

**EVALUATING THE MEDIA CONTENTS OF KENYA'S  
MAINSTREAM PRINT MEDIA IN THE COVERAGE OF ARMED  
CONFLICTS: A CASE STUDY OF 'ETHNIC CLASHES' IN  
WESTERN KENYA.  
1991 – 1992**

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K/50/P/7822/2001**

**A PROJECT SUBMITTED TO UNIVERSITY OF NAIROBI IN PARTIAL  
OF THE REQUIREMENT FOR THE AWARD OF MASTER OF ARTS  
DEGREE IN COMMUNICATION STUDIES**

**SCHOOL OF JOURNALISM**

**NAIROBI, KENYA**

**OCTOBER, 2004**



## TABLE OF CONTENTS

<b>Declaration .....</b>	<b>(ii)</b>
<b>Certificate .....</b>	<b>(iii)</b>
<b>Acknowledgement .....</b>	<b>(iv)</b>

### **Chapters of the study**

- (I). Introduction and background**
- (II). Statement of the problem**
- (III). Objectives of the study**
- (IV). Justification of the study**
- (V). Literature review**
- (VI). Theoretical framework**
- (VII). Hypothesis of the study**
- (VIII). Limitations of the study**
- (IX). Methodology**
- (X). Procedure for coding the data**
- (XI). Presentation of the findings**
- (XII). Interpretive conclusions**
- (XIII). Discussion and Recommendations**
- (XIV). References**

## Declaration

I declared that this project entitled **Evaluating the media contents of Kenya's mainstream print media in the coverage of armed conflicts: A case study of 'Ethnic Clashes' in Rift Valley of Kenya: 1991 – 1992** is the result of my own work and that it has not been submitted either wholly or in part to any other University for the award of Degree or Diploma.

School of Journalism  
University of Nairobi, Nairobi.

Signed John Nyandong Okelo

John Nyandong Okelo

Dated 2/3/05

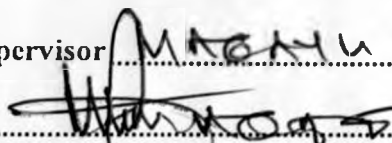
## CERTIFICATE

This is to certify that this project **Evaluating the media contents of Kenya's mainstream print media in the coverage of armed conflicts: A case study of 'Ethnic Clashes' in Rift Valley of Kenya: 1991 - 1992**, is a bonafide project work carried out independently by John Nyandong Okelo under my guidance and supervision

Name of Supervisor .....

MACHUKU K. MACHUKU

Signature .....



Date .....

4 | 3 | 2005

## ACKNOWLEDGEMENT

I would like to acknowledge and appreciate the support, both materially and morally my family, especially my wife, Monica, gave to enable me to undertake and complete this academic work.

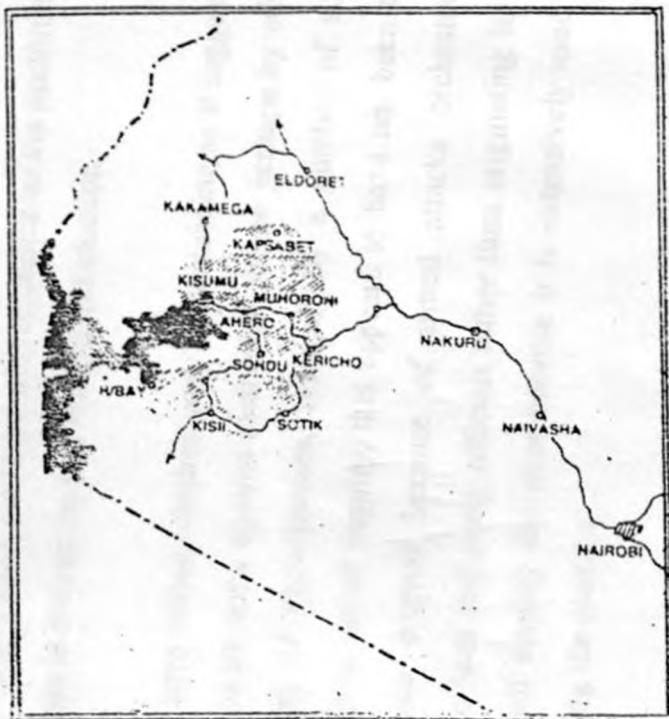
I salute my lecturers at Nairobi University's School of Journalism especially my supervisor, Mr. Magayu K. Magayu who patiently helped me to 'panel beat' my jumbled and confused ideas into shape. I owe him a debt of gratitude.

Finally, I am also indebted to Prof. William R. Ochieng of Maseno University College for inspiring me to take up the strenuous academic pursuit. Without his moral support and prodding, perhaps, I could not have had the courage to plunge myself into uncertain academic sea.

# AREA OF CLASHES



DANGER ZONE



GRAPHICS: J. Armin Giesse

# Evaluation of media contents of Kenya's mainstream print media in the coverage of armed conflicts: A case study of 'Ethnic Clashes' in parts of western Kenya: October 1991 – March 1992.

## (I). INTRODUCTION AND BACKGROUND

This study seeks to examine the media contents of the local mainstream print media in reporting armed conflicts with reference to the hostilities that erupted in parts of western Kenya in the run up to 1992 general election.

The term 'ethnic clashes' may be misleading as it suggests that two or more communities picked up arms against each other driven perhaps by ethnocentrism. But from the press reports of eyewitnesses, research by a number of scholars and organisations, and commissions of inquiry, this appears to have not been the case. They all indicate that violence erupted because of armed attacks orchestrated and financed by senior government and party officials rather than originating in the affected communities. But we shall employ the term because it is extensively used in almost the entire literature covering the conflict.

The mainstream media means the regular newspaper (and broadcasting stations) with a wide readership and audiences. For a publication to be rated as mainstream may depend on its readership, issues it deals with and its sales. Fundamentally, the mainstream media in Kenya are commercial ventures. To survive in business, they avoid upsetting advertisers, both commercial and government. This study seeks to examine the contents of Daily Nation, East African Standard and KANU-owned The Kenya Times as they covered the 1992 ethnic clashes with this fact as a backdrop.

The mainstream print media in Kenya have been, and are still owned mainly by private investors. The Agha Khan owns majority shares in the Nation Media Group. The East

African Standard is also foreign-owned. Even Kenya Times, which was the ruling party's print medium at the time of the clashes is not owned by the state but is a private investment by a political party, KANU.

For self-perpetuation, the government instituted measures to have complete control over the mainstream print media. Like beef, news carried by these media had to have the government's stamp of approval before it was released to the public. This situation largely prevailed during the ethnic clashes.

The year 1991 was extremely momentous in the country's political evolution. The first so-called ethnic clashes in the independent Kenya erupted in October of that year in parts of Rift Valley province and quickly spread to border areas of Nyanza and Western Provinces. Opposition to one-party state had gained momentum in July with the launch of a multi-ethnic pressure group- the Forum for the Restoration of Democracy, FORD, dedicated to the repeal of section 2(A) of the constitutional provision that had made Kenya a one-party state.

The movement was greatly strengthened in November when donors collectively decided to suspend the balance-of-payments support and new development assistance (excluding humanitarian aid) to Kenya – amounting to US\$ 350 million out of about US\$ 1 billion – until corruption had been curbed and political system liberalized <sup>(1)</sup>. Within weeks, the government legalised the existence and registration of opposition political parties.

As the move to multipartyism became a reality, senior politicians of the only ruling party at the time, KANU, at partisan rallies in Rift Valley, advocated for Majimboism (quasi-federalist) system of greater provincial autonomy. In many of their speeches, the politicians openly advocated for the expulsion of the non-native inhabitants of the so

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<sup>1</sup> Joel D. Barkan, "Kenya: Lessons from a Flawed Elections". *Journal of Democracy* 4, 3 (July 1993) p. 91



called “KANU zones”. Majimboism became a “euphemism for ‘ethnic cleansing’”<sup>(2)</sup>. The advent of violent ethnic clashes closely followed these rallies<sup>(3)</sup>. Multi-party politics had come decidedly painfully, accompanied by violent inter-ethnic conflicts, mass loss of life and destruction of property in the border areas of Rift Valley, Nyanza and Western Provinces.

Right from the beginning of the crisis, the ‘visible’ actors who included the politicians, religious groups, NGOs and diplomatic community made statements that were widely covered by the print media. In addition, sections of the print media carried editorial commentaries and analyses of the conflict.

The government’s response to the hostilities was largely rhetorical. It accused the mass media of exaggeration and church leaders and donors, of inciting hatred<sup>(4)</sup>.

On 13<sup>th</sup> May 1992, Parliament appointed Kennedy Kiliku Parliamentary Select Committee to ‘probe the root cause of fighting and make recommendations with a view of averting such incidents in the future’. The 238-page report pointed an accusing finger at the government over the clashes. But “in view of KANU parliamentarians, the report was part of the disinformation campaign to cover up the terror that the opposition unleashed on Kenyans in the form of clashes which were intended to force KANU out of government”<sup>(5)</sup>

Because of these accusations and counter-accusations, the journalists had to be very objective in their work to produce credible reports in their coverage of the ethnic clashes.

