt from formal ethical approval due to only analyzing fully public online texts. Following best practice (Wilkinson; Thelwall, 2011), the anonymity of all tweeters was preserved in this paper by not including any names or exact quotes. Exceptions were made only for tweets from prominent political individuals, non-inclined political activist and those who have shown publicly and their views are already known in the public domain (Pilato, Sishuwa Sishuwa, Elias Munshya, Bill 10, Linda Kasonde, Laurel Miti ), an official organization Chapter One Foundation and the Law Association of Zambia.

### **Results**

The data collection phrase identified 471 retweets from 1,317 tweets with at least 60 retweets each, excluding irrelevant matches. The following main themes were identified, listed in decreasing order of the total number of retweets. As mentioned above, for ethical reasons, only 'high-profile' tweeters are quoted. Because this is a qualitative study, the results are reported as a list rather than a table but associated quantitative information is also given for some theme. The number of tweets from people showing outrage for Bill 10 is also reported in some cases, some themes, based on the tweeter's profile and a *Google* or *YouTube* search for them. The total includes activist as earlier mentioned and people that describe themselves as activists like in Figure 1, showing Mr. Sangwa state council, statement on the call for members of parliament to reject Bill 10.



Figure 1: Mr. John Sangwa a critical opposer of the Bill to a point is right as a lawyer to appear before the courts of law in Zambia was revoked at one point during the Bill 10 debate period

Some of the note-worthy amendments to the Constitution proposed in the Constitutional Amendment Bill number 10 are highlighted below. There were concerns that this recent attempt to the amendment the Constitution would have reversed progressive provisions in an already existing flawed Constitution.

### 3.1. Some Religious Overtones

*(100 tweets, 10 retweets, 44 responses in outrage to the Bill)*

The Zambian current Constitution defines Zambia as a unitary, multi-ethnic, multi-racial, multi-religious, multi-cultural and multi-party democratic State. The proposed amendments would insert “Christian” before “unitary” and delete “multi-religious”. Similarly, whilst the current Constitution states that the national values and principles include “morality and ethics”, the proposed amendment limits this to “Christian morality”. Instead of the NDF having encouraged a more tolerant society, these amendments raise concern that Zambian society will become less tolerant of the rights of minority groups. One of the tweets in support read, “WE, THE PEOPLE OF ZAMBIA: ACKNOWLEDGE the supremacy of God Almighty; • God or other deities DECLARE the Republic a Christian Nation while upholding a person’s right to freedom of conscience, belief or religion”. In figure 2, Mr. Elias Munshya had taken time to explain that; “in Bill 10, the Bill that if passed, will fundamentally alter the character of Zambian democracy by amending the constitution, several proposals touch on the declaration. First, Bill 10 wishes to remove any reference to Zambia’s multi-religious character. Second, Bill 10 proposes to enshrine what it is calling Christian morality and ethics into the Constitution of Zambia”, He further sates that. these proposals in Bill 10 are entirely unnecessary.



Figure 2: A Zambian Laywer based in Canada had indicated we have been multi-religious even before the invasion of white colonialists who brought us the great gospel of Christ

### 3.2. Zambia National Assembly, Parliament and the Judiciary

(3 tweets, 4 retweets in outrage, 5 responses and all of them in outrage to the Bill)

The proposed Bill would have stripped the Zambia National Assembly of many of its oversight powers and functions, for instance, when it comes to the composition of Parliament, Bill 10 is vague and leaves it to be enacted into legislation, furthermore, the Bill does not stipulate the number of judges that should constitute either the Zambia Constitutional Court or the Supreme Court of Appeal, creating space for political interference in the judiciary. Further room for political interference can be seen where the Bill gives the President power to appoint a tribunal to remove a sitting judge which power previously sat with the Judicial Complaints Commission. The tweet from the Movement for Multi-Party Democracy (MMD), a former ruling party in Zambia, tweeted “If Bill 10 passes it will be more like Zambia will be a one-part state because the opposition will be weakened, they’ll be no proper checks and balances to the executive either from legislature, judiciary or opposition parties.”