<sup>2</sup> Ahmednassir M. Abdullahi, “Ethnic clashes, Displaced Persons and the potential for Refugee Creation in Kenya: A Forbidding Forecast” *International Journal of Refugee Law* 9,2 (April 1997), p. 202

<sup>3</sup> Republic of Kenya, National Assembly, *Report of Parliamentary Select Committee to investigate Ethnic Clashes in Western and other parts of Kenya (1992)*

<sup>4</sup> Smith Hempstone, *Rogue Ambassador: An African Memoirs* (Sewanee, Tenn.: University of South Press, 1997), p. 238

<sup>5</sup> B. A. Ogot, “Transition from Single Party to Multiparty Political System 1989 – 93” in *Decolonisation and Independence in Kenya 1940 – 93*, ed. by Bethwell A. Ogot and William R. Ochien’g [London: James Currey and Athens, Ohio University Press, 1995], P. 250

But according to Odhiambo,<sup>(6)</sup> the following factors hindered objectivity amongst Kenyan journalists:

1. It was widely acknowledged that journalists were often treated as instruments for legitimising, stabilizing and practicing authoritarian rule in many Third World countries, Kenya not exempted. In such a context, journalists were not expected to have any critical function that would be ordinarily be conceded to other intellectuals. In fact, a 1989 UNESCO study found that many journalists in developing countries were loyal dogmatists who didn't want to practise critical journalism, and that many in top journalistic jobs were not journalists at all. A survey of Kenyan newsrooms showed that this situation had not changed much since the last 12 years.
2. The fact that the mass media were anchored in capitalist business prevented ethically clean journalism, hence objectivity. This was because profit maximization was the primary motive of investors in the media sector. Accordingly, even though there was a deafening outcry for truth and "demystification of the world" (to use Max Weber's term), the kind of dependant journalism that was practised in our societies meant just the opposite – propagation of lies and half-truths, mystification of the world, and brazen manipulation to assert interests.
3. A good proportion of journalism practitioners were blissfully ignorant of ethics of journalism. This was sometimes due to the limited time devoted to ethics courses in journalism training institutions, but largely due to prevalence of untrained journalism practitioners that populate our newsrooms.
4. Most journalists in Kenya were so badly underpaid that even if they tried their level best they couldn't practice ethically clean and professionally competent journalism, let alone operate as an independent "fourth estate" like their counterparts in wealthy Western nations. Their poor financial condition encouraged what has been termed "*envelopment journalism*", meaning that journalists had to accept money to survive, no matter how hard they struggled to adhere to professional ethics.

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<sup>6</sup> Odhiambo L. O., 'The problem of Objectivity in journalism'. Paper prepared for an induction workshop for journalists by the Constitution of Kenya Review Commission, October 2002.

5. A vast majority of journalists in this country lacked of job security, meaning that they were dangerously exposed to the hiring and firing frenzy of corporate despots.
6. There was a general lack of internal press freedom in many Third World countries as well as in newsrooms, coupled with the interference by the owners of the mass media in the matters of ethical and professional issues.

In the face of the foregoing, how did the mainstream print media cover the ethnic clashes?

## (II). PROBLEM STATEMENT

The study proposes to examine and evaluate the media content of the country's mainstream print media in the face of harsh media laws in the heat of the first violent pre-election crisis in the sovereign Kenya.

## (III). OBJECTIVES

1. To document and analyse journalistic involvement of the mainstream print media, in the first post- Independence large scale political violence.
2. To compare and contrast the contents of the three mainstream print media on their coverage of an armed conflict.
3. To find out the strengths and weaknesses of each print media in covering an armed conflict and come up with recommendations, if any, on how the local print media may, in future, improve on their coverage of any internal crises.

#### (IV). JUSTIFICATION AND SIGNIFICANCE OF THE STUDY

That the mass media influence the course of large-scale armed conflicts need not be gainsaid. During the First and Second World Wars, mass media, especially radio, was used as a means of influencing public opinion or as a formidable psychological weapon. Every major belligerent systematically employed political propaganda and control of news as a weapon of warfare. Since then, mass media have been used in conflicts to help in crushing the morale of the combatants and civilian population of the enemy, to undermine the enemy's resistance, to dissuade the neutrals from joining the enemy side and to encourage friends to remain on one's side.

According to Roucek, "Psychological warfare is the use of propaganda against the enemy through the employment of modern media of mass communications, together with such other operational measures and devices of military, economic or political nature as may be required to supplement propaganda for the purpose of reaching mass audiences in order to persuade them to accept certain beliefs and ideas"<sup>7</sup>

Soreno asserts that "Psychological warfare helps political leaders to camouflage reality and dodge responsibility"<sup>8</sup>

The study, therefore, seeks to scrutinize the contents of the mainstream print media that covered the ethnic clashes prior to 1992 general elections in Kenya to understand the background and how the print media practitioners handled that conflict.

Earl Babbie (1989) says that evaluation is necessary when some social intervention occurs whether planned or spontaneous. Widespread political violence is negative and disruptive social occurrence that always receives extensive coverage by print and

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<sup>7</sup> Roucek, Social Control, P 400

<sup>8</sup> Soreno, Renzo, Psychological warfare, Intelligence and Insight Psychiatry (1950) XIII pp. 266 - 273

electronic media. The in-put of media practitioners as the shapers of public opinion on the issues of disagreement should, therefore, be evaluated.

Parties involved in armed or unarmed conflicts always seek to have good press on their side as a means of social control. One of the agencies for the information and expression of public opinion is the mass media. But what is public opinion in the first place?

According to John Dewey, "Public Opinion is judgement: which is formed and entertained by those who constitute the public and is about public affairs"<sup>9</sup>

Morris Ginsberg says, "By public opinion is meant the mass of ideas and judgements operative in a community which are more or less definitely formulated and have certain stability and are felt by the people who entertain or hold them to be social in the sense that they are a result of many minds acting in common"<sup>10</sup>

Wrote Walter Lippman, an eminent American political columnist and author, "The world we have to deal with politically is out of reach, out of sight, out of mind. It has to be explored, reported and imagined. Each person gradually makes for himself a trustworthy picture inside his head of the world beyond his reach. The pictures in the minds of citizens collectively constitute public opinion". The 'pictures in our heads' are to large extent obtainable from the mass media.

Elisabeth Noelle-Neumann, a professor of communications research and found/director of the Allensback Institute (the West Germany counterpart of America's Gallup poll organisation) defined public opinion as "opinion on controversial issues that one can express in public without the fear of isolating oneself".

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<sup>9</sup> John Dewey, *the public and its problems*, p. 177

<sup>10</sup> Ginsberg, Morris, *psychology of society*, p. 141

On the power of mass media to generate, agitate and propagate the agenda that mould public opinion she wrote, "mass media can make a majority look like a minority"

Benard C. Cohen, a political scientist, in his book, "The Press and Foreign Policy" makes a significant point about agenda setting, gate-keeping and public opinion formulation. He wrote, "The press may not be successful much of the time in telling the public what to think, but it is stunningly successful in telling its readers what to think about".

Public opinion is thus the opinion of the people held by them on any issue for the welfare of the whole community. It is a collective product. It is composite opinion, a sort of synthetic average formed out of all different opinions actually held by the public.

Why do parties in conflict resort to the use of mass media to drum up for themselves favourable public opinion? This is because the press has agenda setting role for everyday normal discussions as it is the source from which people draw their facts. It shapes opinions, thinking, tastes or belief systems. It affects the common man's ideology by giving ideological start to the news. It changes people's cognitive structure or effects changes in knowledge, attitudes or actions as a result of the transmission of communication messages. It enforces morality by threat of coercion in the form of public exposure.

Parties in conflict also often use mass media to build around themselves good public opinion because these are communication processes that operate at society-wide level. Other communication processes approaching the same status in terms of ubiquity and scope are those of government, education, and religion. Each has its own institutional network, at times linking large numbers of people together in the transmission or exchange of information and ideas. But mass media probably involves more people most of the time than any other society-wide communication processes.

Mass media are the locations or arena in which public affairs like political conflicts are played out nationally and internationally. They are channels through which any ideas or agenda in public domain are given direction and impetus.

Mass media as an agency for disposal of ideas, news and views can bestow status and legitimacy as they are the dominant sources of definitions and images of social reality. When they emphasise some facts and censor others, the mass media interpret, define and structure perceptions or certain dominant notions of reality.

An example that powerfully illustrates the power of mass media to set agenda or shape public opinion happened in the United States in 1970s. Mass media brought about the forced resignation of President Richard M. Nixon. He had been re-elected easily to a second term when a series of stories in Washington Post (print media) disclosed a close link between the Oval Office and burglary at Democratic National Committee offices named Watergate. These and subsequent disclosures of presidential misconduct created such a change of opinion among the general public and members of the Congress that he resigned in the face of pending impeachment proceedings. It is thus imperative that the contents of print media that covered ethnic clashes in Kenya are also evaluated for valuable lessons they may offer in agenda setting and gate-keeping practices of local journalists when covering armed conflicts.