### 3.3. Financial Management and Accountability

(27 tweets, 63 retweets in outrage and mostly from financial institutions rather than individual tweets)

Bill 10 would have reduced the Zambia’s Government’s financial accountability by abolishing parliamentary oversight over contracting public debt. Bill 10 also went in so far as to want to repeal the clause that state that the permanent secretary is responsible and accountable for proper financial management of public monies, without stating who this responsibility is now given to. Bill 10 removes oversight from the Secretary to the Treasury of the Zambian government in the formulation and implementation of the macro-economic framework and socio-economic plans of Zambia. In line with the removal of financial responsibility, the Bill sees the creation of the Anti-Drugs, Economic and Financial Crimes Agency (FIC). The introduction of this Agency is questionable as there is already an existing FIC which is created by an act of Parliament and is responsible for investigating financial crimes. The FIC has been applauded by the public as it is known to be effective, recent reports have even implicated law firms as well as politicians in suspicious transactions. The concern is that the creation of this new Agency would have rendered the FIC redundant, facilitating corruption. Cuts Lusaka, carried out a thread of tweets around financial management issues, Figure 3 shows one of the tweets.



Figure 3: Cuts Lusaka one of the insightful Tweet on financial and debt management

[https://twitter.com/CUTS\\_Lusaka/status/1202549458640285697](https://twitter.com/CUTS_Lusaka/status/1202549458640285697)

One of the tweets in outrage read “...impact Zambia’s debt management are as follows: Section 13 of the Constitution of Zambia (Amendment) Bill seeks to delete paragraphs (d) and (e) of Article 63 (2) the Constitution of Zambia Act No. 2 of 2016 which seeks remove National Assembly’s ability to approve public...” Others tweeted

“At present, in addition to providing oversight, the process of submitting agreements to National Assembly allows public scrutiny through National Assembly’s consultative meetings with stakeholders” another tweet indicated” Section 26 of the Constitution (Amendment) Bill proposes to amend Article 92 (b) by making the President responsible for negotiating ratifying, acceding or withdrawing from international agreements. One of the tweets, emphasized that Bill 10 removes checks and balances when Zambia borrows money, Figure 4.

### 3.4. Electoral Process

(19 tweets, 51 retweets in outrage and only 3 in outrage)

Bill 10 proposed a change to the electoral system, from a first past the post electoral system, to a mixed-member electoral system. Furthermore, the Bill also made an allowance for a coalition government. The problem is that the Bill did not define a coalition government in the Zambian context, leaving it open to be interpreted in a manner that could serve the interests of any ruling party, and leaving the voter in a position of uncertainty. This means that a presidential candidate who is not supported by 50 percent plus 1 of registered voters could still be appointed into office through a coalition. A big concern was that the Bill proposed that Parliament should not be dissolved 90 days before the general election, but instead it should remain operational until the general election. The practice of dissolving Parliament during the electoral campaigning period assists to ensure equity between candidates. In Figure 5, Diggers News tweets a news item of Dr. Sishuwa Sishuwa, an ardent critic of Bill 10 and a University of Zambia academician who through his well thought tweets was key for the outrage against Bill 10.



Figure 5. The Diggers News tweet on Sishuwa concern on the democracy of Zambia

<https://twitter.com/DiggersOfNews/status/1268892448127934465>

In summary given the lethality of Bill 10 and the highly political inclination of thinking and the lack of critical thought for many educated people coupled with the insecurity that comes with a high level of illiteracy for many citizens, it is important to evaluate their reactions, both the support and outrage to Bill 10 and recognize the issues that are considered to be most important. Moreover, since communication is important to empower people with knowledge of national significance in order to promote understanding and decision-making based on information, it is also useful to understand the role of *Twitter*. The Minister of Justice really showed the tenacity of how not to withdraw Bill 10 despite clear outrage from activist like Ms. Linda Kasonde, Mr. John Sangwa and others, Figure 6. shows a tweet of the Diggers News of the Minister of Justice, Mr. Given Lubinda questioning the credibility of Ms. Linda Kasonde.



Figure 6. Zambia's Justice Minister (Mr. Lubinda) outrage against the opposers of the Bill

## Discussion

The results have several limitations. They are subjective to the researcher as coder and limited in breadth because there may be important topics that were discussed in other places, such as forums like ones organized by the Law Association of Zambia, *WhatsApp* groups, Facebook, or mainstream news sources like Diggers News paper, Diamond TV, Muvi TV and the Mast newspaper among others. More personal topics would presumably be discussed in private environments and some people with strong political inclination but for security reasons among many reasons may prefer to avoid *Twitter*. There may also be issues widely discussed on *Twitter* without a single highly retweeted tweet. Misinformation may be largely missing from the collection due to efforts by *Twitter* to combat it.