A distinguished leader in communication research study, Harold D. Lasswell posed the query, "who says what, in which channel, to whom, with what effect?" to summarise the processes of communication. This study chose print media 'channel' because they remain very important as they play their traditional roles of reaching the most influential sections of society who include parliamentarians and other politicians, civil servants, mercantile community, donors, diplomats, academicians and the clergy. These are the groups who 'set agenda' or (as Paul Lazarsfeld et al. (1940) had referred to the phenomenon) "the groups who structure issues for public discourse".

As Everett Rogers (1976) asserted, review and evaluation of a project or an event is crucial for its impact assessment. This is more so if the project has been implemented or an event (like ethnic clashes) occurs for the first time in a particular era.

On last year's World Press Freedom Day, Charles Onyango Obbo, an eminent Ugandan journalist averred that, "Kenya now easily has the freest media environment in the region"<sup>(11)</sup>. The "Shackled Messengers"<sup>(12)</sup> states in its prefatory remarks that "not only have overt editorial control and proscription of publications become infrequent, airwaves have also been freed". Yet the machinery of censorship and control that include a phalanx of laws inimical to press freedom and age-old threats the government directs at the journalists is still intact. The repealing of sedition laws was actually only a subterfuge designed to hoodwink the public into believing that the government was relaxing harsh media laws. Reviewing the coverage of pre-1992 election violence should have these facts as a backdrop and seek to use the assessment to develop improved skills for covering future internal conflicts even in the face impediments erected by the government.

The evaluation of media coverage of conflicts should also be used by mass media training institutions to include in their programmes course units that would inculcate in journalists arbitration skills. The journalists could use such skills in reporting future internal conflicts.

In the same way, law makers can draw from the evaluation to enact better laws to improve journalists' working conditions, job security and, consequently, the objectivity in reporting events and issues of conflict.<sup>5</sup>

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<sup>11</sup> Daily Nation, May 3, 2003 World Press Freedom Day

<sup>12</sup> 'Shackled Messengers', The Media in multiparty Kenya by Human Rights Commission, 1997



## (V). LITERATURE REVIEW

Literature review for this study covers a sample of texts and reports relating to the armed conflicts in general with a focus on the 1992 ethnic clashes in Western Kenya. Whenever there is a crisis, defined as “the active outbreak of armed hostilities”<sup>(13)</sup> or a conflict, referred to as “underlying issues in dispute between or among parties”<sup>(14)</sup>, mass media's role has always been a subject of intense debate and numerous studies. This is because the way conflict is reported has a direct bearing on the prevailing attitudes of the public towards the parties involved in the hostilities. As was remarked in the ‘Justification and Significance of the Study’ participants in conflicts always, and invariably, crave for good press or, at least, acceptance of their stance on issues of disagreement, to generate for them a favourable public opinion.

It is also generally recognised that mass media can be agents of peace and understanding or of conflict resolution and management through balanced and responsible coverage of issues at stake. They can set agenda for the elimination of the causes of conflicts or campaign for the neutralisation or control of the means of pursuing either the conflicts or crises.

On the other hand, the press can not only exaggerate and sensationalise issues of a conflict but also fail to present a rational overall picture of matters of contention. They can skim over a very grave matter and omit, either deliberately or through incompetence, to give an in-depth and insightful analyses to enable parties in the conflict have a clear perception of the problem. Rwandan genocide of 1994 is a case in point.

As Gasarase points out, “Despite the complex nature of the conflict, the mass media persisted in characterising it as the result of an old hatred between the Hutu and the Tutsi, instead of taking it for what it was: and intra-class power struggle among the Rwanda

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<sup>13</sup> P. Godfrey Okoth, Introduction in *Conflict in Contemporary Africa*, Jomo Kenyatta Foundation, 2000, P.1

<sup>14</sup> Ibid

elites who have at various times manipulated and politicised ethnicity and/or regionalism in order to divide the masses of the Rwandan population into personal or group power constituencies”<sup>(15)</sup>

Mass media can, thus, be an agent of peaceful resolutions of conflicts as well as a weapon for destabilisation. Its role in conflicts such as the Kenyan ethnic clashes, therefore, requires critical evaluation.

Agee et al. rightly observe that “Media are a segment of society just as churches, schools and minority groups are. While the media unquestionably do have substantial influence on public behaviour and attitudes in some respects, their own conduct, in turn, is shaped by the standards and strictures of other social elements. The media do not stand alone, although their high visibility focus attention on them”<sup>(16)</sup>

To evaluate how the media’s conduct in covering an armed conflict was shaped by the standards and strictures of political and social institutions, we need, first of all, to sample some literature on this crisis.

According to Lasswell, politics has to do with “*who gets what, when and how*”<sup>(17)</sup> Politicians always aim at gaining and retaining power or influence but preferably both. With the advent of multipartyism and struggles for human rights in Africa from 1990, following the collapse of communism and Cold War, politicians in power who had not embraced the spirit of competitive politics had to figure out ‘how’ to retain that power. In the case of Kenya, the incumbent chose a political tool that shook the nation to the core and left the country teetering on the brink of a low-key civil war.

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<sup>15</sup> C. Gasarase, “The Rwandan Conflict: Sources, Evolution and Implication for Refugee Repatriation, National Reconciliation and Reconstruction” in CODESRIA Conference on ‘*Academic Freedom, Social Research and Conflict Resolution in the Countries of the Great Lakes*’ (Arusha, Tanzania, 4<sup>th</sup> – 7<sup>th</sup> September, 1995) P. 1

<sup>16</sup> W. K. Agee, P. H. Ault, E. Emery, *Introduction to Mass Communication*, Harper Collins College Publishers, 1994, P.15

<sup>17</sup> Harold D. Lasswell, *Politics: Who Gets What, When and How*. (New York, Meriden Books, 1958)

In 1992, President Moi, for the first time in his fourteen- year tenure as president, faced a strong political challenge and hence the prospect of losing in the presidential election under a multiparty system. Studies and reports show that he turned to ethnic sentiments and sensitised his people, the Kalenjin, and other so called minority groups to the prospect of losing their privileged status they had enjoyed under him. He argued that as Kenyatta's Vice President for twelve years, he remained steadfast in his loyalty to, and support of Kenyatta yet now Kikuyus were out to toss him out of office under the guise of political pluralism. The common Kalenjin was thus made to understand that the idea of multipartyism was a mere conspiracy by other communities to wrest presidency from one of their own.

As Mogire succinctly puts it, "Ethnicity became a political resource in the possession of the state"<sup>(18)</sup>. And it was through this 'political resource' that Moi and his political coterie sought the 'final solution'. They organised the 'Kalenjin Warriors' to rid the expansive province of communities perceived to be opposition supporters. The raiders were detailed to destroy the homes and drive the occupants away or kill those who resisted. By 1993, *Human Rights Watch/Africa*<sup>(19)</sup> estimated that 1500 people had been killed in the clashes and that some 300,000 displaced. Moi, thus, rid Rift Valley of opposition voters and turned 1992 general elections in his favour. In this way, he retained raw power in a changed global political terrain which was becoming increasingly intolerant to authoritarianism.

The clashes became a subject of studies, reports and commissions of inquiry. Brown's "*Quiet Diplomacy and Recurring 'Ethnic Clashes' in Kenya*"<sup>(20)</sup> is perhaps one of the most detailed literature on the subject. He delves into the nature, phases, actors and

<sup>18</sup> Edward D. Mogire, "The State And Internal Political Conflicts in Africa: The Case of Kenya" in *Conflict in Contemporary Africa*, Jomo Kenyatta Foundation, 2000, P.137

<sup>19</sup> Human Rights Watch/Africa Publication

<sup>20</sup> Stephen Brown, "*Quiet Diplomacy and Recurring 'Ethnic Clashes' in Kenya*". Department of Political Science, University of Toronto

strategies of the conflict. He gives a detailed historical background and the role the government played in the conflict. He assesses and gives a comprehensive conclusion.

'*Conflict in Contemporary Africa*'<sup>(21)</sup> was published in the year 2000, almost a decade after the advent of the infamous ethnic clashes. It is one of the texts that not only analyses both domestic and external sources of conflicts in the continent but also has chapters that discuss these particular politically instigated ethnic clashes.

*Human Rights Watch*, an international organisation based in New York, which monitors and blows the whistle on human rights violations, in conjunction with its local chapter, closely monitored the massive human rights violations in Kenya. For example, in one of its reports, '*Divide and Rule: State-Sponsored Ethnic Violence in Kenya*'<sup>(22)</sup> it revealed how the government had instituted measures to prevent outside contact with areas of ethnic clashes. It wrote, "The technique used on several occasions was to declare an area a 'security zone' for a period of up to one-and-a-half years, officially to prevent further violence (which in fact continued) but more likely to justify the denial of access". Another of the organisation's comprehensive reports which discussed in detail human rights status in Kenya was entitled "*Kenya's Unfinished Democracy*".<sup>(23)</sup>

The other source of literature on these clashes emanated from the pronouncements of the clergy. In a *pastoral letter*<sup>(24)</sup> read in all the Catholic Churches countrywide on Sunday April 22, 1993, the Catholic bishops charged the state with complicity in the atrocities that resulted from the ethnic clashes. The contents of the letter were carried by the local print media the following day. These charges were subsequently confirmed by an independent investigations by the *National Council of Churches of Kenya (NCCCK)*<sup>(25)</sup>. They were also further confirmed by a commission of inquiry baptised *Republic of*

<sup>21</sup> *Conflict in Contemporary Africa*, Jomo Kenyatta Foundation, 2000.

<sup>22</sup> Human Rights Watch /Africa Watch, *Divide and Rule: State-Sponsored Violence in Kenya* (New York: Human Rights Watch, 1993)

<sup>23</sup> *Kenya's Unfinished Democracy*, Human Rights Watch Publication

<sup>24</sup> Catholic Pastoral Letter, Sunday 22, 1993

<sup>25</sup> National Council of Churches of Kenya, *The Cursed Arrow*, (Nairobi: NCCCK, 1992)

*Kenya, National Assembly, Report of the Parliamentary Select Committee to Investigate Ethnic Clashes in Western and Other Parts of Kenya (1992)*<sup>(26)</sup> commonly known as Kiliku Report, after its chair, former MP for Changamwe, Kennedy Kiliku.

Renewed incidents and increased attention to the violent clashes in 1997 – 1998 led President Moi to appoint a more comprehensive commission of inquiry. It was christened the “*Judicial Commission Appointed to Inquire Into Tribal Clashes in Kenya*”<sup>(27)</sup> also commonly known as ‘Akiwumi Report’ after its chair, Justice Akilano Akiwumi. Its year long hearings attracted considerable national attention. Many of its sessions were open to the public and the media reported on the testimonies presented. A great deal of evidence implicated important government and party officials. Its conclusions were similar to those of the clergy, Kiliku Report and Human Rights Watch of 1993.

From the *Human Rights Library*,<sup>(28)</sup> University Minnesota, came the report on “*The Status of Human Rights Organisations in Kenya*”. It stated that personal security, justice, assembly, free and fair election, freedom of expression, due process of the law and protection of livelihoods, as human rights, had sharply deteriorated in Kenya as a consequence of the ethnic clashes. Also connected to the tribal clashes were cases of torture, police brutality, unlawful arrests and detention, rape and abuse of women. The literature is replete with indictments of the government for gross human rights violations.

At the outbreak of the clashes, registered human rights organisations in Kenya included International Commission of Jurists-Kenya, Kenya Human Rights Commission, Kituo Cha Sheria, Peace Foundation (Africa), Public Law Institute and Law Society of Kenya. All of these organisations demonstrated interest in opposing the perpetrators of the ethnic

<sup>26</sup> Republic of Kenya, National Assembly, Report of the Parliamentary Select Committee to Investigate Ethnic Clashes in Western and Other Parts of The Country Commonly Referred to as ‘Kiliku Report’

<sup>27</sup> Judicial Commission Appointed to Inquire into Tribal Clashes in Kenya Commonly to as ‘Akiwumi Report’

<sup>28</sup> Human Rights Library, University of Minnesota

clashes. But Kenya Human Rights Commission and Law Society of Kenya (LSK) were particularly active.

LSK produced a report entitled *LSK Report on Tribal Clashes*<sup>(29)</sup> in which it described tribal clashes as “tribal cleansing that had been invented by the government as a smoke screen; a euphemism to hide the genocidal program it initiated against some of its citizens either because of their ethnic origin or political affiliation”

Two other organisations which monitored Kenyan ethnic clashes closely were the UN's *Integrated Regional Information Network (IRIN)*<sup>(30)</sup> and *Jesuit Refugee Service (JRS)*<sup>(31)</sup>. IRIN produced many reports on the status of the country's governance, internal displacements and dispossessions. Even when Akiwumi report was finally released in October, 2002, IRIN carried its report under the heading “**Kenya: Clashes Commission Urges IDP Returns**”. Akiwumi report had urged the government that “All those who were displaced from their farms during tribal clashes be assisted to resettle back on their farms and appropriate security arrangement made for their peaceful stay”

JRS had estimated that the 1992 political violence displaced some 300,000 people.

Another political institution that imposed standards and strictures on the mass media coverage of the armed conflict was the legal regime. Despite the promise of the media freedom via article 79(1) of the *Constitution of Kenya*<sup>(32)</sup> and enjoining herself to other instruments of International Laws, Kenya retained in its statute books repressive laws that impinged negatively on the freedom of the press. The following were the laws that had negative impact on the way the print media reported ethnic clashes in 1992.

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<sup>29</sup> LSK Report on Tribal Clashes

<sup>30</sup> Integrated Regional Information Network (IRIN) report

<sup>31</sup> Jesuit Refugee Service (JRS) report

<sup>32</sup> The Constitution of Kenya

### (i). Law of Sedition

Sedition can be defined briefly as “conduct which threatens or excites disaffection against the government”<sup>(33)</sup> Because the government was hysterical in denying that it was involved in organising ethnic clashes, to suggest otherwise, even if the journalists had evidence, would be termed seditions and invite swift and severe penalties. The law, therefore, forced media personnel into self-censorship; a form of gate keeping.

### (ii). Law on Publication of False Reports

Section 66 of the *Penal Code*<sup>(34)</sup> makes it an offence for anyone to publish “any false statement, rumour or report which is likely to cause fear and alarm to the public or to disturb the peace”

This law was used to harass journalists for filing reports which were not necessarily false but portrayed the government or its agents in the negative lights as concerned the tribal clashes.

### (iii). Law of Subversion

Section 77 of the penal code prohibits several acts including “counselling defiance or disobedience to the law or lawful authority”. Reports on the ethnic clashes were termed subversive as they were perceived to incite the populace to resist the government in its manipulative pronouncements over the conflict.

### (iv). Law on Incitement to Disobedience

Section 96 of the penal code made it an offence for any one to utter, print or publish anything that defeats the enforcement of any written law. This law criminalises disobedience against the bad laws and ties the hands of the mass media not to report them. Its wordings are broad enough to allow its use in stifling criticism. The law,

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<sup>33</sup> Jackson, Tudor – *The Laws of Kenya*, 3<sup>rd</sup> ed., 1987, Kenya Literature Bureau, P. 115

<sup>34</sup> Kenya's Penal Code

therefore, did not allow mass media to report what the administrators were doing in the name of the law and which in themselves were punitive to the victims of ethnic clashes.

**(v). The Law of Defamation**

Defamation can be defined as “the publication of statements about a person that tends to lower his or her reputation in the opinion of reasonable members of his or her community”.<sup>(35)</sup>

Although eye witnesses implicated prominent names in the provincial administration and in the then ruling party in organising the clashes, the journalists were careful not to touch stories and names that could lead to conviction, in the compromised courts of law, with its attendant ruinous penalties.

**(vi). The Public Order Act**

Under this act, a police officer in charge of an area may arbitrarily control, allow or ban any social or political activities in his area of jurisdiction. This law was used to violently break up any political rallies organised to protest against the tribal clashes. The media personnel would be chased away. The citizens would, consequently, be denied the right to listen to alternative views opposed to what the government was telling them. The law, therefore, had negative impact on the coverage of the armed conflict by the mass media.

**(vii). The official Secrets Act**

The act contains provisions which are restrictive to press freedom. For instance, a particular place can be declared out of bounds for the journalists on the grounds that reports of whatever is transpiring at the place would be prejudicial to safety and interests of the public. The term “Safety and interests of the public” are ambiguous and were used only to restrict the movements of the journalists.

In 1993, for example, under the official secrets act, Londiani in Nakuru District was declared a security zone during continuing ethnic clashes hence barring journalists from

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<sup>35</sup> Concise Dictionary of Law



entering the area. The public, therefore, had no way of receiving information about atrocities that may have been committed at the place.

### **Other Methods Used To Control Mass Media During The Ethnic Clashes**

“Here they learn to fear; to do as they are told; to be partisan in their reports, and above all, to leave the truth alone! Editors become de-educators for their survival and, in some cases, the survival of their papers. The public often underestimates the pressures journalists work under. You take it from me: that the kitchen can be hot”<sup>(36)</sup>

Chilling words, these.

The words are attributed to Henry Muradzkiwa, one time Editor-in-Chief of Zambia News Agency (ZANA) about how the media and the government of Zambia related. He could, as well, have been articulating the case of Kenya government and the local media during the ethnic clashes.

The laws relating to the media continued to be interpreted and applied as in the colonial times when freedom of expression and information was not recognised. The government believed that the media should consciously manipulate (or gate keep) the news and information to serve the rulers’ interests. Journalists were expected to routinely doctor the news. Severe action was taken against those who did not. Bribing journalists to do their bidding was not beneath the dignity of government functionaries.

The government censorship tactics that made journalism a hazardous undertaking included prior restraint (giving editorial guidelines), post publication censorship (banning, burning or confiscation of publications and films), closure of printing plants, application of severe economic pressures on publications thought to be disloyal to the government, influencing the appointments of senior editorial staff and denials of licences for ownership of media channels. Editors had to contend with directions on what to

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<sup>36</sup> Edited by Kasoma, P.F. (1994) *Journalism Ethics in Africa*, (Nairobi ACCE)

include or omit in their publications. Those who did not comply with the directives lost their jobs.

Journalists were forced into self-censorship through registration, accreditation, licensing, threats, intimidation, abuses and bribery by the government and its agents.