The themes generated from the retweets do not seem surprising in the sense that they largely reverberate, but in a stronger form, many ongoing concerns of the Bill's provisions which showed that if enacted, the principles of constitutionalism and good governance would have been undermined in Zambia. In terms of the useful information retweeted, this is a positive role for *Twitter*. A retweet does not guarantee that the information was used because behaviour change is a complex process (Cugelman; Thelwall; Dawes, 2011). Nevertheless, there is some connection between information on *Twitter* and the general awareness of what the information should be about (Farhadloo; Winneg; Chan; Jamieson; Albarracin, 2018). Thus, it seems likely that the information will have successfully informed and reminded some people especially the members of parliament, helping them to either be in support or be in outrage of Bill 10 and consequently giving confidence to members of parliament to vote against the Bill.

According to most *Tweets* and *retweets* it has been found that when Zambia Constitutional Amendment of the Bill, those in support seem to have created a notion which made the government's intentions seem to appear admirable in the respect that they are seeking to protect minority groups from future abuses especially women, youths and those living with disability, but for those in outrage of the Bill, the rationale is that if the current government can change the constitutional amendment provision with relative ease, what is to stop future governments from doing the same but with less admirable intentions. In an Ideal situation, a power-hungry President could decide to reduce the majority required in Parliament to pass constitutional amendments, which in turn could lead to the easier passage of further amendment Bills for means such as increasing presidential powers and removing term limits, seriously threatening existing democratic structures.

According to various *retweets* that seemed to provide some road map of what should have been the correct way to the Zambia Constitutional Amendment Bill is that sequence of events particularly noteworthy is that the change to the constitution should have been initiated not by the countries' elected legislators, but by the public at large. It

could be argued that this is a sign of a healthy democracy, with decision making in the hands of the wider population.

One interesting phenomena in comparison to other analyses of serious issues is that highly retweeted tweets showed so much seriousness of thought. Surprising to mention is that humour is common used strategy on *Twitter* and it helps to drive retweeting the agenda of the debate (Milbrodt, Teresa 2018). Thus, on *Twitter*, Tweets on Bill 10 were serious making all the information about the Bill straightforward and to the point. This might be due to a combination of the potential for misunderstanding and the seriousness of the situation. It must be mentioned that some of the retweeted tweets denigrated either those in support or in outrage of Bill 10. Such that whenever there was a physical debate, emotions were high among the support and outrage groups.

## Conclusions

The outrage that was available on *Twitter* is indicative that if Bill 10 had been passed it would have been a major threat to the process and distortion of the principles of constitutionalism in Zambia. The *Twitter* site seems to have been useful to share basic information about Bill number 10 of Zambia, including information about, or requests for, outrage against it. Such information sharing of *Twitter* is a valuable informational roles of *Twitter* and other social medial platforms and underline that social media should be useful during governance and constitutional amendment campaigns among many political debates. The tweets expressing outrage towards Bill number 10 especially among the lay people confirm the importance of these issues. Making feelings known about this on *Twitter* and elsewhere may have been important in getting Bill number 10 defeated in parliament as the Bill never attained the required third majority in its second reading in parliament of the Republic of Zambia. Thus, overall, *Twitter* seems to be a valuable part of the information and political ecosystem of constitutional amendments among other importants as already indicated. According to the tweets, If Bill number 10 had been passed some of the provisions, would have undermined important elements of the country's constitutional foundations. The Bill, if enacted, risked reversing any incremental gains scored and Zambia would have slide into autocracy. The disclaimer of this writing, just in case one may wonder about where I am drawing the power to write on this. My power actually comes from or is actually enshrined right in the Constitution of Zambia under the heading "supremacy of Constitution" and section 2 actually says "every person has the right and duty to defend this constitution and be resist or prevent a person from over throwing suspending or illegally abrogate this Constitution". The Bill being discussed was defeated in parliament on 29<sup>th</sup> October, 2020. Thanks to the role of social media such as *Twitter*.

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