In 1997, five years after the outbreak of the ethnic clashes, Kenya's Chief Justice referred to journalists as the "lowest and meanest calibre of human beings" and led fellow judges in calling the parliament to enact legislation to clip the freedom of mass media<sup>(37)</sup>. That verdict summarised the attitude the Kenyan political establishment held towards the local press.

Wrote Peter Mwaura, a former director of School of Journalism, University of Nairobi, "In many countries, African Journalists fare no better than witches. Time after time, they are hunted down, burned, banned, banished, ostracised or pilloried, all because journalism in the continent has not come of age as a moral force"<sup>(38)</sup>. He accurately summarised the status of the local press during the ethnic clashes of 1992.

With a government implicated in the ethnic clashes and vehemently denying it, and, with the same government wielding an awesome array of repressive press laws and other strong arm tactics of controlling mass media, what contents did the mainstream print media, themselves accused of incapability of being objective, finally come up with about the infamous state-sponsored ethnic cleansing? What aspects of gate keeping and agenda setting were manifest in the coverage of the crisis – Repetition, use of editorial pages, pegging of stories, story treatment, amount of coverage space, propaganda or news selection? This is the subject of this study.

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<sup>37</sup> East African Standard, April 9, 1997

<sup>38</sup> Edited by Kasoma, P. F. (1994) *Journalism Ethics in Africa* (Nairobi ACCE)

## (VI). THEORETICAL FRAMEWORK

The conceptual framework under-girding the study are the agenda setting and gate keeping theories of mass communication.

### (A) AGENDA – SETTING THEORY

Agenda Setting is an important concept in mass communication theory. The term was coined by Maxwell McCombs and Donald Shaw, American communication Scholars, in 1972, to describe in more general terms, a phenomena that had long been noticed and studied in context of election campaigns. Lazarsfeld et al. (1944) had referred to the phenomena as the power to “structure issues”.<sup>(39)</sup>

In its most basic form, Agenda – setting merely prescribes that the selection, treatment, analysis and display of news and information, if done repeatedly by mass media put premium on the issues in public domain. In other words, the increasing emphasis on a topic in the mass media leads to increased relevance of that topic in the public perception.

In the newspapers, issues considered important are emphasized through the following methods:

#### (a) Repetition ( frequency)

In Adolf Hitler’s Germany, his Minister for Propaganda, Dr. Joseph Goebbels, employed the repetition method to set agenda against the Jews<sup>(40)</sup>. The warped and reverse racial logic was so much repeated by the mass media, particularly radio, until, through subliminal perception, the falsehoods turned into the truth in thousands of minds. An estimated six millions Jews were killed as a result of repetition of lies by the mass media.

<sup>39</sup> Denis McQuail, *Mass Communication Theory*, 2<sup>nd</sup> ed., Sage Publications, London

<sup>40</sup> N. C. Dexter and E. G. Rayner, *Liberal Studies; An Outline, Course*, Pergamon Press Ltd., Oxford, P. 10

In the same way, in the Rwandan epic tragedy of 1994, RTLMC radio and Kangura newspaper incited Hutus against Tutsis by repeating messages designed to set one group against the other. More than half a million Tutsis and moderate Hutus perished in the pogrom as a result of untruths the hysterical mass media was disseminating to the public.

In 'Civilised Life', Knight gives these few guidelines a propagandist can use to turn falsehoods into gospel truth:<sup>41</sup>

- (i). Repeat your idea persistently and systematically. Even falsehood, when presented incessantly, begins to appear as truth. So never be tired of repeating your side of argument time and again.
- (ii). Do not admit, do not even suggest, that there is any other side to the question but that you present. In other words, you must distort the evidence
- (iii). Cast your cause in the role of a hero, and your opposition in the role of a villain. Resort to generalities, emotionalised symbols and stereotypes. Prove the high-mindedness, nobility and humanness of your cause, and at the same time, demonstrate low motives, ignoble goods and self-seeking activities of the opposition. This study aims at establishing the repetition or frequency of the reports of the clashes because of the foregoing reasons.

#### (b) **Headline Size or Choice of Typeface**

Screaming or banner headlines give news items prominence and are designed to attract the attention of the readers. The public actually considers headlines important topics of the day and often discuss their implications. In this way mass media sets agenda for public discourse.

#### (c) **Use of Editorial Pages**

Editorial commentaries can be used to interpret and to justify, or to demonise issues or information. They can bring into sharp focus those issues the mass media aim at

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<sup>41</sup> Dunlop, Knight, *Civilised life*, pp. 360 - 361

propagating and sustaining. They can take a stand, persuade or propagandise. They can be used to set the agenda by giving an issue prominence. They can also be used to slant figures or facts of a story. This study shall endeavour to establish the frequency with which mainstream print media in Kenya treated the clashes in the editorial and opinion pages.

#### **(d) Placement or Pegging of Stories**

Placed on front, back, editorial or opinion pages, an issue receives more visibility, relevance and importance in the minds of the reading public. Placed at some obscure part or page, even a burning issue can pass largely unnoticed. Editors or media owners, therefore, often set agenda by having issues they intend to propagate and sustain placed in those pages where they are likely to catch public attention. The study shall have a look at how the mainstream print media placed stories of the clashes particularly on front pages.

#### **(e) Story Treatment.**

Analysis, interpretation, slants, emphasis and in-depth treatment of a story are bound to give credibility and place premium on an issue. Use of pictures will reinforce the story. And so will the use of attributions, examples and statistics. A story a newspaper considers important will be conspicuous in the page layout and design, and will also employ the use of boxed stories. The study is particularly interested in pictures because a good picture is a powerful means of passing messages.

#### **(f) News Selection**

Agenda can easily be set by gate keeping process in which editors, reporters, media owners, wire services, the government and all other sources of news, each deciding which item will pass, which will be cut, and which will be deleted. This is because there is far more news available each day than there is capacity to transmit it. The items that pass without any alterations are what the medium considers important. These are the kind of

issues they strive to bring to the attention of the public. This study will look at all the stories, feature, editorial and other commentaries on the clashes because they are what the gate keeper aimed at bringing to the public's attention.

#### (g) Amount of Coverage Space

Newspapers devote more space to the news items they consider important. They even resort to back grounding to give a story credibility. In this way, they bring the news and information into public focus and thus set agenda for discussion. The study will, therefore, have a look at the size or amount of coverage each mainstream print media gave to the clash stories.

#### (h) Other ways of highlighting issues in the newspaper

- (i) The issue will be discussed by several columnists. The study shall find out what editorial opinion pages contained about the clashes.
- (ii) A flood of letters to the editor will be published to demonstrate the public's interest in the issues. The study aims at finding out whether the print media allowed debate about the clashes.
- (iii) Only journalists with special expertise, vast experience or predisposition to the issue may be assigned to cover and write about them.

#### AGENDA SETTING THROUGH POLITICAL PROPAGANDA.

In the case of conflicts, agenda setting always has application in **political propaganda**. According to Harold D. Lasswell, an American Communication scholar, "Propaganda is the technique of influencing human action by the manipulation of representations"<sup>(42)</sup>; H.T. Mazumdar defined propaganda as "The communication of distorted ideas or inadequate facts, or both, conveyed in a manner or tone so as to create in the object of

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<sup>42</sup> Encyclopaedia of Social Sciences, VI, PP. 521 - 526

propaganda (the hearer or the reader) an emotional response favourable to the implicit bias of the propagandist”.<sup>(43)</sup>

On the newspaper pages, agenda can be set through the use of propaganda in the following ways:

#### (a) Name Calling

Giving a bad name to a person, group, an idea or an event and have the media to play up the matter is agenda – setting through propaganda. The name so given arouses an emotional hostility and rejection. Epithets like “capitalist”, “fascist”, ‘communist’ or ‘war monger’ have had the tendency to arouse rejection in political circles because of their past history.

#### (b) Transfer device

To float an idea or an issue for acceptance or adoption, a propagandist can set agenda by identifying with what is popular. Politicians always claim to be “democratic, “patriotic’, far-sighted, ‘lovers of peace’, ‘fair –minded’, etc; because these attributes have universal acceptance.

#### (c) Glittering Generalities

Propagandists dangle in front of the public some attractive or impressive words or ideas in their attempts to set agenda that favour their political designs or ambitions. The concepts equality, equity, justice, fair play, progress, national unity, democracy, etc, are always in the pages of newspapers. But some of the political activists who bandy them about may not be their actual proponents.

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<sup>43</sup> Mazumdar, H. T., *The Grammar of Sociology*, P. 376

### (B) GATE KEEPING THEORY

Before news, information or entertainment enter the mass communication system, they must be approved by someone in authority within any mass medium. These men and women, known as gate-keepers, include editors, proprietors, directors or their agents. They decide on messages to be released to the public according to the following criteria: public interest, taste, effectiveness and legality. But information is never value free and must mirror the political or social philosophy of gate-keepers.

Exerting pressure on the gate-keepers, in the attempts to influence their decisions as to what will or will not be published, are organizations and individuals –public pressure groups, government agencies, advertisers, consumers, courts and legislatures.

Such pressures, sometimes applied publicly and sometimes behind the scenes, do affect media contents and performance.

In his book, "Mass Communication An Introduction," Bittner (1989)<sup>(44)</sup> credits an Austrian Psychologist, Kurt Lewin, with the first use of the term 'gate keeper' to refer to individuals or groups of persons who govern "the travels of news items in the communication channel".

Bittner expanded Lewin's definition and defined gatekeepers as "any persons or formally organized group directly involved in relaying or transferring information from one individual to others through a mass medium".

Other communication scholars such as David Manning White, an American, also did extensive research on gate keeping theory and its applications in mass communication. But in nutshell, gatekeepers are people who are endowed with the ability, through employment or ownership, to limit, expand or simply pass on any information the public receives through the mass media.

Gatekeepers can allow total or partial flow of information. They can engage in corrections, mutilation of a story or have it re-written. They can limit the amount of

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<sup>44</sup> Bittner, J. R., *Mass Communication An Introduction*, 5<sup>th</sup> ed. Prentice Hall, Englewood Cliff, New Jersey, 1989



information the public receives by deleting parts of it or expand it by supplying facts, figures, interpretations or analysis the audiences would not otherwise have received.

A gate keeper can be:

- (i) A film producer who cuts a scene from the original script.
- (ii) A network censor who deletes a scene from a television program because it is perceived as being too sexually explicit
- (iii) A media owner or an editor who determines a topic for an editorial.
- (iv) Or, any other individual or group of persons who process or control messages disseminated through mass media.

Gate – keepers are, thus, those who protect the path to publication, opening and closing the gates as dictated by a host of considerations.

Gate keeping exists in the mass media because there is not enough time or space to report everything a media channel receives. Scholars researching on how information flows from the source until they become consumable news events found out that only a small fraction of the material received by the media houses see light of the day.

David Manning White's classic "gate keeper" studies found out that of the approximately 12400 column inches of wire copy received during one week by wire editor of a Midwestern newspaper in the United States, in 1980s, only 1297 column inches (about 10%) were finally used!

The following are the print media strategies for gate keeping;

**(a) Through editing**

- (i) The use of pictures may be deliberately omitted to lower the efficacy of a story.
- (ii) Analysis can be used as a gate-keeping tool by giving a story an angle in which its gist is watered – down or removed altogether. This may be done by resorting to misleading leads that omit original punch line or by adverse editing.

### (b) Expertise

An editor may omit a story because of his or her own professional incompetence. Or, because of political, ethnic, economic or security considerations. Or, just because of his or her idiosyncrasies. Questioned recently why they reject stories which seem to be suitable for publication, the local editors' responses included the following;

- (i) "Some of the stories are not interesting"
- (ii) "Others are common and boring"
- (iii) "We cannot include propoganda in our publications"
- (iv) "Some of the stories originate from sources which are very far away. They cannot arouse local interests".

None of them mentioned anything to do with competence.

### (c) Economic Considerations

- (i) The fact that the media must compete for a large share of mass audience in order to maintain advertising revenue tends to influence them to shy away from the novel, the controversial, or anything which does not guarantee them revenue. This is a form of gate-keeping.
- (ii) The media also gate keeps to be in good book of the government. The main motive for running a mass media organization is to make profit. This is only possible when law and order prevails and not under anarchy. Government maintains law and order. Mass media owners, therefore, generally support the government to maintain status quo so that they may run their business under normalcy. They, therefore, gate keep by withholding news and information the government may find unpleasant.

### (d) Perceptions of Journalists

The individual reporter or editor views and interprets the world in terms of his or her own image of reality – his or her own beliefs, value, and norms. Journalists, therefore, may ignore news and information which does not

confirm with their own beliefs, values and norms. This is yet another strategy for selection of news items.

### **(VII). HYPOTHESIS OF THE STUDY**

1. The main frame for covering of the political violence prior to 1992 general election was a self-fulfilling prophesy by then ruling party, KANU, that multi-parties would result in violence.
2. Prior restraint by journalists when covering the conflict was a function of editorial policies, commercial interests, paucity of employment opportunities in the mass media and media laws working in concert.

**(VIII). LIMITATIONS OF THE STUDY**

Due to lack of time, the study will only cover the three local dailies namely Daily Nation, The East African Standard and Kenya Times in their coverage of 'ethnic clashes' from October 1991 to March 1992. The study will not do a content analysis of any international magazine, other local dailies or local publications variously known as 'alternative' or 'gutter' press.

## (IX). METHODOLOGY

### AIMS

- (a). To identify and count the frequency with which the mainstream print media had banner headlines on their coverage of ethnic clashes; gave the clashes a front page treatment; had editorials, commentaries and other features on the conflict; carried pictures of the victims or of their destroyed property in the clashes; and published the 'feedback' or letters to the editor from the public. The study also aims at establishing the amount of space each medium typically gave to the stories on the conflict.
- (b). To indicate the kind of attitude each medium had towards the conflict.

### Units of Analysis

- (i). Identifier categories – Kenya Times (KT), Daily Nation (DN) and East African Standard (EAS)
- (ii). Chronology: Day, Month, Year
- (iii). Space allocation for stories: in cm<sup>2</sup> or % of the page contents
- (iv). Position in the communication channel – page.
- (v). Sources of the stories (attributions)
- (vi). Type or genre classification reports feature articles, feedback system (letters to the editor) editorial commentary, opinion pages and pictures.

### Methods of Analysis

- (i). All articles on ethnic clashes in parts of Western Kenya, carried by the mainstream print media between October 1991 and March 1992, will be scrutinized for banner, headlines, pictures, the treatment of the stories etc.
- (ii). Each article on the ethnic clashes will be placed chronologically – date of the day, month of the year.
- (iii). Position of each article within the communication channel i.e. page, will be indicated
- (iv). Size or space allocated to each article on the ethnic clash will be determined as a percentage of the contents of a whole page or in cm<sup>2</sup>
- (v). The type of genre of news items of the conflict will be established e.g. editorial, feature article, opinion or letters to the editor etc.
- (vi). The study will identify the quoted actors in the conflict.

After the operationalization of all the data, they will be subjected to analysis. Coding schedules listing down the frequencies or space allocation or the pictures with their captions will be compared and contrasted for all the mainstream print media under the study. The conclusion will then be written out.

1. What are the components of image content analysis and how are they used to analyze the content of an image?

1. Image Type	+
2. Location	+
3. Size/Color	+

2. How does the use of image content analysis differ from other forms of content analysis?

1. Image Type	+
2. Location	+
3. Size/Color	+

3. What are the limitations of image content analysis?

1. Image Type	+
2. Location	+
3. Size/Color	+

(X). PROCEDURE FOR CODING THE DATA FOR EACH MONTH OF THE STUDY.

- (a) What was the frequency of banner headlines carried by the mainstream print media in the first six months of ethnic clashes?

(i)	Kenya Times	4
(ii)	Daily Nation	12
(iii)	East African Standard	8

- (b) How often did the stories of the ethnic clashes appear on the front pages of the print media under the study in the six months?

(i).	Kenya Times	12
(ii).	Daily Nation	23
(iii).	East African Standard	15

- (c) What size of the coverage in sq. cm<sup>2</sup>

(i).	Kenya Times	15,102 cm <sup>2</sup>
(ii).	Daily Nation	16,126 cm <sup>2</sup>
(iii).	East African Standard	15,772 cm <sup>2</sup>

(d) How many editorials did each newspaper carry on the conflicts?

(i)	Kenya Times	5
(ii)	Daily Nation	5
(iii)	East African Standard	3

(e) What of commentaries by the other columnists?

(i)	Kenya Times	1
(ii)	Daily Nation	1
(iii)	East African Standard	1

(f) How many special features did the newspapers carry of the ethnic conflicts?

(i).	Kenya Times	1
(ii).	Daily Nation	1
(iii).	East African Standard	1

(h). How many pictures of the victims of the clashes did each newspaper carry?

(i).	Kenya Times	7
(ii).	Daily Nation	42
(iii).	East African Standard	11

(i). What were the main sources of the stories?

	KT	DN	EAS
(i). Government	3	1	4
(ii). Politicians	8	10	11
(iii). The clergy	3	1	7



(iv). Eye-witness/ victims	1	6	0
(v). Police	3	2	3
(vi). Parliament	4	4	4
(vii). Diplomats	0	2	2
(viii). NGOs	1	1	0

(j). How many letters to the editor did each newspaper carry?

(i). Kenya Times	2
(ii). Daily Nation	8
(iii). East African Standard	1

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**(XI). PRESENTATION OF THE FINDINGS**

Between October 31, 1991, and March 31, 1992, a total of 453 issues of the editions of The Nation, The Standard and Kenya Times under the study were published and circulated for public consumption. Of these, only 175 or 39% of the issues carried stories, commentaries, analyses, features, pictures or letters to the editor on the ethnic clashes.

Nation had 65 or 37% of the stories the Standard and Kenya Times having contributed 55 or 31.5% of the stories each.

**Agenda Setting and Gate Keeping elements of Kenya's mainstream print media in reporting the ethnic clashes**

**(a). Placement or pegging of the stories**

Print media, as we pointed out, view how important a story (or even an advertisement) is by the location of its placement in a publication. For example, The Nation Media Group used to publish sensational and 'hard' news reports on its page 1 and back page. National news were placed on pages 2, 3, 4, 5, while foreign news were published on pages 9, 10 and 11 (for Daily Nation) and pages 12 and 13 (for Sunday Nation). Editorials, commentaries were placed on page 6 while page 7 was reserved for the mail- box.

The pegging of stories in The Standard and Kenya Times was patterned on the same format except that for the two publications, all 'hard' or sensational news were only placed on their front pages.

For the purposes of comparison, the study regarded only stories on the ethnic clashes carried on the front pages of the three print media for the period under this study as 'hard' or sensational news

(b). Banner headlines

In the six months under study, a total of 24 banner or screaming headlines on the ethnic clashes were carried by the country's mainstream print media. Nation had 12 or 50% of the banner headlines, The Standard 8 or 33% and Kenya Times 4 or 17%.

(c). First page news

In the period of the study, the mainstream print media had a total of 50 first-page story treatment of the ethnic clashes. Of these Nation had 23 or 46% of the stories, The Standard 15 or 30% and Kenya Times 12 or 24%.

(d). Pictures

In the period under the study, mainstream print media carried a total of 60 pictures. The Nation carried 42 or 70% of the pictures of the ethnic clashes while The Standard had 11 or 18% and Kenya Times a paltry 7 or 12%.

(e). Editorials

In the six months under the study, the country's three mainstream print media carried a total of 13 editorials. The Nation and Kenya Times each carried 5 editorials or about 39% of the publications' opinions on the land clashes while The Standard had 3 or about 22%.

The Standard's editorial of Friday, January 10, 1992 typified how the print media can set agenda through editorialising. Since the land clashes broke out in the late October 1991, the government had persistently denied having a hand in the armed conflicts. It, in fact, maintained that it had deployed the state machinery to quell the clashes and pointed an accusing finger at groups it claimed were fomenting trouble. But in the editorial, the Standard cast aspersions on all this. It asked, "Tribal clashes: where is state machinery?"

In part of the editorial it opined, "Property has been damaged, lives lost and thousands dispossessed, yet the security machinery seems ineffectual, for the first time, unable to guarantee the people much-talked-of national security.

We call upon the government state security to stand up and guarantee the security of a beleaguered population. The reluctance with which this problem is being addressed begs certain questions and raises some suspicions."

(f). Opinion (Commentary)

Important issues to a newspaper stand a good chance of becoming manifest in the way columnists with special expertise, vast experience or predisposition discuss them. This is because agenda setting and opinion cultivation can also be done through those writers whose knowledge and expertise in areas under discussion are respected by the readers.

In the six months under the study, there were only three commentaries on the ethnic clashes. One, in The Standard of March 13, 1992, was caustically headlined, "KANU is breeding violence" and was the handiwork of journalist Athanas Tuiyot. The other two were by Amboka Andere, editor in chief of Kenya Times and Kwendo Opanga, a well-known Nation columnist.

The paucity of commentaries is probably indicative of the level of self-censorship journalists imposed on themselves because of the prevailing working climate of that moment and for self-preservation.

(g). Features

Feature writers of the print media normally file their stories after visiting the scene and carrying out thorough interviews about an issue, condition, problem, program, personality or anything else of interest.

The feature writers analyse, interpret, slant, emphasize and give an issue in-depth treatment to bestow upon it credibility and premium in the minds of the readers. They use pictures, attribution, examples and statistics to reinforce the story so as to set the agenda. An issue print media consider important must, therefore be also covered by the feature writers.

In the six months under the study, Kenya's mainstream print media carried only three features on the ethnic clashes. One of Friday, January 3, 1992 was a Nation Friday feature headlined "Terror in Trans Nzoia" and was covered by journalist Muliro Telewa and cameramen Yahya Mohamed. The second one was of March 29, 1992 by Kenya Times Kisumu Bureau Chief and third one was a Standard feature of January 8, 1992 by Noel Okoth.

#### (h). Letters to the editor

The print media allows a flood of letters to the editor to highlight an issue it thinks is important. Mailbox is a method the publications use not only to get a feedback on their coverage and treatment of particular topics but also to cultivate public opinion and tilt the agenda in their favour.

In the six months of the study, the country's mainstream print media carried a total of only 17 letters to the editor on the tribal clashes. Of these, 11 or 65% were published by The Nation and 3 or 17.5% by The Standard and The Kenya Times each.

#### (i). Amount of coverage space

The study chose November and March, the beginning and the end of time span of the study to gauge how deep or shallow the three mainstream print media covered the stories on ethnic clashes. In the six months under the study, the local mainstream print media devoted the following amount of spaces to the stories about ethnic clashes.

Nation – 16,126 cm<sup>2</sup>

Standard – 15,772 cm<sup>2</sup>

Kenya Times – 15,102 cm<sup>2</sup>

Although Nation devoted more space to the stories, the other two mainstream print media also demonstrated immense interest in reporting matters of the tribal conflict.

### Attributions

In the six months of the study, the mainstream media obtained their information from the following sources: politicians (members of parliament, councillors, political parties functionaries), provincial administration (provincial commissioners, district commissioners, district officers, location chiefs), the clergy, NGOs, police, parliamentary reports, government statements, victims and eyewitnesses.

Taking March, 1992, as a typical month or unit of analysis for these attributions, the sources of the ethnic clashes stories were as follows:

11 stories in the Standard were attributed to individual politicians, 4 to provincial administration, 3 to police, 7 to the clergy, 4 to the parliament, 1 to political parties, 2 to diplomats, one was a government statement and none was directly attributed to the victims or eye witnesses.

8 stories in the Kenya Times were attributed to individual politicians, 3 to provincial administration, 3 to police, 3 to clergy, 4 to the parliament, 1 to victims, 1 to NGO (Law Society of Kenya – Western Kenya Branch) and 1 was a government statement.

10 stories appearing in the Nation were attributed to individual politicians, 4 to the parliament, 6 to eye witnesses and victims, 1 to political parties, 1 to NGO (Law Society of Kenya, 2 to diplomats and 2 were government statements.

All the three mainstream print media, therefore, attributed many of their stories to individual politicians and only The Nation interviewed victims and eyewitnesses to a large extent.

(XII). INTERPRETATIVE CONCLUSION

The study undertook to examine Kenya's mainstream print media's omissions and commissions in reporting ethnic clashes that shook Western Kenya in the run up to the 1992 general election. Daily Nation first exclusively reported the matter in its October 31, 1991 edition. The report by a Nation correspondent at the top left corner of the back page covered only 18 cm<sup>2</sup> or 2% of the page's content. But it contained glaring hallmarks of the local mainstream media's gate keeping practices.

The report was about a widespread arson at Tinderet division, Nandi district designed to drive away settler communities. The arson had taken place the previous Tuesday, October 29, 1991 in the wake of a meeting provincial administration convened on Monday at Meteitei farm.

The Daily Nation reported: "After Nandi District Officer I, Christopher Mwathi, had left, an illegal meeting was held at night under the chairmanship of a local politician (name withheld). It resolved to burn homesteads in a bid to evict the settlers. On Tuesday night, homesteads belonging to some communities in the farm were set ablaze and those who attempted to escape were stoned. The Nandi District Commissioner, David Mativo, and a top security official were said to have visited the area as the families inspected the damage to their grass-thatched houses."

Daily Nation withheld the name of a politician who was organising the violence, the names of the targeted communities, and the name of a top security official who had accompanied the D.C. on a tour to inspect the damage wrought by the arsonists. This selective exposure of facts of the incident was a gate-keeping practice of the mass medium meant to protect certain interests, either of the print media or the personalities involved or both.

Both The Standard and Kenya Times carried, for the first time, reports about ethnic clashes on their front pages of Monday, November 4, 1991 editions.

Politicians and provincial administration gave different and differing explanations as the cause for ethnic clashes which the print media never questioned. For example, six months after the clashes had flared up, Daily Nation of March 24, 1992 reported that "President Daniel Arap Moi said the clashes were as a result of a stock theft incident which became a full-fledged fight between the Luos and the Nandis". The print never posed the question, "How about the war between the Kalenjin and the Luhyas?"

But perhaps one of the most convoluted explanations was filed on Thursday, December 19, 1991, by Eliud Miringuh, of Kenya Times. He wrote, "Sources from within the area told Kenya Times that the fighting between Luhyas and Nandis was sparked off by a succession dispute between three widows whose husband had died in 1983.

Reliable sources said two of the wives and their children had conspired to cheat their co-wife out of her inheritance.

We also learnt that the quarrel in the family had been simmering for a long time and that the two groups had fought to have their husband's land sub-divided amongst them so that their eldest sons would settle with their families. The row had extended beyond the family as each group sought sympathy and support from their respective tribes"

This was agenda setting of the worst variety. The explanation not only withheld any names but also assumed that the reading public would be so daft as to buy the idea that a quarrel over a small piece of land by some obscure family can set a whole region into conflagration.

All the pictures that appeared in the print media were those of victims of the ethnic clashes and not a single one was that of the aggressors. This was despite of the fact that there were occasions on which the pictures of the attackers could have been taken.



For example, Daily Nation of Monday, November 4, 1991, reported that "Nation reporter saw several of the raiders armed with bows and arrows patrolling the vacated Owiro farm." He could have taken their pictures. He either did not or the paper was scared to publish them. Either way, it was the mass medium gate keeping practice.

Kenya Times of Friday, November 8, 1991 also reported that, "Soon after setting over fifty homes (these were reached and counted by the reporters) on fire at Kanyak shortly after 9.00 am – an event which was witnessed and covered live by Kenya Television Network (KTN) and Kenya Times – the marauding arsonists engaged the security personnel who had rushed to the scene in a gun battle for over five minutes before fleeing" Kenya Times did not publish any pictures of the raiders in action.

On Thursday, November 26, 1991, The Nation came up with statistics of people who had perished or had been injured in the clashes; schools, houses, grain stores and vehicles in Rift Valley and Nyanza that had been damaged; cattle, goats and sheep that had been stolen; and people arrested and discharged after being charged with either stealing (looting), stock theft or burglary. But The Nation did not divulge its sources of information and only passed them on to the readers as from "reliable sources". This is a gate keeping of mass media because the paper made it impossible for anybody interested to verify these statistics.

Standard of November 12, 1991 carried a report in which Rift Valley provincial commissioner dismissed as absurd and unfounded claims that the clashes along Rift Valley and Nyanza borders were linked to Majimboism. The print media also reported him as having attacked journalists for exaggerating what he called "Sporadic clashes". But the mainstream print media failed for a long time to question him on why even the so called "sporadic clashes" should be allowed to take place until Sunday, March 29, 1992

when Sunday Nation in an editorial growled that "isolated or not clashes must stop". This was gate keeping or self-censorship apparently from the fear of government agents.

A constant refrain from President Daniel Arap Moi, provincial administration and some politicians from Rift Valley was that, "Those who are willing to go back to their homes will be assisted." What the print media failed to ask was that, "Where were the homes to go back to after they had been burnt down?"

Such were omissions and commissions committed by the mainstream print media in reporting the ethnic clashes. Taken together with gate-keeping and agenda setting devices of the print media such as pegging of the stories, banner headlines, pictures, mailbox, editorials, commentaries, features and attributions, it is clear that the mainstream print media was hamstrung in its work by a number of hostile forces amongst them harsh media laws, hostile political climate, limited job opportunities in the mass media industry and the general fear of ruthless state operatives. Only when such conditions are reversed can the Kenyan print media achieve, in their work, objectivity that should be expected from them.

### (XIII). Discussion and Recommendations

The country's harsh media laws were partly responsible for omissions and commissions the mainstream print media committed in their coverage of ethnic clashes that devastated parts of Western Kenya in the run up to the 1992 general election. Yet this study does not condemn laws wholesale. It recognises that laws must exist for the mass media to function properly. Only that those laws must be designed to enhance social welfare, security and stability and not for any other purposes.

As Agee et al. rightly point out, mass media is an integral part of the society just like schools, religious institutions or family units. They all should be subjects of 'normal', regulatory laws that control all other social institutions. Indeed the following are some of the reasons why mass media, in particular, should be made to operate only within the confines of the 'normal' laws:

- (a). To protect the public from pornography, smut, glorification of violence, blasphemy and other culturally offensive materials.
- (b). To protect individuals from the invasion of their privacy
- (c). To promote the concept of the "people's right to know" together with responsible journalism devoid of unnecessary sensationalism
- (d). To provide legal framework for addressing problems arising out of libel, sedition, deception or electronic trickery by the journalists
- (e). To provide protection for the public against scurrilous personal and insulting racial, tribal or communal messages
- (f). To help in the maintenance of acceptable standards in the profession. This is why there exists copyright laws and laws against plagiarism
- (g). Not to comment and influence cases before the court of law

'The Code of Conduct and Practice of Journalism in Kenya'<sup>45</sup> also requires journalists to, amongst other things,

- (a). be fair, accurate, objective, truthful and impartial in their work
- (b). guard against plagiarism and discrimination based on gender, race, ethnicity or religion.
- (c). avoid provocative and alarming headlines and not to involve, in news coverage, innocent friends and kin of persons convicted or accused of crimes.

Laws and media ethics, therefore, tie down media practitioners to be, in short, responsible even when they cover grave matters such as the country's ethnic clashes of 1992.

But the role of mass media in ethnic clashes continue to be a topic for a feverish debate especially amongst the scholars and politicians. One school of thought is of the opinion that inter-tribal violence was a national tinderbox which should have been discussed away from the glare of press cameras. They prescribe for the mass media a principal role of "educating the masses" and generally "contributing to national development without getting involved in sensitive matters such as tribal clashes".

Whereas the role of mass media as 'an educator', or as what Hamid Mowlana calls "an organiser, an agitator and a propagandist"<sup>46</sup> is, no doubt, very important for national development, in a poor third world country like Kenya where the rulers have the propensity to misuse power, the crucial role of mass media should be to 'serve as one of the principal mechanisms for providing checks and balances against the abuse of power'. Indeed, initiating and sustaining tribal clashes in 1992 was quintessential state tyranny which mass media should have been able to expose.

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<sup>45</sup> 'Code of Conduct and Practice of journalism in Kenya', Published by Media Industry Steering with the assistance of Friedrich Ebert Stiftung, April 2001.

<sup>46</sup> Hamid Mowlana, 'Communication and Development: Everyone's Problems' in 'Media and Sustainable Development', ACCE, 1995 pp. 31

For the abuse of power to be stopped, it requires a mechanism for detection, investigations by the authorities and, finally, prosecution. Experience from Western countries has shown that it is the mass media which is most effective at detecting and exposing abuse of power. The fear of exposure or having something "leaked to the press" is the secret behind the seeming political rectitude of many western politicians who, at heart, are really no different from corrupt politicians elsewhere.

For the local mass media to build the capacity to be able to expose those behind atrocities such as ethnic clashes, they must be free from the fear of losing their jobs on flimsy grounds, should be reasonably remunerated for their work and should be well-trained. Training must inculcate in them respect for the truth and a sense of mission. They must acquire virtues such as vitality, curiosity, courage, perseverance, drive, the ability to ferret out the truth and a good measure of initiative. Finally, they must learn to have, at all times, a hand on public pulse.

Whereas this study recognises that the mass media must operate within the confines of the laws, it also takes cognisance of the fact that the media legal regime, as it has existed, has hamstrung media operations and undermined the concept of the "people's right to know". Even the Constitution of Kenya, the basic and supreme law of the land, guarantees press freedom only by the way of inference. Section 79 (1) of the Constitution states:

"Except with own consent, no person shall be hindered in the enjoyment of his freedom of expression, that is to say, freedom to hold opinions without interference, freedom to receive ideas and information without interference, freedom to communicate ideas and information without interference (whether the communication be to the public generally or to any person or class of persons) and freedom from interference with his correspondence".

The constitution is thus silent on mass media as an institution and this has a serious implication on press freedom. Journalists enjoy no special rights on their search for information. This is why sponsors and organisers of human activities such as tribal clashes found it easier to harass and refuse to avail information to the mass media.

Other than the constitution, Kenya's statute books are littered with laws that undermine the principle of media freedom. Two examples here will suffice to explain and reiterate the difficulties mass media face in their work because of such laws.

#### **(a). Banning Provisions in the Penal code**

Section 52 of the Penal Code allows the minister in charge of internal security to impose a ban on any publication – past, current or future – at will. The publisher is never given the chance to show cause why the publication should not be banned. Neither does the minister have to explain reasons for the ban.

The scope of this law defies sound legal principles. For example, by providing for the banning of even past and future issues of publication, the law allows for the retrospective criminalisation of a publication as well as the punishment for a crime yet to be committed.

Such laws were designed to keep the mass media away from reporting matters such as tribal clashes, which portray the government and its agents in negative light.

#### **(b). The Books and Newspaper Act**

Section II of the Act requires the printer or publisher of a newspaper to execute, register and deliver to the Registrar of Books and Newspapers a bond of ten thousand shillings with one or more sureties as may be required by the registrar.

The bond acts as a security towards or for payments of any monetary penalty in case of conviction for offences related to the printing or publication of a newspaper.

Besides acting as a form of prior restraint, the law is discriminatory to the practice of journalism. The law does not require lawyers, for instance, to execute a bond as a security against theft of client's money.

The aim of the Act is to deter journalists from registering their own newspapers, and have only a few newspapers that the government can control, in circulation. Such newspaper would fear reporting such matters like tribal clashes organised and financed by government agents.

#### **Recommendations**

Arising from the way the mainstream media covered the ethnic clashes of 1992, this study recommends the following.

- (a). The Kenya Constitution should be reformed to expressly guarantee the freedom of the press. Journalists should work only within the confines of the law the breach of which should attract normal penalties.
- (b). The Kenya government should guarantee the security of journalists in the course of their duty and ensure justice is done in the event of harassment. When journalists work in dangerous situations, they should be given police protection even if their employers have to pay for that protection. They should have been given that protection to cover the ethnic clashes if the government had nothing to hide about the conflict.
- (c). The journalists themselves should take the campaign for press freedom and refrain from compromise and self-censorship. This can be achieved through their Union which can petition the employers on behalf of the journalists and take action against the compromised and wayward journalists.

- (d). The government should create a legal environment conducive to press freedom by repealing the law of defamation, the books and newspapers Act, the Public Order Act, the Official Secrets Act and all other laws that undermine the press freedom in breach of international laws and standards.



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